HOUSE OF REPRESENTATIVES—*Tuesday, July 14, 1998*

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mrs. JOHNSON of Connecticut).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 14, 1998.

I hereby designate the Honorable NANCY L. JOHNSON to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 6. An act to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes.

H.R. 3694. An act to authorize appropriations for fiscal year 1999 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 4059. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 6) "An Act to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JEFFORDS, Mr. COATS, Mr. GREGG, Mr. FRIST, Mr. DEWINE, Mr. ENZI, Mr. HUTCHINSON, Ms. COLLINS, Mr. WARNER, Mr. MCCONNELL, Mr. KENNEDY, Mr. DODD, Mr. HARKIN, Ms. MIKULSKI, Mr. BINGAMAN, Mr. WELLSTONE, Mrs. MURRAY, and Mr. REED, to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3694) "An Act to authorize appropriations for fiscal year 1999 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SHELBY, Mr. CHAFEE, Mr. LUGAR, Mr. DEWINE, Mr. KYL, Mr. INHOFE, Mr. HATCH, Mr. ROBERTS, Mr. ALLARD, Mr. COATS, Mr. KERREY, Mr. GLENN, Mr. BRYAN, Mr. GRAHAM, Mr. KERRY, Mr. BAUCUS, Mr. ROBB, Mr. LAUTENBERG, and Mr. LEVIN; and from the Committee on Armed Services, Mr. THURMOND, to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4059) "An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BURNS, Mrs. HUTCHISON, Mr. FAIRCLOTH, Mr. CRAIG, Mr. STEVENS, Mrs. MURRAY, Mr. REID, Mr. INOUYE, and Mr. BYRD, to be the conferees on the part of the Senate.

The message also announced that the Senate passed bills and concurrent resolutions of the following titles, in which concurrence of the House is requested:

S. 439. An act to provide for Alaska State jurisdiction over small hydroelectric projects, to address voluntary licensing of hydroelectric projects on fresh waters in the State of Hawaii, to provide an exemption for portion of a hydroelectric project located in the State of New Mexico, and for other purposes.

S. 538. An act to authorize the Secretary of the Interior to convey certain facilities of the Minidoka project to the Burley Irrigation District, and for other purposes.

S. 799. An act to direct the Secretary of the Interior to transfer to the personal representative of the estate of Fred Steffens of Big Horn County, Wyoming, certain land comprising the Steffens family property.

S. 814. An act to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest.

S. 846. An act to amend the Federal Power Act to remove the jurisdiction of the Federal Energy Regulatory Commission to license projects on fresh waters in the State of Hawaii.

S. 1158. An act to amend the Alaska Native Claims Settlement Act, regarding the Huna Totem Corporation public interest land exchange, and for other purposes.

S. 1159. An act to amend the Alaska Native Claims Settlement Act, regarding the Kake Tribal Corporation public interest land exchange.

S. 1609. An act to amend the High-Performance Computing Act of 1991 to authorize appropriations for fiscal years 1999 and 2000 for the Next Generation Internet program, to require the Advisory Committee on High-Performance Computing and Communications, Information Technology, and the Next Generation Internet to monitor and give advice concerning the development and implementation of the Next Generation Internet program and report to the President and the Congress on its activities, and for other purposes.

S. 1976. An act to increase public awareness of the plight of victims of crime with developmental disabilities, to collect data to measure the magnitude of the problem, and to develop strategies to address the safety and justice needs of victims of crime with developmental disabilities.

S. 2022. An act to provide for the improvement of interstate criminal justice identification, information, communications, and forensics.

S. 2073. An act to authorize appropriations for the National Center for Missing and Exploited Children.

S. 2275. An act to make technical corrections to the Agricultural Research, Extension, and Education Reform Act of 1998.

S. 2282. An act to amend the Arms Export Control Act, and for other purposes.

S. 2294. An act to facilitate the exchange of criminal history records for noncriminal justice purposes, to provide for the decentralized storage of criminal history records, to amend the National Child Protection Act of 1993 to facilitate the fingerprint checks authorized by that Act, and for other purposes.

S. Con. Res. 30. Concurrent resolution expressing the sense of Congress that the rules of multilateral economic institutions, including the International Monetary Fund and the International Bank for Reconstruction and Development, should be amended to allow membership for the Republic of China on Taiwan and other qualified economies.

S. Con. Res. 81. Concurrent resolution honoring the Berlin Airlift and commending the Berlin Sculpture Fund.

S. Con. Res. 106. Concurrent resolution to commend the Library of Congress for 200 years of outstanding service to Congress and the Nation, and to encourage activities to commemorate the bicentennial anniversary of the Library of Congress.

S. Con. Res. 107. Concurrent resolution affirming United States commitments under the Taiwan Relations Act.

The message also announced that pursuant to the provisions of Public Law 105–186, the Chair, on behalf of the Democratic Leader, appoints the following Senators to the Presidential Advisory Commission on Holocaust Assets in the United States—the Senator from California (Mrs. BOXER); and the Senator from Connecticut (Mr. DODD).

The message also announced that pursuant to the provisions of Public Law 105–186, the Chair, on behalf of the Majority Leader, appoints the following Senators to the Presidential Advisory Commission on Holocaust Assets in the United States—the Senator

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from New York (Mr. D'AMATO); and the Senator from Pennsylvania (Mr. SPECTER).

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, other than the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

OREGON DEATH WITH DIGNITY LAW

Mr. BLUMENAUER. Madam Speaker, one of the most difficult decisions we in Congress routinely face on the Federal level is choosing where to act or intervene in a decision that is reached elsewhere. There are some that are relatively easy decisions for most Americans, as in the case of where there is active discrimination or a failure to protect the environment. People feel entirely comfortable with the Federal Government moving to assure equity and environmental protection.

Many, however, are decisions that are very much in a gray area, which some choose, unfortunately, to use for political reasons. One of these gray areas, the decision that affects the end of life, is perhaps one of the most difficult and personal.

In the State of Oregon, which I represent, we have struggled, debated and agonized over this issue for the last 4 years. The end-of-life issue is a very complex one, and, with the advent of new medical technologies and our rapidly aging population, it is getting more so for more of us.

There are a wide range of ways to impact on these decisions, but none, as near as I can tell, require Federal help or interference. Yet today, the House Committee on the Judiciary is poised to have one of its subcommittees deal with legislation that would do precisely that, undermine a decision that has been agonized over in my State of Oregon for these last 4 years.

There are, in fact, some very technical problems of a serious nature with this legislation. It would, in fact, interfere with the practice of medicine, of pharmacy, of pain management, of hospice management, in ways that would have profound effects on rights that many in America have taken for granted, and that is why there are large numbers of the medical profession that have come forward with their opposition to legislation of this nature.

In Oregon, our legislation, Death with Dignity, is still a work in progress, but the fact is the preliminary evidence suggests that this option may actually reduce the incidence of violent suicide while easing the burden of both the individual and their family.

Rather than having a flood of people to our State to take advantage of the provisions of the Death with Dignity law, it appears that individuals, having the knowledge that they, their families and their doctors can control this decision, gives a sense of peace and contentment that enables some people to move forward, enduring the pain and the struggle, without resorting to taking their own life.

At this very moment, there are people in America who are struggling with this question in their family, and, before the day is out, there will be someone in America who will, in fact, hasten their death.

As Americans struggle with these issues, mostly hidden from public view, it is important that we not have that personal tragedy, that agony, that frustration made more difficult by laws that ignore the realities of modern medicine and the range of legitimate personal medical choices.

As we age as a society, exponentially, with the increase of the elderly population, and just the growth in our population, this will become more serious. As medical science continues to advance, the difficult decision points are going to be made more difficult and more complex.

The evidence suggests that Americans support the principles of Death with Dignity. But whether you are a conservative and supportive of States' rights, or you are characterizing yourself perhaps as more progressive and feel that the government should be involved with more innovative policy development, it should be a point of common agreement that the Federal Government should allow Oregonians to continue their struggle in the implementation of Death with Dignity and avoid unnecessary Federal interference.

AMERICA UNITING IN PROVIDING FLORIDA DISASTER RELIEF

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

Mr. STEARNS. Madam Speaker, my home State of Florida has been ravaged with the worst outbreak of fire in the State's history. We have seen the type of destruction which devastates communities. Such a disaster demands that people work together to protect life and property, and, in these cases, some of the best qualities come out of our American people.

Since June 1, 1998, in a prolonged drought, we have seen 1,946 reported fire outbreaks. The destruction is widespread. Fires have burned over 485,000 acres of land, over 2,200 homes and structures, and several businesses.

Madam Speaker, the outpouring of goodwill and assistance we received came not only from within our State, but from the Federal Government and, in fact, from 44 other States. Foreign countries even offered aid, with one loaning a special fire-fighting unit.

The Florida National Guard and U.S. Marine units worked together to help evacuate people, clear brush and build temporary bridges to transport the heavy fire-fighting equipment. Contractors in the private sector volunteered machinery and manpower to battle the flames and transport water. Churches, schools, motels and businesses opened their doors to shelter over 100,000 evacuees. Donations poured in to aid the victims and help the brave emergency workers and firefighters.

I am proud to represent these kinds of people, particularly the people who live in Palatka, Florida. These residents did not suffer the fire damage seen in other areas, but were able to open their doors to over 2,000 evacuees streaming from nearby Flagler County and other fire-stricken areas.

The local Price-Martin Community Center served as an information center, providing directions to nearby shelters. Folks from my county who love horses went over to Volusia County and helped with those folks who had horses that were straying. Volunteer nurses and the local Red Cross worked around the clock to ease the suffering of those forced from their homes.

Recognizing our State's emergency situation, on June 18, 1998, President Clinton declared the State of Florida a major disaster area, paving the way for over $32 million in Federal aid to reach Florida's fire-ravaged areas.

More recently, Secretary Glickman declared Florida eligible for Department of Agriculture assistance. That was very good news for Florida's family farmers, who sustained significant production losses. Agricultural interests in Florida suffered $100 million in damages just from El Nino events, and then lost more than $400 million in the following droughts and fires.

As grateful as we are in Florida for this Federal assistance, it comes at a 25 percent State cost. FEMA has initiated $60 million worth of missions to help Florida, but that means that Florida must contribute $15 million of its own. Add that to about $45 million in State and local costs, and the State's price tag of this natural disaster really begins to mount.

Fortunately, FEMA policy allows 100 percent Federal funding for direct Federal assistance emergency work. Recently Florida requested that the President authorize 100 percent funding for essential Federal assistance provided to date and thereafter.

I hope that the 100 percent assistance will be granted, as this is the fifth disaster declaration Florida has faced in 5 years, and that it comes on the heals of the El Nino floods earlier this year. Florida disaster resources are nearly exhausted. By reflecting on our response to this natural disaster, we can prepare for future fire outbreaks.

As a member of the House Fire Service Caucus, I recognize that a coordinated effort of all available resources is necessary to battle these blazes. On June 25, I joined fellow caucus members at a press conference highlighting our new task force and initiative on wildland fires.

□ 1245

We contacted the Secretary of Defense, Mr. Cohen, requesting the cooperation and the assistance of the Department of Defense to identify assets he could make available for firefighting purposes. Additionally, we asked the U.S. National Guard to examine its past deployments in firefighting efforts and then offer recommendations as to how these assets can be most effectively administered.

Luckily, I say to my colleagues, recent rains have provided some relief, and those who helped us through the worst deserve our praise and thanks. As we have seen, this difficult situation revealed our country's good character. This was evident in the valiant firefighting efforts that began on the first of June. I am confident that through a continued coordinated effort we will completely extinguish these fires threatening Florida and begin the long process of recovery.

Madam Speaker, I am here today to applaud all the efforts of all Floridians for all the hard work they have done to put out these fires. God bless them all.

TRIBUTE TO WATKINS M. ABBITT, SR.

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

Mr. SISISKY. Madam Speaker, it is my sad duty to inform the House that former Congressman Watkins M. Abbitt, who formerly represented the 4th District of Virginia, died yesterday at the age of 90.

Congressman Abbitt was a true son of the south. He was born in Lynchburg, Virginia, 1908, graduated from the Appomattox Agricultural High School in 1925, and earned a law degree from the University of Richmond in 1931. He served as Commonwealth's Attorney in Appomattox from 1932 to 1948 and was a member of Virginia's Constitutional Convention in 1945.

He was a delegate to Democratic State conventions from 1932 to 1952, Chairman of the Democratic Central Committee from 1964 to 1970, and delegate to the Democratic National Convention in 1964. He also became a director of the Farmers National Bank.

He was elected to Congress in 1948 and served until he retired in 1973.

I will be the first to tell my colleagues that the 4th District has changed since Wat Abbitt served in Congress, and the great thing about Wat Abbitt was that he saw changes coming and was ready to change with it. Nevertheless, the rural character of Southside is still there; the peanut and tobacco farmers and families are still there.

After he retired, Wat Abbitt said his biggest accomplishment had been looking after the interests of the farmers in his district. I hope they can say that about me.

Among many of my constituents, Wat Abbitt is still the standard by which they measure an effective Congressman. I can tell my colleagues this about serving in Congress: I have worked hard to get the job, and I think I would have been elected even if Wat Abbitt had not helped me, but it sure made things easier for me that he did. I suspect there is 40 years worth of Virginia's governors, from both parties, and Congressmen who could say the same thing. He was one of the rare politicians who combined fidelity to the past with respect for the future. That ability helped change Virginia from the way it used to be to the way that it is today.

Madam Speaker, I yield to the gentleman from Virginia (Mr. GOODE).

Mr. GOODE. Madam Speaker, it is my pleasure to join my colleague, the gentleman from Virginia (Mr. SISISKY) in expressing sadness at the passing of former Congressman Watkins M. Abbitt of Appomattox. He served with distinction in this body for over 24 years. He represented the 4th District, but from 1972 on, he was a resident of Virginia's 5th District.

He first came to Congress in the winter of 1948 when he won an overwhelming victory over four opponents. In the years that followed, he rarely faced opposition because of his outstanding reputation and his leadership in the United States House of Representatives.

As Chairman of the Democratic Party of Virginia, he fought hard to bring our party into a position of prominence. In 1946, he had the distinction of being the only Statewide campaign manager for two Statewide campaigns, those of U.S. Senator Harry Byrd and U.S. Senator A. Willis Robinson. Both were overwhelmingly successful.

In 1972, Wat Abbitt retired from Congress though not from politics or life. He left all of us who knew him with many legacies, but I should mention three of the hallmarks of his legislative years: support for tobacco, fighting for peanuts, and warnings about rising deficits. In his later years he remained active. This last year he sold more tickets to the Appomattox County Democratic Fish Fry than any other person.

He gained renown as a great speaker, and I fondly recall his remarks and his speeches on my behalf in the nomination process for the U.S. House of Representatives.

I join many others in extending condolences to his wife; to his son, Watkins M. Abbitt, Jr., who is following in his father's footsteps and who is a member of the Virginia House of Delegates; to his two daughters; to his two brothers; and to his sisters. May we all remember his enthusiasm, his zest for living, and his willingness to fight for causes that were just and may he always serve as a model for us in the years ahead.

JUSTICE AND EQUITY FOR FILIPINO VETERANS

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

Mr. FILNER. Madam Speaker, what I want to do this afternoon is to bring to the attention of my colleagues and the American people a glaring injustice that has existed in this country for more than half a century, an injustice that was caused in 1946 and that we in this Congress in 1998 have a chance to remedy.

Recently, this Congress passed a resolution of support and congratulations for the 100th anniversary of the independence of the Republic of the Philippines. We celebrated that anniversary as true partners in the world with the Philippine Republic. I said at that time a few weeks ago that a better way to give honor to our allies in the Pacific, a better way to celebrate this 100th anniversary of our close partner, would be to remedy an injustice that was perpetrated on the brave veterans of the Philippine armed forces who fought side by side with the American Army in the liberation of the Pacific in World War II.

The Philippine soldiers were drafted into World War II by our President Franklin Roosevelt. They fought side by side and helped to win the battle of the Pacific; and yet, after the war, all the benefits of being a veteran were taken away by the Congress of 1946.

There is legislation in this House that is cosponsored by almost 200 of us, legislation introduced by the distinguished Chairman of the House Committee on International Relations, the gentleman from New York (Mr. GILMAN) and myself, H.R. 836, called the Philippines Veterans Equity Act.

Thanks to the Chairman of the Committee on Veterans' Affairs, the gentleman from Arizona (Mr. STUMP), we will be having a hearing on this legislation next week on July 22nd, a hearing on H.R. 836, the Filipino Veterans Equity Act. That hearing promises to give the American people a living history lesson of past bravery and courage, much of it long forgotten by our current generation.

The American people will hear from brave participants in the battles of Bataan and Corregidor. They will hear from survivors of the famous Bataan Death March in which thousands of Filipinos and Americans died. They will hear from guerilla fighters who, for 4 years in the Philippines, both held up the advance and the consolidation of power by the invaders and helped prepare the way for the return to the Philippines by General Douglas MacArthur. The story after that is well known, with MacArthur retaking the Philippines and using that as a base to regain the Pacific.

What will be clear from this testimony next week at the House Committee on Veterans Affairs will be the bravery, the courage, the honor, the dignity and the loyalty of these veterans of World War II, and what will also be clear is the injustice that was perpetrated more than 50 years ago and the dishonor that was brought really to us as Americans by allowing this action. We took away the rights that they had earned as veterans of the American Armed Forces. To this day, they are still wanting a return of this honor and dignity. Of more than almost a quarter of a million who were alive during World War II, less than 75,000 are alive today.

I plead with this Congress and with the Committee on Veterans' Affairs to restore the honor and dignity to these brave veterans in the last years of their lives. Let us pass H.R. 836, the Filipino Veterans Equity Act. Let us restore the honor and dignity of these brave fighters of World War II. Let us grant equity to them now.

We have apologized as a Nation for the internment of the Japanese in World War II. We have apologized to those soldiers at Tuskegee who were involuntarily subject to medical experiments which led to their death. It is time as a Nation that we apologize to the brave veterans of World War II who are from the Philippines. Let us pass H.R. 836. Let us give these soldiers their honor and dignity.

RUSSIAN MATTERS RELEVANT TO THE UNITED STATES

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

Mr. WELDON of Pennsylvania. Madam Speaker, last evening I gave a keynote speech at the John F. Kennedy School of Harvard University to a group of 25 Duma members from Russia, parliamentarians who were here for 2 weeks of orientation in the ways of our operation of the American democracy, our Congress and our system of government. It was an eye-opening experience, and I wish them well as they spend the next 2 weeks learning more about America and our democracy.

Working in Russian issues as I do, I have two other facts I would like to bring to the attention of my colleagues. One is a very positive development in Russia, and we have all watched with a great degree of concern as this emerging democracy over the past several years has evolved in giving people additional rights and freedoms.

One of my good friends, Aleksei Yablokov, who has testified twice before Members of this Congress and our subcommittees on issues involving the environment, nuclear contamination and small nuclear bombs, unfortunately had an incident where one of the Russian publications, Nezavisimaya Gazeta, wrote an article about Mr. Yablokov calling him a traitor because he came before the U.S. Congress and told in a very open setting about his concerns that Russia had, in fact, built small nuclear suitcase bombs, that these bombs might not be accounted for.

Mr. Yablokov sued this publication and just recently, in fact last week, the Moscow Municipal Court ruled in favor of Aleksei Yablokov, ordered the newspaper, the Gazeta, to print a public retraction by the 9th of September, 1998, and to pay Yablokov 30,000 rubles because of this libel case. It is a credit to the Russian system that an individual with the integrity of Aleksei Yablokov can sue and successfully win compensation for wrongs committed by the Russian media, and for that I applaud Russia.

The second issue concerns me, Madam Speaker, because during the recent break one of my good friends, a member of the State Duma from the our home is Russia party, Lev Rokhlin was assassinated. He was the Chairman of the Duma Committee on National Security. I had met with him on numerous occasions, and while I in many cases did not agree with his political positions, I respected him. He was a retired Russian general, someone who was known for committing himself and his political leadership to support for the troops, for their quality of life.

□ 1300

Lev was also one of the most outspoken critics of Boris Yeltsin. In fact, last year he called publicly for Yeltsin to be impeached. For these calls, Lev was removed from his position as chairman of the Duma Defense Committee. He was involved more recently in investigating whether or not Russian oil companies took money for use in the Caucasus, to be used to buy weapons, instead of being used for the people and for the Russian government.

There are suspicions that Lev Rokhlin was assassinated because of his outspoken comments. The official line out of Moscow is that Lev was killed by his wife, a wife who shot him in a fit of anger. But Lev's children have publicly come out and said that is not the case, that Lev was assassinated, and that his wife had to say what she did because she also was told she would be assassinated.

In addition, Yuri Markin, a lawyer that worked with Rokhlin, said that he believed that there was an assassination attempt on his life the same night Lev Rokhlin was killed. Mr. Markin claims Lev was assassinated because he in fact was revealing things that were going on inside of Russia that were not legal and that in fact involved organized crime.

I encourage, Madam Speaker, the Russian government to fully investigate, as Boris Yeltsin has promised, the unfortunate and untimely death of Lev Rokhlin, so we can, as we have in the case of the environmentalists winning the money from the slanderous article by the Russian newspaper, so that we can have peace of mind that Lev Rokhlin was not killed by some organized criminal element in Russia because of what he was saying and because of the job that he was performing as a member of the State Duma.

The Russian people understand this issue. In fact, at Lev's funeral last week over 10,000 Russian citizens came out in force. Most of them have a suspicion that Lev was in fact assassinated by forces other than his wife.

I would ask our administration to lend its support to my call for the Russian government to have a full accounting as to the circumstances and facts surrounding the death of Duma Deputy Lev Rokhlin.

THE TRANSPORTATION NEEDS OF THE RESIDENTS OF THE 46TH CONGRESSIONAL DISTRICT

The SPEAKER pro tempore (Mrs. JOHNSON of Connecticut). Under the Speaker's announced policy of January 21, 1997, the gentlewoman from California (Ms. SANCHEZ) is recognized during morning hour debates for 3 minutes.

Ms. SANCHEZ. Madam Speaker, during the Fourth of July district work period, it was my distinct honor to join officials in Orange County, California, to highlight the transportation needs of the 46th Congressional District.

I joined the chairman of the Orange County Transportation Authority, Sara Catz, a longtime friend, and the

regional administrator for the Federal Transit Administration, Mr. Leslie Rogers, to present a $5 million check in Federal transportation funding to undertake a feasibility study for the construction of an urban light rail system.

I believe that the final release of the Federal funding is an excellent example of the partnership between the Federal Government and regional transportation agencies in an effort to meet the transportation needs of local residents. I am pleased to work with the administration to make the funding available to begin the feasibility study of the transitway project.

The funding represents a significant step in relieving the crushing transportation demands of the residents of Orange County.

For example, the projected future economic growth will result in an estimated 43 percent increase in county traffic by the year 2020. In fact, if we take a look at the work that is being done today in the city of Anaheim, $5 billion worth of new construction, private construction, where we are building a second Disneyland theme park, Members will note that we have a lot of construction going on today.

While the residents of Orange County many years ago passed a proposition which would allow us to fund many of the transportation improvements we have been working on, the fact of the matter is that the economic good times that are occurring there with respect to construction and jobs require an even more fundamental solution.

For example, the interstate throughway through Orange County now has a place where it is 26 lanes wide in just one spot, so transit makes good sense if it can be affordable and if it can be applied correctly.

In fact, if we do not do something and we continue just to build freeways, it will add about another 20 minutes to commute time in Orange County, where some people already have commute times of 2 hours just one way to get to work in the morning.

The potential for the light rail system in our county is exciting. Transitway projects such as this represent a sound investment in infrastructure that enable our economy to thrive and to provide our communities with a safe and reliable transportation system. It becomes even more important as part of our population continues to age and as, for example, in the city of Santa Ana, which I represent, we have the youngest population across the United States.

Ultimately, by improving our transportation system, we stimulate economic growth, we create local jobs, and ultimately we improve the quality of life for our cities and our neighborhoods.

NORTON FILES BILL FOR FULL CONGRESSIONAL REPRESENTATION FOR THE DISTRICT OF COLUMBIA

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

Ms. NORTON. Madam Speaker, today I introduced the District of Columbia Voting Rights Act of 1998, my first bill following the July 4 recess. District citizens commemorated July 4 of this year by presenting a petition to Congress for redress of grievances granting the citizens of the District of Columbia representation in Congress.

July 4 was the date the Founders of the Nation and the Framers of the Constitution declared their right to full voting representation before submitting to any government. The residents of the District take them at their word and insist upon the same.

Because the petition is not self-executing but requires the introduction of a bill, I have an obligation to respond to the petition by introducing a bill to carry out its request to the Congress to grant the District full voting representation. I expect the same bill to be introduced in the Senate.

District citizens, with great patience, have pursued all the remedies available to them, the Voting Rights Act of 1978 and the New Columbia Admission Act of 1993. Following the example set at the founding of the Nation on July 4 of 1776, it has become impossible for the District to let the matter rest any longer. A combination of authoritative sources now make clear that Congress cannot continue constitutionally to deny District residents representation in the national legislature, but must and can take all steps necessary to afford them full representation.

The Congress has continually cited Article I, Section 8, Clause 17, for the proposition that it has plenary power to do whatever is constitutionally and legally necessary to or for the District. Using this power, the Congress has required District residents to meet the responsibilities of States and to accept the obligations of States, but has denied District citizens the rights that citizens of the States take for granted. Under the Constitution as interpreted by the courts today, it has become impossible to argue that the Constitution gives the Congress power at once to impose obligations and to deny rights.

Fortunately, the Framers of the Constitution have not left District citizens without a remedy, should Congress fail to act. That is what the courts are there for, and that is what the Constitution is there for.

Therefore, today I am introducing into the RECORD the Petition for Redress of Grievances, which lays out the broad outlines of the constitutional framework that requires that District citizens be treated like the full American citizens they are.

The courts have already decided that all Americans are entitled to equal representation in the national legislature. The Supreme Court has interpreted the due process clause, the equal protection clause, the privileges and immunities clause, and the guarantee of a republican form of government, to mean that no American citizen may be excluded from an equal vote in the Congress.

The right to be represented in the national legislature is a function of national citizenship. District residents cannot be held to be the only citizens excluded from the one man-one vote equal representation of Reynolds versus Sims.

The citizens of the District of Columbia are as much entitled to the right to full representation as citizens who leave our shores, perhaps for a lifetime, but still claim the right to representation in the House and Senate, under the Overseas Citizens Voting Rights Act of 1975 passed by the Congress.

Thomas Jefferson spoke for the people whom I represent when, in the Declaration of Independence, he wrote about ". . . a long line of abuses and usurpations" resulting from government without representation of the governed, and concluded that there was "a duty to throw off such government and to provide new guards."

Like the colonists, District citizens pay taxes as required by a body in which they have no representation. Unlike the colonists, District citizens have recourse to a peaceful path for the redress of grievances, the Congress of the United States, and failing that, Article 3 courts established by the Framers themselves.

Therefore, I call upon my colleagues in the House and Senate to use Article I, Section 8, Clause 17, and the other relevant constitutional provisions and cases forthwith to grant, in the words of the bill I introduced today, ". . . the community of American citizens who are residents of the District constituting the seat of government of the United States . . . full voting representation in the Congress" before the 105th Congress adjourns sine die.

Madam Speaker, I include for the RECORD the text of the Petition for the Redress of Grievances.

The material referred to is as follows:

PETITION FOR REDRESS OF GRIEVANCES

We the people of the District of Columbia exercise our First Amendment right this July 4th "to petition the Government for a redress of grievances."[1] We file our Petition to ask the Congress and the President to redress the most fundamental of grievances: our lack of voting representation in the United States House of Representatives and in the United States Senate.

We the people of the District of Columbia are citizens of the United States, endowed

[1] Footnotes at end of petition.

with all the attendant rights and duties of American citizenship. Like all other American citizens, we are governed by the laws Congress writes; thousands of us have fought and died in the wars Congress has declared; and we pay into the Treasury billions of dollars for the taxes Congress levies. Yet, unlike all other citizens, we have no vote in the decisions Congress makes. And we are denied that right solely because our home is the Nation's Capital, the city that is a symbol of Democracy to people throughout the world.

This denial is wrong, because it is contrary to the principles of democratic consent and representative government upon which our Nation was founded. It was wrong when the vote was denied to African-Americans; it was wrong when the vote was denied to women; it was wrong when the vote was denied through poll taxes, literacy tests, property requirements and other devices that excluded citizens from equal participation in our Government; and, it is wrong now to deny voting rights in Congress to the citizens of the District of Columbia. Congress and the President, in the noble American tradition of justice for all, have redressed these wrongs in the past. They should do the same for us now. We therefore petition the Congress and the President to right the wrong that continues to be done to the citizens in the Nation's Capital.

The principles upon which we base our petition were first set out in the Declaration of Independence, 222 years ago today. There, Thomas Jefferson and the other founders of our Republic declared that Governments justly derive their powers only "from the consent of the governed" and that Great Britain had violated that requirement by forcing our people to "relinquish the right of Representation in the Legislature, a right inestimable to them . . ."[2]

In its first seven words, our Constitution carries forward these basic principles of our Declaration of Independence and articulates the sole source of our Government's legitimacy: "We the people of the United States . . ."[3] On behalf of all the people of the United States, the Founding Fathers wrote the Constitution in order to secure the Blessings of Liberty to the citizens of the original states and to their Posterity. We are part of that Posterity, and we therefore claim the rights the Constitution gives us.

The Constitution guarantees Due Process to all citizens. It guarantees Equal Protection of the Laws to all citizens. It guarantees the Privileges and Immunities of citizenship to all citizens. And it guarantees a Republican Form of Government to all citizens. As Abraham Lincoln said, ours is a government "of the people, by the people, and for the people."[4] We the citizens of the District of Columbia are entitled to the rights the Constitution guarantees, and we are certainly a part of the people of whom Lincoln so movingly spoke. To continue to deny us the vote is to deny us these constitutional rights and to exclude us from Lincoln's promise.

For how can ours be a Government of the people if part of the people have no voice in that Government solely because of their place of residence? How can we receive Due Process if we do not participate in the process that makes the laws we are asked to obey? How can we benefit from Equal Protection if the laws exclude us from voting representation? How can we exercise the Privileges of citizenship if we are denied citizenship's most precious privilege—the right to vote for those who govern us? And how can we enjoy a Republican form of Government if we have no voting representation in that Government? Indeed, how can our Government claim the consent of the governed when a half-million people in our Nation's Capital cannot consent because they have no vote?

The answer to all these questions is that without the right to vote, our Democratic rights are debased and the Blessings of Liberty are withheld. As Susan B. Anthony said in 1872: "Our democratic-republican government is based on the idea of the natural right of every individual member thereof to a voice and a vote in making and executing the laws."[5] As she also said: "It was we, the people, not we, the white male citizens, but we, the whole people, who formed this Union."[6] And as Martin Luther King, Jr., said on that historic day in 1963 when he and thousands of others gathered in our Nation's Capital: "When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir."[7] As he also said then, "now is the time to make real the promises of democracy."[8]

For most citizens, the Supreme Court made good that promise in 1964 in its landmark "one-person one-vote" decision (*Reynolds* v. *Sims*). In so doing our Supreme Court declared: "No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined."[9]

To their great credit, our recent Presidents and Congresses have repeatedly acted to further this constitutional imperative of representation for all Americans. President Lyndon Johnson, placing the full weight of his presidency behind the historic Voting Rights Act in 1965, declared before a Joint Session of Congress that "every American citizen must have an equal vote" and that "there is no duty which weighs more heavily on us than the duty we have to ensure that right."[10] Twenty-five years later, on the anniversary of that Act, President George Bush proclaimed a national day of celebration, declaring that "the right to vote . . . is at the heart of freedom and self-government."[11] He urged all Americans to "reflect upon the importance of exercising our right to vote and our determination to uphold America's promise of equal opportunity for all."[12]

For its part, Congress has repeatedly responded to such calls from our Presidents and from the Nation to protect the right to vote. For example, in the National Voter Registration Act of 1993, Congress expressly found that: (1) the right of citizens of the United States to vote is a fundamental right; and (2) it is the duty of the Federal, State, and local governments to promote the exercise of that right.[13]

Our grievance is that these resounding pronouncements ring hollow to us this July 4th. In November, when all other American citizens cast their ballots for their Representatives and Senators in our national Legislature, our votes will not be among them. On that day, the people of America will exercise their most precious right, but we the people of the Nation's Capital will be left out.

Twenty years ago, Congress recognized this grave injustice and proposed a constitutional amendment to address it. Two-thirds majorities of both Houses of Congress passed a joint resolution declaring that District citizens are entitled to full voting representation in both Houses. Senator Thurmond, who supported the amendment, defended its adoption as follows:

"I think it is a fair thing to do. We are advocating one-man, one vote. We are advocating democratic processes in this country. We have more than 700,000 people in the District of Columbia who do not have voting representation. I think it is nothing but right that we allow these people that representation. We are advocating democratic processes all over the world. We are holding ourselves up as the exemplary Nation that others may emulate in ideas of democracy. How can we do that when three-quarters of a million people are not allowed to have voting representation in the capital city of this Nation?"[14]

Senator Dole, who also championed the bill, explained that the 1976 Republican platform had endorsed voting representation for the District in both Houses, that as the Vice-Presidential nominee he had pointed "with pride" to that position as an "excellent expression of Republican ideals and principles," and that he supported passage of the 1978 bill.[15] His reasons eloquently capture why such a bill was and is necessary:

"The absence of voting representation for the District in Congress is an anomaly which the Senate can no longer sanction. It is an unjustifiable gap in our scheme of representative government—a gap which we can fill this afternoon by passing this resolution.

* * * * *

"It seems clear that the framers of the Constitution did not intend to disenfranchise a significant number of Americans by establishing a Federal District. I believe that the framers would have found the current situation offensive to their notions of fairness and participatory government.

* * * * *

"The Republican Party [in 1976] supported D.C. voting representation because it was just, and in justice we could do nothing else. We supported full rights of citizenship because from the first—from Lincoln forward—we have supported the full rights of citizenship for all Americans."[16]

These Senators' reasoning in support of full democratic representation for the District is as compelling today as it was 20 years ago. And yet, what these Senators rightly found intolerable 20 years ago still persists today. For although two-thirds of the Congress endorsed voting representation for the District in 1978, the vehicle chosen by Congress—a constitutional amendment—failed to attain ratification by the required three-fourths of the States. As a result, the equal rights for D.C. citizens that a large majority of the Members of Congress supported have still not been enacted into law.

However, a constitutional amendment is not required to give us those rights. Those rights are already guaranteed by the Constitution. All that Congress need do is pass a bill today recognizing that fact and giving us voting representation as it intended 20 years ago. Congress should do so now, not only because it is constitutionally and morally right, but also because it speaks to the common sense of the people. The most recent poll of public opinion shows that 80 per cent of the American people believe we should have equal representation in Congress.[17]

For these reasons, we formally petition the Congress to pass a bill granting us by legislation full voting representation as it approved for the District in 1978. We furthermore petition the Congress to pass such a bill before it adjourns this session. And we petition the President to support and promptly sign the bill. Our Government should not let us enter the 21st century as second-class citizens.

It is time to remedy this fundamental injustice. It is time to extend democracy to the loyal and taxpaying American citizens who reside in the Nation's Capital. It is time to give us the vote.

Respectfully submitted by John M. Ferren, District of Columbia Corporation Counsel, On Behalf of the Citizens of the Nation's Capital.

[To be signed, also, by a number of representative citizens of the District of Columbia]

FOOTNOTES

1. Constitution of the United States of America, Amendment I.
2. The Declaration of Independence (1776).
3. Constitution of the United States of America, Preamble.
4. Abraham Lincoln, The Gettysburg Address (November 19, 1863)
5. Susan B. Anthony, Women's Right to Vote Speech (June 1873)
6. Ibid.
7. Rev. Martin Luther King, Jr., "I Have a Dream" Speech (August 28, 1963).
8. Ibid.
9. 377 U.S. 533, 560 (1964).
10. 111 Cong. Rec. H5059 (1965).
11. Proclamation No. 6165, 55 Fed. Reg. 32233 (1990).
12. Ibid.
13. 42 U.S.C. §1973gg.
14. 124 Cong. Rec. 27253 (daily ed. August 22, 1978).
15. 124 Cong. Rec. 27254 (daily ed. August 22, 1978).
16. Ibid.
17. Washington Post, page J-1 (March 19, 1980).

RECESS

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

Accordingly (at 1 o'clock and 10 minutes p.m.), the House stood in recess until 2 p.m.

AFTER RECESS

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

PRAYER

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

May Your blessings, O God, that have touched our life since birth and continue with us day by day, abide in our hearts and minds this day. We recognize, gracious God, that the times abound with opportunities and challenges. As we seek to be responsible in our tasks, we need to know not only the details of issues, but we also need to surround ourselves with the great traditions from which we garner our values and ideals, our faith and our convictions. May our shared heritage remind us that in all things we should do justice, love mercy and ever walk humbly with You. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) come forward and lead the House in the Pledge of Allegiance.

Ms. EDDIE BERNICE JOHNSON of Texas 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 26, 1998.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following messages from the Secretary of the Senate on Friday, June 26, 1998 at 1:00 p.m.:

That the Senate Agreed to House amendment S. 731.

That the Senate Passed without amendment H.R. 651.

That the Senate Passed without amendment H.R. 652.

That the Senate Passed without amendment H.R. 848.

That the Senate Passed without amendment H.R. 960.

That the Senate Passed without amendment H.R. 1184.

That the Senate Passed without amendment H.R. 1217.

That the Senate Passed without amendment H.R. 1635.

That the Senate Passed without amendment H.J. Res. 113.

With warm regards,

ROBIN H. CARLE,
Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 29, 1998.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following messages from the Secretary of the Senate on Monday, June 29, 1998 at 3:03 p.m.

That the Senate Agreed to House amendments to Senate amendments H.R. 3130.

With warm regards,

ROBIN H. CARLE,
Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, July 10, 1998.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Friday, July 10, 1998 at 11:30 a.m.

That the Senate Agreed to conference report H.R. 2676.

With warm regards,

ROBIN H. CARLE,
Clerk.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule 1, the Speaker pro tempore signed the following enrolled bills on Tuesday June 30, 1998:

H.R. 651, to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes;

H.R. 652, to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes;

H.R. 848, to extend the deadline under the Federal Power Act applicable to the construction of the AuSable hydroelectric project in New York, and for other purposes;

H.R. 960, to validate certain conveyances in the city of Tulare, Tulare County, California, and for other purposes;

H.R. 1184, to extend the deadline under the Federal Power Act for the construction of the Bear Creek hydroelectric project in the State of Washington, and for other purposes;

H.R. 1217, to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes;

H.R. 2202, to amend the Public Health Service Act to revise and extend the Bone Marrow Donor Program, and for other purposes;

H.R. 2864, to require the Secretary of Labor to establish a program under which employers may consult with State officials respecting compliance with occupational safety and health requirements;

H.R. 2877, to amend the Occupational Health Act of 1970;

H.R. 3130, to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentives payments for

effective child support performance, to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, and for other purposes; and

S. 731, to extend the legislative authority for construction of the National Peace Garden Memorial, and for other purposes;

And the Speaker pro tempore signed the following enrolled bills and joint resolution on Tuesday, July 7, 1998:

H.R. 1635, to establish within the United States National Park Service the National Underground Railroad Network to Freedom Program, and for other purposes;

H.R. 3035, to establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies; and

H.J. Res. 113, approving the location of a Martin Luther King, Jr., Memorial in the Nation's Capitol.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON WEDNESDAY, JULY 15, 1998, FOR THE PURPOSE OF RECEIVING HIS EXCELLENCY EMIL CONSTANTINESCU, PRESIDENT OF ROMANIA

Mr. PITTS. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, July 15, 1998, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting his Excellency Emil Constantinescu, President of Romania.

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

There was no objection.

SUPPORT THE CHILD CUSTODY PROTECTION ACT

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

Mr. PITTS. Mr. Speaker, I rise today in support of the Child Custody Protection Act, which this House will address tomorrow. It is time that we stand up for the safety of the daughters of this Nation as well as for the rights of the parents.

I served in the Pennsylvania legislature when we passed the parental consent laws for the purpose of keeping our young girls safe and under the consent of their parents. Yet abortion clinics in Pennsylvania's neighboring States, New Jersey and Maryland, seek to peddle their services through Pennsylvania newspapers and even to anyone who opens a Pennsylvania phone book.

By passing the Child Custody Protection Act this body will take a clear stand against the bizarre notion that the U.S. Constitution confers a right upon strangers to take one's minor daughter across State lines for a secret abortion, even when a State law specifically requires the involvement of a parent or judge in the daughter's abortion decision.

The Government should not allow our daughters' lives to be endangered by turning them over to strangers for serious medical procedures.

Let us protect States' rights. Let us protect parental authority. And most importantly, let us protect our Nation's young women. Let us pass the Child Custody Protection Act.

THE LAST THING AMERICA SHOULD DO IS GIVE MORE TAX DOLLARS TO RUSSIA AND CHINA

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

Mr. TRAFICANT. Mr. Speaker, since 1992, Russia has gotten $35 billion from the World Bank, the International Monetary Fund and foreign aid from the United States of America. And reports say, check this, not 1 penny of all those billions can be accounted for.

Now, if that is not enough to tax your vodka, the International Monetary Fund today is giving Russia another $22 billion, to which the White House said, "Russia needs the money, and this time they promise to behave." Promises, my ascot, Mr. Speaker. Russia promised before, and they sold missiles to our enemies. China gets all our cash, and they have nuclear warheads pointed at America.

Promises, promises, promises. My colleagues, the last thing America needs is to give more money to China and Russia, who are building armies with our tax dollars. But what do I know, I am still trying to figure out the Tax Code.

PRESIDENT ASKS AMERICA TO BLINDLY TRUST THE COMMUNIST CHINESE

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

Mr. GIBBONS. Mr. Speaker, the President is back from a $50 million trip to China and he said that the Chinese now plan to move their nuclear-tipped missiles away from American children and American cities. So why are Americans a little confused and scratching their heads over this? Well, because time and time again this President has guaranteed the American public that we were free from the threat of nuclear missile attack.

In fact, the White House web site says that the President has made this promise 131 times. And in at least a quarter of these speeches, he stated very clearly that no country anywhere was aiming nuclear missiles at Americans.

The President was not alone in his claim. It seems the Vice President, as well as former Secretary of Defense Perry, have made similar claims.

Here is another surprise. President Clinton never mentioned that both Russia and China are upgrading their nuclear missiles with U.S. help. He also failed to mention that the missiles can be retargeted in minutes.

Mr. Speaker, I am not sure when to believe this President. All I know is he is asking us to blindly trust the Chinese, and that worries all of us.

SUPPORT STATES' RIGHTS TO ENACT DEATH WITH DIGNITY LAWS

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

Mr. DEFAZIO. Mr. Speaker, twice the voters of Oregon have gone to the ballot box to enact and uphold our Death With Dignity law. The Ninth Circuit Court, the Supreme Court, and most recently the Attorney General have upheld the right of the citizens of Oregon to enact a Death With Dignity law.

But now a group of our colleagues, working hand-in-glove with the same national special interest groups that opposed our ballot measure, have proposed Federal legislation to preempt our Death With Dignity law. Many of these same Members of Congress wax eloquent day after day on the floor of the House for States' rights. Yes, States' rights if it restricts a woman's right to choice. They are for States' rights if it shreds the social safety net. But if the people of Oregon want a Death With Dignity law, well, they are not for States' rights anymore. The Federal Government should preempt them.

This is not only an attack on our States' rights, it is an attempt to overturn the will of a majority of Oregonians with an unprecedented Federal intrusion into the doctor-patient relationship. It is no longer a doctor-patient relationship when we are dying, it is a doctor-patient and Drug Enforcement Administration official relationship. This will have an incredibly chilling effect on the end of life painfully provided by doctors. We must reject this proposal.

PRESIDENT'S TRIP TO CHINA SYMBOLIC OF MANY THINGS

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

Mr. HEFLEY. Mr. Speaker, the President just got back from his trip to

China, and I read in the newspaper while we were home for the break that this trip was symbolic. I began to think, what is it symbolic of?

I think it is symbolic, maybe, that the President told them "symbolically" that we do not care that they are building the biggest nuclear arsenal in the world; and we do not care that they are selling that technology to people around the world; and "symbolically" the President was also saying that we do not care that they are invading a little nation like Tibet, that never hurt anybody, and have occupied it for all these years; and "symbolically" he is saying that we do not care that they persecute people because of their faith and their beliefs and religion; and he is telling them "symbolically" that we do not care that they threatened Taiwan, that could not do them any damage, and that they even threatened the cities on the West Coast of the United States; and "symbolically" the President said, oh, it is okay that their army gave money to his reelection campaign.

And to show them "symbolically" that we do not mind any of this, we are going to give them some missile technology to help their intercontinental ballistic missiles function more appropriately.

The President must be proud of his symbolism.

SUPPORT PATIENT'S BILL OF RIGHTS

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I just got back from home as well, and what I heard is that the people really want us to give attention to the Patient's Bill of Rights. They want to be able to choose their own physicians. They feel legislation has been introduced and it is time for us to hear it on the floor so we can vote it. It is the number one concern throughout this country.

Patient care has totally left the hands of physicians and is in the hands of our insurance companies and our corporate leaders, who will not pay any more for coverage. It is time for us to address the issue, bring it to the floor, debate it and send it to the Senate. It is long past due. We have enough people to pass it, and I would simply call on our leadership to bring it to the floor.

SUPPORT SCHOOL CHOICE FOR THE DISTRICT OF COLUMBIA

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

Mr. ROGAN. Mr. Speaker, children living in the District of Columbia deserve something they are not getting today: a quality education. The District of Columbia Control Board found "that the longer students stay in the District's public school system, the less likely they are to succeed."

In today's high-tech economy, our children simply cannot compete in life without a sound education. While Congress supports the efforts of General Becton, we must do more to give the children in the District of Columbia the opportunity for a quality education.

The D.C. School Choice bill would give low-income parents the freedom to choose the best schools for their children. When D.C. public schools compete for students, they will improve by necessity.

Mr. Speaker, the children of Washington deserve a chance to succeed in life. I urge my House colleagues to give them that chance by supporting school choice for the District of Columbia schools.

SUPPORT THE CHILD CUSTODY PROTECTION ACT

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

Mr. DELAY. Mr. Speaker, the American people may not all agree on the issue of abortion, but all Americans should agree that parents have a right to know when their children are having an abortion.

Should a person be able to take a minor girl across State lines to obtain an abortion without her parents knowing about it? Well, 85 percent of the American people say no.

Mr. Speaker, this is not merely a question for the pollsters, it is a question of propriety. Mothers need to know when their daughters are having an abortion. A family needs to know when their children are in trouble. It does no good to keep parents in the dark. Parents need to have the peace of mind to know what their children are doing, and they have the right to know when their daughters are having an abortion.

Mr. Speaker, the Constitution does not confer a right upon strangers to take children across State lines for secret abortions. I urge my colleagues to support the Child Custody Protection Act. It is the right thing to do for America's families.

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PHYSICIAN-ASSISTED SUICIDE

(Ms. HOOLEY of Oregon asked and was given permission to address the House for 1 minute.)

Ms. HOOLEY of Oregon. Mr. Speaker, last year, after 3 years of intense debate and two separate ballot measures, the State of Oregon became the first State to implement a physician-assisted suicide law. This was not an easy decision for the people of my State. It was the subject of intense debate and media coverage, and the issue was so thorny that the legislature even decided to send it to the voters twice, and both times it was approved.

Despite this level of scrutiny in the State of Oregon, the Committee on the Judiciary will begin work today on a bill to overturn the Oregon law.

I came to the well today to say that I understand there are a number of Members of Congress who have very personal concerns about this issue. I have deep personal reservations about the concept of assisted suicide; and, as a private citizen, I voted against it at the ballot box and in this House of Representatives. I voted against Federal funding of assisted suicide.

But I understand this is not an issue about personal feelings. This is an issue about respecting the judgment of the voters of Oregon. This is about leaving Oregonians' business to Oregonians.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HAYWORTH). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 5 p.m. today.

NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1997

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1273) to authorize appropriations for fiscal years 1998 and 1999 for the National Science Foundation, and for other purposes.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Science Foundation Authorization Act of 1998".

SEC. 2. DEFINITIONS.

In this Act:

(1) DIRECTOR.—The term "Director" means the Director of the National Science Foundation established under section 2 of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

(2) FOUNDATION.—The term "Foundation" means the National Science Foundation established under section 2 of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

(3) BOARD.—The term "Board" means the National Science Board established under section 2

of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

(4) UNITED STATES.—The term "United States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

(5) NATIONAL RESEARCH FACILITY.—The term "national research facility" means a research facility funded by the Foundation which is available, subject to appropriate policies allocating access, for use by all scientists and engineers affiliated with research institutions located in the United States.

TITLE I—NATIONAL SCIENCE FOUNDATION AUTHORIZATION

SEC. 101. FINDINGS; CORE STRATEGIES.

(a) FINDINGS.—Congress finds the following:

(1) The United States depends upon its scientific and technological capabilities to preserve the military and economic security of the United States.

(2) America's leadership in the global marketplace is dependent upon a strong commitment to education, basic research, and development.

(3) A nation that is not technologically literate cannot compete in the emerging global economy.

(4) A coordinated commitment to mathematics and science instruction at all levels of education is a necessary component of successful efforts to produce technologically literate citizens.

(5) Professional development is a necessary component of efforts to produce system wide improvements in mathematics, engineering, and science education in secondary, elementary, and postsecondary settings.

(6)(A) The mission of the National Science Foundation is to provide Federal support for basic scientific and engineering research, and to be a primary contributor to mathematics, science, and engineering education at academic institutions in the United States.

(B) In accordance with such mission, the long-term goals of the National Science Foundation include providing leadership to—

(i) enable the United States to maintain a position of world leadership in all aspects of science, mathematics, engineering, and technology;

(ii) promote the discovery, integration, dissemination, and application of new knowledge in service to society; and

(iii) achieve excellence in United States science, mathematics, engineering, and technology education at all levels.

(b) CORE STRATEGIES.—In carrying out activities designed to achieve the goals described in subsection (a), the Foundation shall use the following core strategies:

(1) Develop intellectual capital, both people and ideas, with particular emphasis on groups and regions that traditionally have not participated fully in science, mathematics, and engineering.

(2) Strengthen the scientific infrastructure by investing in facilities planning and modernization, instrument acquisition, instrument design and development, and shared-use research platforms.

(3) Integrate research and education through activities that emphasize and strengthen the natural connections between learning and inquiry.

(4) Promote partnerships with industry, elementary and secondary schools, community colleges, colleges and universities, other agencies, State and local governments, and other institutions involved in science, mathematics, and engineering to enhance the delivery of math and science education and improve the technological literacy of the citizens of the United States.

SEC. 102. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 1998.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $3,505,630,000 for fiscal year 1998.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $2,576,200,000 shall be made available to carry out Research and Related Activities, of which—

(i) $370,820,000 shall be made available for Biological Sciences;

(ii) $289,170,000 shall be made available for Computer and Information Science and Engineering;

(iii) $360,470,000 shall be made available for Engineering;

(iv) $455,110,000 shall be made available for Geosciences;

(v) $715,710,000 shall be made available for Mathematical and Physical Sciences;

(vi) $130,660,000 shall be made available for Social, Behavioral, and Economic Sciences, of which up to $1,000,000 may be made available for the United States-Mexico Foundation for Science;

(vii) $165,930,000 shall be made available for United States Polar Research Programs;

(viii) $62,600,000 shall be made available for United States Antarctic Logistical Support Activities;

(ix) $2,730,000 shall be made available for the Critical Technologies Institute; and

(x) $23,000,000 shall be made available for the Next Generation Internet program;

(B) $632,500,000 shall be made available to carry out Education and Human Resources Activities;

(C) $155,130,000 shall be made available for Major Research Equipment;

(D) $136,950,000 shall be made available for Salaries and Expenses; and

(E) $4,850,000 shall be made available for the Office of Inspector General.

(b) FISCAL YEAR 1999.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $3,773,000,000 for fiscal year 1999.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $2,846,800,000 shall be made available to carry out Research and Related Activities, of which—

(i) $417,820,000 shall be made available for Biological Sciences;

(ii) $331,140,000 shall be made available for Computer and Information Science and Engineering, including $25,000,000 for the Next Generation Internet program;

(iii) $400,550,000 shall be made available for Engineering;

(iv) $507,310,000 shall be made available for Geosciences;

(v) $792,030,000 shall be made available for Mathematical and Physical Sciences;

(vi) $150,260,000 shall be made available for Social, Behavioral, and Economic Sciences, of which up to $2,000,000 may be made available for the United States-Mexico Foundation for Science;

(vii) $182,360,000 shall be made available for United States Polar Research Programs;

(viii) $62,600,000 shall be made available for United States Antarctic Logistical Support Activities;

(ix) $2,730,000 shall be made available for the Critical Technologies Institute; and

(B) $683,000,000 shall be made available to carry out Education and Human Resources Activities;

(C) $94,000,000 shall be made available for Major Research Equipment;

(D) $144,000,000 shall be made available for Salaries and Expenses; and

(E) $5,200,000 shall be made available for the Office of Inspector General.

(c) FISCAL YEAR 2000.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $3,886,190,000 for fiscal year 2000.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $2,935,024,000 shall be made available to carry out Research and Related Activities, of which up to—

(i) $2,000,000 may be made available for the U.S.-Mexico Foundation for Science;

(ii) $25,000,000 may be made available for the Next Generation Internet program;

(B) $703,490,000 shall be made available to carry out Education and Human Resources Activities;

(C) $94,000,000 shall be made available for Major Research Equipment;

(D) $148,320,000 shall be made available for Salaries and Expenses; and

(E) $5,356,000 shall be made available for the Office of Inspector General.

SEC. 103. PROPORTIONAL REDUCTION OF RESEARCH AND RELATED ACTIVITIES AMOUNTS.

If the amount appropriated pursuant to section 102(a)(2)(A) or (b)(2)(A) is less than the amount authorized under that paragraph, the amount available for each scientific directorate under that paragraph shall be reduced by the same proportion.

SEC. 104. CONSULTATION AND REPRESENTATION EXPENSES.

From appropriations made under authorizations provided in this Act, not more than $10,000 may be used in each fiscal year for official consultation, representation, or other extraordinary expenses. The Director shall have the discretion to determine the expenses (as described in this section) for which the funds described in this section shall be used. Such a determination by the Director shall be final and binding on the accounting officers of the Federal Government.

SEC. 105. UNITED STATES MAN AND THE BIOSPHERE PROGRAM LIMITATION.

No funds appropriated pursuant to this Act shall be used for the United States Man and the Biosphere Program, or related projects.

TITLE II—GENERAL PROVISIONS

SEC. 201. NATIONAL RESEARCH FACILITIES.

(a) FACILITIES PLAN.—

(1) IN GENERAL.—Not later than December 1, of each year, the Director shall, as part of the annual budget request, prepare and submit to Congress a plan for the proposed construction of, and repair and upgrades to, national research facilities.

(2) CONTENTS OF THE PLAN.—The plan shall include—

(A) estimates of the costs for the construction, repairs, and upgrades described in paragraph (1);

(B) estimates of the costs for the operation and maintenance of existing and proposed new facilities; and

(C) in the case of proposed new construction and for major upgrades to existing facilities, funding profiles, by fiscal year, and milestones for major phases of the construction.

(3) SPECIAL RULE.—The plan shall include cost estimates in the categories of construction, repair, and upgrades—

(A) for the year in which the plan is submitted to Congress; and

(B) for not fewer than the succeeding 4 years.

(b) STATUS OF FACILITIES UNDER CONSTRUCTION.—The plan required under subsection (a) shall include a status report for each uncompleted construction project included in current and previous plans. The status report shall include data on cumulative construction costs by project compared with estimated costs,

and shall compare the current and original schedules for achievement of milestones for the major phases of the construction.

SEC. 202. ADMINISTRATIVE AMENDMENTS.

(a) NATIONAL SCIENCE FOUNDATION ACT OF 1950 AMENDMENTS.—The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is amended—

(1) in section 4(g) (42 U.S.C. 1863(g))—

(A) by striking "the appropriate rate provided for individuals in grade GS–18 of the General Schedule under section 5332" and inserting "the maximum rate payable under section 5376"; and

(B) by redesignating the second subsection (k) as subsection (l);

(2) in section 5(e) (42 U.S.C. 1864(e)) by striking paragraph (2), and inserting the following:

"(2) Any delegation of authority or imposition of conditions under paragraph (1) shall be promptly published in the Federal Register and reported to the Committee on Labor and Human Resources, and the Committee on Commerce, Science, and Transportation, of the Senate and the Committee on Science of the House of Representatives.";

(3) in section 14(c) (42 U.S.C. 1873(c))—

(A) by striking "shall receive" and inserting "shall be entitled to receive";

(B) by striking "the rate specified for the daily rate for GS–18 of the General Schedule under section 5332" and inserting "the maximum rate payable under section 5376"; and

(C) by adding at the end the following: "For the purposes of determining the payment of compensation under this subsection, the time spent in travel by any member of the Board or any member of a special commission shall be deemed as time engaged in the business of the Foundation. Members of the Board and members of special commissions may waive compensation and reimbursement for traveling expenses."; and

(4) in section 15(a) (42 U.S.C. 1874(a)), by striking "Atomic Energy Commission" and inserting "Secretary of Energy".

(b) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976 AMENDMENTS.—Section 6(a) of the National Science Foundation Authorization Act, 1976 (42 U.S.C. 1881a(a)) is amended by striking "social," the first place it appears.

(c) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1988 AMENDMENTS.—Section 117(a) of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1881b(a)) is amended—

(1) by striking paragraph (1)(B)(v) and inserting the following:

"(v) from schools established outside the several States and the District of Columbia by any agency of the Federal Government for dependents of the employees of such agency."; and

(2) in paragraph (3)(A) by striking "Science and Engineering Education" and inserting "Education and Human Resources".

(d) SCIENCE AND ENGINEERING EQUAL OPPORTUNITIES ACT AMENDMENTS.—The Science and Engineering Equal Opportunities Act (42 U.S.C. 1885 et seq.) is amended—

(1) in section 34 (42 U.S.C. 1885b)—

(A) by striking the section heading and inserting the following:

"PARTICIPATION IN SCIENCE AND ENGINEERING OF MINORITIES AND PERSONS WITH DISABILITIES";

and

(B) by striking subsection (b) and inserting the following:

"(b) The Foundation is authorized to undertake or support programs and activities to encourage the participation of persons with disabilities in the science and engineering professions."; and

(2) in section 36 (42 U.S.C. 1885c)—

(A) in subsection (a), by striking "minorities," and all that follows through "in scientific" and inserting "minorities, and persons with disabilities in scientific";

(B) in subsection (b)—

(i) by striking "with the concurrence of the National Science Board"; and

(ii) by striking the second sentence and inserting the following: "In addition, the Chairman of the National Science Board may designate a member of the Board as a member of the Committee.";

(C) by striking subsections (c) and (d);

(D) by inserting after subsection (b) the following:

"(c) The Committee shall be responsible for reviewing and evaluating all Foundation matters relating to opportunities for the participation in, and the advancement of, women, minorities, and persons with disabilities in education, training, and science and engineering research programs.";

(E) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(F) in subsection (d), as so redesignated by subparagraph (E), by striking "additional".

(e) TECHNICAL AMENDMENT.—The second subsection (g) of section 3 of the National Science Foundation Act of 1950 is repealed.

SEC. 203. INDIRECT COSTS.

(a) MATCHING FUNDS.—Matching funds required pursuant to section 204(a)(2)(C) of the Academic Research Facilities Modernization Act of 1988 (42 U.S.C. 1862c(a)(2)(C)) shall not be considered facilities costs for purposes of determining indirect cost rates under Office of Management and Budget Circular A–21.

(b) REPORT.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy, in consultation with other Federal agencies the Director deems appropriate, shall prepare a report—

(A) analyzing the Federal indirect cost reimbursement rates (as the term is defined in Office of Management and Budget Circular A–21) paid to universities in comparison with Federal indirect cost reimbursement rates paid to other entities, such as industry, government laboratories, research hospitals, and nonprofit institutions;

(B)(i) analyzing the distribution of the Federal indirect cost reimbursement rates by category (such as administration, facilities, utilities, and libraries), and by the type of entity; and

(ii) determining what factors, including the type of research, influence the distribution;

(C) analyzing the impact, if any, that changes in Office of Management and Budget Circular A–21 have had on—

(i) the Federal indirect cost reimbursement rates, the rate of change of the Federal indirect cost reimbursement rates, the distribution by category of the Federal indirect cost reimbursement rates, and the distribution by type of entity of the Federal indirect cost reimbursement rates; and

(ii) the Federal indirect cost reimbursement (as calculated in accordance with Office of Management and Budget Circular A–21), the rate of change of the Federal indirect cost reimbursement, the distribution by category of the Federal indirect cost reimbursement, and the distribution by type of entity of the Federal indirect cost reimbursement;

(D) analyzing the impact, if any, of Federal and State law on the Federal indirect cost reimbursement rates;

(E)(i) analyzing options to reduce or control the rate of growth of the Federal indirect cost reimbursement rates, including options such as benchmarking of facilities and equipment cost, elimination of cost studies, mandated percentage reductions in the Federal indirect cost reimbursement; and

(ii) assessing the benefits and burdens of the options to the Federal Government, research institutions, and researchers; and

(F) analyzing options for creating a database—

(i) for tracking the Federal indirect cost reimbursement rates and the Federal indirect cost reimbursement; and

(ii) for analyzing the impact that changes in policies with respect to Federal indirect cost reimbursement will have on the Federal Government, researchers, and research institutions.

(2) REPORT TO CONGRESS.—The report prepared under paragraph (1) shall be submitted to Congress not later than 1 year after the date of enactment of this Act.

SEC. 204. FINANCIAL DISCLOSURE.

Persons temporarily employed by or at the Foundation shall be subject to the same financial disclosure requirements and related sanctions under the Ethics in Government Act of 1978 (5 U.S.C. App.) as are permanent employees of the Foundation in equivalent positions.

SEC. 205. NOTICE.

(a) NOTICE OF REPROGRAMMING.—If any funds appropriated pursuant to the amendments made by this Act are subject to a reprogramming action that requires notice to be provided to the Committees on Appropriations of the Senate and the House of Representatives, notice of that action shall concurrently be provided to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Labor and Human Resources of the Senate, and the Committee on Science of the House of Representatives.

(b) NOTICE OF REORGANIZATION.—Not later than 15 days before any major reorganization of any program, project, or activity of the National Science Foundation, the Director of the National Science Foundation shall provide notice to the Committees on Science and Appropriations of the House of Representatives and the Committees on Commerce, Science and Transportation, Labor and Human Resources of the Senate, and Appropriations of the Senate.

SEC. 206. ENHANCEMENT OF SCIENCE AND MATHEMATICS PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) EDUCATIONALLY USEFUL FEDERAL EQUIPMENT.—The term "educationally useful Federal equipment" means computers and related peripheral tools and research equipment that is appropriate for use in schools.

(2) SCHOOL.—The term "school" means a public or private educational institution that serves any of the grades of kindergarten through grade 12.

(b) SENSE OF CONGRESS.—

(1) IN GENERAL.—It is the sense of the Congress that the Director should, to the greatest extent practicable and in a manner consistent with applicable Federal law (including Executive Order No. 12999), donate educationally useful Federal equipment to schools in order to enhance the science and mathematics programs of those schools.

(2) REPORTS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director shall prepare and submit to the President a report that meets the requirements of this paragraph. The President shall submit that report to Congress at the same time as the President submits a budget request to Congress under section 1105(a) of title 31, United States Code.

(B) CONTENTS OF REPORT.—The report prepared by the Director under this paragraph shall describe any donations of educationally useful Federal equipment to schools made during the period covered by the report.

SEC. 207. REPORT ON RESERVIST EDUCATION ISSUES.

(a) CONVENING APPROPRIATE REPRESENTATIVES.—The Director of the National Science Foundation, with the assistance of the Office of Science and Technology Policy, shall convene appropriate officials of the Federal Government

and appropriate representatives of the postsecondary education community and of members of reserve components of the Armed Forces for the purpose of discussing and seeking a consensus on the appropriate resolution to problems relating to the academic standing and financial responsibilities of postsecondary students called or ordered to active duty in the Armed Forces.

(b) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Director of the National Science Foundation shall transmit to the Congress a report summarizing the results of the convening individuals under subsection (a), including any consensus recommendations resulting therefrom as well as any significant opinions expressed by each participant that are not incorporated in such a consensus recommendation.

SEC. 208. SCIENCE AND TECHNOLOGY POLICY INSTITUTE.

(a) AMENDMENT.—Section 822 of the National Defense Authorization Act for Fiscal Year 1991 (42 U.S.C. 6686) is amended—

(1) by striking "Critical Technologies Institute" in the section heading and in subsection (a), and inserting in lieu thereof "Science and Technology Policy Institute";

(2) in subsection (b) by striking "As determined by the chairman of the committee referred to in subsection (c), the" and inserting in lieu thereof "The";

(3) by striking subsection (c), and redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f), respectively;

(4) in subsection (c), as so redesignated by paragraph (3) of this subsection—

(A) by inserting "science and" after "developments and trends in" in paragraph (1);

(B) by striking "with particular emphasis on" in paragraph (1) and inserting "including";

(C) by inserting "and developing and maintaining relevant informational and analytical tools" before the period at the end of paragraph (1);

(D) by striking "to determine" and all that follows through "technology policies" in paragraph (2) and inserting "with particular attention to the scope and content of the Federal science and technology research and development portfolio as it affects interagency and national issues";

(E) by amending paragraph (3) to read as follows:

"(3) Initiation of studies and analysis of alternatives available for ensuring the long-term strength of the United States in the development and application of science and technology, including appropriate roles for the Federal Government, State governments, private industry, and institutions of higher education in the development and application of science and technology.";

(F) by inserting "science and" after "Executive branch on" in paragraph (4)(A); and

(G) by amending paragraph (4)(B) to read as follows:

"(B) to the interagency committees and panels of the Federal Government concerned with science and technology.";

(5) by striking "subsection (d)" in subsection (d), as redesignated by paragraph (3) of this subsection, and inserting in lieu thereof "subsection (c)";

(6) by striking "Committee" in each place it appears in subsection (e), as redesignated by paragraph (3) of this subsection, and inserting "Institute";

(7) by striking "subsection (d)" in subsection (f), as redesignated by paragraph (3) of this subsection, and inserting in lieu thereof "subsection (c)"; and

(8) by striking "Chairman of Committee" each place it appears in subsection (f), as designated by paragraph (3) of this subsection, and inserting "Director of Office of Science and Technology Policy".

(b) CONFORMING USAGE.—All references in Federal law or regulations to the Critical Technologies Institute shall be considered to be references to the Science and Technology Policy Institute.

SEC. 209. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.

With the year 2000 fast approaching, it is the sense of Congress that the Foundation should—

(1) give high priority to correcting all 2-digit date-related problems in its computer systems to ensure that those systems continue to operate effectively in the year 2000 and beyond;

(2) assess immediately the extent of the risk to the operations of the Foundation posed by the problems referred to in paragraph (1), and plan and budget for achieving Year 2000 compliance for all of its mission-critical systems; and

(3) develop contingency plans for those systems that the Foundation is unable to correct in time.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

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

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

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

Mr. Speaker, H.R. 1273, the National Science Foundation Authorization Act of 1998 and 1999, authorizes the Foundation's programs for fiscal years 1998, 1999, and 2000. This is a noncontroversial bill that was favorably reported by voice vote by the Committee on Science on April 16, 1997, and later passed the full House under suspension of the rules on April 24, 1997. The present version of H.R. 1273 is the product of negotiations with the Senate, which passed the bill on a vote of 99–0 on May 12, 1998.

The National Science Foundation provides funding to over 19,000 research and education projects in science and engineering annually. It does this through competitive grants and cooperative agreements to more than 2,000 colleges, universities, K–12 schools, businesses, and other research institutions in all parts of the United States. Although the Foundation's budget represents only 4 percent of Federal research and development funding, the Foundation accounts for more than 25 percent of Federal support to academic institutions for basic research.

This 3-year authorization improves our investment in America by strengthening our commitment to basic research. It authorizes $3.5 billion for fiscal year 1998, $3.8 billion for fiscal year 1999, and nearly $3.9 billion for fiscal year 2000. The bill received bipartisan support in the Committee on Science and demonstrates the Committee's belief that the support of basic research will help America maintain its lead in cutting-edge science and engineering. It is the kinds of research that the NSF funds through which we will make the fundamental discoveries which will become the economic drivers of the 21st century.

The Research and Related Activities account is NSF's primary account and provides the resources for a broad portfolio of science and engineering activities. For fiscal year 1999, H.R. 1273 provides for $2.57 billion for this account, a 10-percent increase over 1998. For fiscal year 2000, the bill provides a further $2.9 billion.

This legislation also follows through on the Committee on Science's commitment to improve math and science education. H.R. 1273 authorizes $632 million for Fiscal Year 1998, $683 million for Fiscal Year 1999, and $703 million for Fiscal Year 2000 for NSF's Education and Human Resources Directorate, which funds education programs. To hold down administrative costs, the bill holds the salaries and expense account of NSF to approximately 2 percent growth in Fiscal Years 1998, 1999, and 2000.

I want to take a moment to thank the acting chairman of the Subcommittee on Basic Research, the gentleman from Mississippi (Mr. PICKERING); the former ranking minority member of the subcommittee, the gentleman from Michigan (Mr. BARCIA); and the current ranking minority member, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON); and the ranking minority member of the full committee, the gentleman from California (Mr. BROWN), for their efforts and support in crafting a truly bipartisan bill.

Before closing, I would like to express my appreciation and respect for all the hard work performed on this bill by the late former chairman of the Subcommittee on Basic Research, Congressman Steve Schiff, who passed away earlier this year.

H.R. 1273 is the product of Mr. Schiff's dedication to improving America's scientific and technological prowess. Steve was a true patriot who served our country both as an elected official and as a member of the Armed Forces. As this bill demonstrates, Steve Schiff was also an excellent legislator. The Committee on Science and the whole Congress will miss his intelligence, wit, and his diligence.

I believe that H.R. 1237 is an outstanding bill and urge all Members on both sides of the aisle to support it.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1273, which authorizes the programs of the National Science Foundation through Fiscal Year 2000.

Mr. Speaker, the National Science Foundation is the only Federal agency

with the sole mission to support basic research and engineering research and education in the Nation's schools, colleges, and universities. It signals strong support for the key role of the Foundation in developing and sustaining the academic research enterprise of the Nation. It is consistent with the importance of scientific and engineering research and education as a public investment that contributes to the Nation's economic strength and to the well-being of our citizens.

The National Science Foundation programs support research in science and engineering, the operation of national research facilities, the acquisition of state-of-the-art scientific instruments, and science education at all levels of instruction. These wide-ranging activities underpin the technological strength of the Nation through both the generation of new knowledge and the education of scientists and engineers. Moreover, through its initiatives in K–12 science education, the National Science Foundation contributes to the important goal of improving the level of science literacy for all citizens.

In light of the National Science Foundation's important role, I am pleased that H.R. 1273 endorses the President's request for a 10-percent budget increase for Fiscal Year 1999 and growth above inflation for Fiscal Year 2000. This funding level would provide real growth for sustaining the Foundation's core research activities in the major science and engineering disciplines which support individual investigators and interdisciplinary research teams.

In addition, H.R. 1273 will allow the Foundation to pursue new initiatives in such areas as knowledge and distributed intelligence and the complex interdependencies among living organisms and the environments that affect and are affected by them.

In terms of sustaining the human resource base for research in the Nation's colleges and universities, H.R. 1273 will provide support for nearly 27,000 senior scientists, 5,500 postdoctoral researchers, and over 21,000 graduate students.

Mr. Speaker, the research investments made by the Foundation generate the new knowledge that fuels the Nation's technological innovation and, consequently, our economic strength of the future. I would like to describe some recent examples that show the breadth and potential technological value of results from the Foundation's sponsored research.

The Foundation-supported scientists are participating in the sequencing of the genome for a model flowering plant. A coordinated network of databases has been established to facilitate study of the sequence information. Discoveries to date have included understanding of how to reduce polyunsaturation in seed oils and how to produce biodegradable plastic in crop plants.

Researchers at MIT recently created the first atomic laser, a device that creates coherence among atoms, much like the photons in a light laser. This allows the control group of atoms which can be focused to a point or moved over large distances without spreading out. Atomic lasers may one day be used to fabricate extremely small electronic components that will form the basis for highly efficient navigation and communication devices.

Forecasting techniques for tornadoes and severe thunderstorms currently can provide only 30 minutes' warning. Researchers at the University of the Oklahoma have now developed a computer model that has for the first time successfully predicted the location and structure of individual storms up to 6 hours in advance before the storms had begun to form. This forecasting tool has great promise for providing protection for lives and families.

National Science Foundation support for a wide range of research has led to new ways to exploit the physical, chemical, and biological properties of small groups of molecules. The discovery of novel phenomena and processes at this so-called "nano" scale have led to minuscule transistors that use less energy; tiny medical probes that will not damage tissue; improved computer disk-drive heads to boost data storage density; and new ceramic, polymer and other materials with special properties.

In addition to supporting basic research, the National Science Foundation's programs help to educate the next generation of scientists, engineers and technicians, and improve science education for all K–12 students. These outcomes are achieved through a wide range of activities, including graduate student support, research experiences for undergraduates, development of curricular materials for science courses at all levels of instruction, development of educational applications of computer and communication technologies, and in-service training for K–12 teachers.

The goals of the Foundation's effort to heighten the achievement of all students in science and math are particularly important. The approach now being emphasized has been through partnerships that the Foundation has instituted with States and local school systems to reform math and science instruction and to provide opportunities for professional development of teachers.

I believe that the National Science Foundation Urban Systemic Initiative is particularly important in that it focuses on inner city school systems, which often have low levels of student performance in science and math.

Finally, the bill provides for several national research facility construction projects. In accordance with the recommendation of a distinguished panel of experts that review the facilities needs of the U.S. Antarctic Program, it authorizes the replacement of South Pole Station and needed upgrades at other Antarctic stations. These facility upgrades are needed to ensure that U.S. facilities in Antarctica are capable of supporting the most advanced research and can provide adequate safety for the scientists and support staff who must function in this hostile environment.

H.R. 1237 will provide funding to complete other research facility construction projects and to initiate new projects, including the Polar Cap Observatory and detectors for the Large Hadron Collider. The bill also puts in place new reporting requirements to improve congressional oversight of such construction projects.

I want to acknowledge the role of our former colleague, the late Representative Steve Schiff, the former chairman of the Subcommittee on Basic Research, for his efforts during the first session of this Congress to develop H.R. 1273 in a spirit of cooperation. And I also want to commend the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on Science; and the gentleman from California (Mr. BROWN), the ranking Democratic Member, for their leadership in this important legislation.

Mr. Speaker, I fully support H.R. 1273 and urge its approval by the House.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Mississippi (Mr. PICKERING), who is the acting chair of the Subcommittee on Basic Research.

Mr. PICKERING. Mr. Speaker, I want to commend the leadership and work of the gentleman from Wisconsin (Mr. SENSENBRENNER) on this very important legislation. I rise to say a few words in support of H.R. 1273, the National Science Foundation Authorization Act of 1998.

Mr. Speaker, H.R. 1273 authorizes the Foundation's programs for Fiscal Years 1998, 1999, and 2000. It authorizes over $11 billion for fundamental scientific research over the next 3 years.

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It is a bipartisan bill, and I urge all of the Members to support it.

For the past few months I have had the privilege of serving as the acting chairman for the Committee on Science's Subcommittee on Basic Research. It has been a tremendous experience, but I cannot take credit for this bill. This is Steve Schiff's authorization bill.

Mr. Speaker, I learned a great deal from the chairman of our subcommittee, and I think many of Steve Schiff's priorities can be seen in H.R. 1273. I just wanted to take a moment to

recognize Congressman Schiff for the work he did and, more importantly, for the values for which he stood. I would also like to thank our chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER) again for giving me the opportunity of leading the subcommittee as its acting chairman.

In April of this year at a subcommittee hearing the Director of the National Science Foundation stated that 50 percent of our country's economic growth in the last 50 years has come from technological innovation and the science that supports it. That is why we fund the National Science Foundation. We understand that our Nation's economic strength 25 years from now depends on our support for science and technology today.

The strong bipartisan support for H.R. 1273 demonstrates that this Congress understands and respects the role of the scientist in our society. We may not see them in action, but whether it is the growth of the Internet or the latest medical breakthrough, we see the results.

In my home State of Mississippi NSF has played an important role in the development of remote sensing in developing the next generation Internet and that our three supercomputing research centers through NSF's EPSCoR Program, the Mississippi Research Consortium, made up of the University of Mississippi, Mississippi State University, Jackson State University and the University of Southern Mississippi has done great work in areas as diverse as manufacturing polymers, to producing new technology for agricultural products, to cutting edge areas such as artificial intelligence. Again, we may not see the scientists in action, but eventually we see their results in our daily lives.

Through this bill and through the scientific research and science education program supported by the NSF, we demonstrate our commitment to advancing science and improving science and math education not just in theory, but in the classroom. We show our commitment to using biology and chemistry not only to improve our own lives, but also to improve our understanding of the world around us as we show our commitment to the next generation of Americans by assuring that our children will enjoy the economic prosperity that is produced by long-term dedication to science.

Mr. Speaker, the National Science Foundation does great work. This is an excellent bill, and I urge all Members to support it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentlewoman from Texas for yielding this time to me.

Mr. Speaker, I want to express my enthusiastic support for the legislation before us today. The National Science Foundation is our main agency for strengthening our country in science and mathematics and technology, from investing in the training of teachers in math and science, to promoting outreach programs at our museums and supporting path-breaking research at our colleges and universities.

The impact of the National Science Foundation is particularly evident in my district in North Carolina. In the last fiscal year more than 350 NSF-sponsored grants were awarded to residents of the Research Triangle counties of North Carolina. Duke, North Carolina and North Carolina State Universities each received more than $11 million for their researchers, and together they were awarded $44 million for projects selected on their merits, for their scientific excellence and for their contribution to the national interest.

The National Science Foundation, for example, has helped fund Duke University research at Cape Hatteras on North Carolina's Outer Banks, has helped fund new laser-scanning technology at the University of North Carolina, and has supported a program widening educational opportunities for rural middle school students in conjunction with North Carolina State University.

I am also particularly proud that the Advanced Technological Education Program, a program launched through legislation that I initiated 6 years ago, is included in this legislation. The Advanced Technological Education Program has allowed NSF to become more involved with the community colleges in our country, helping our 2-year schools improve their science and math and technology education programs.

ATE creates a partnership between NSF and the community colleges similar to the one that has long been available to 4-year institutions, to develop improved curricula and teaching methods and to upgrade this country's advanced technology training programs, training at the level most of our new good jobs require.

As our country's educational needs continue to evolve, the role of 2-year institutions will increase. Quick training and retooling of our work force will be vital as we move toward a competitive global economy, and the ATE program will help ensure that our educational institutions and our students can meet this challenge.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. BROWN) our distinguished ranking member of the full committee.

Mr. BROWN of California. Mr. Speaker, I will not take 5 minutes, but I do wish to make a brief statement that will hopefully supplement the already excellent statements made by all of my colleagues on both sides of the aisle. I would point out that the National Science Foundation with its programs for support of basic research and education and science and engineering has long enjoyed the bipartisan support of Congress. This bill, by providing for continued growth will help ensure that the Foundation can continue to fulfill that role.

TRIBUTE TO DR. NEAL LANE

Mr. Speaker, I would like to take a moment to recognize the contributions of the outgoing NSF Director, Dr. Neal Lane. Dr. Lane, who has served as director since 1993, will soon leave to become the President's science advisor and head of the Office of Science and Technology Policy.

During his tenure at NSF, Dr. Lane has provided strong leadership and has made noteworthy contributions to the Foundation's effectiveness. He has worked to improve the process by which priorities are established for NSF's major activities and to identify promising cross-disciplinary research programs. In addition, he has maintained a wide ranging portfolio of programs to strengthen science and engineering education in the Nation's schools and institutions of higher education.

Dr. Lane recognized early on how the new computer and information-driven world would enable new ways to conduct research and would establish new skill requirements for the future workforce. The Knowledge and Distributed Intelligence initiative launched under his stewardship will lead to Foundation-wide activities focused on improving ways to discover, collect, represent, transmit, and apply information.

Similarly, Dr. Lane applied information technology to streamline the internal operations of NSF itself. He led the reengineering of the major business transactions between NSF and the research community, replacing paper-based processes with simpler, more efficient electronic transactions using the Internet. Today, more than 80 percent of all NSF funding is accomplished by electronic means.

Also, Dr. Lane is to be commended for assuming the role of a vocal champion for U.S. leadership in science and engineering research and for his efforts in challenging the research community to see its responsibilities in the larger context of societal values and needs. He has encouraged scientists and engineers to communicate more effectively with the public, which will help to make science more accessible to everyone.

Dr. Lane has left a lasting imprint at NSF, and he will be missed. I wish him well as he assumes his new responsibilities in the White House for the Nation's research and development enterprise.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I thank the gentleman from Wisconsin for yielding this time to me.

I rise not so much in opposition to this authorization, but frankly against the appropriation which will come

later this week, because it seems to me that last year on this House floor, when the gentleman from California (Mr. LEWIS) and the gentleman from Missouri (Mr. CLAY) offered an amendment to cut $174,000 out of the bill which at that time would have studied the reasons people do not run for elected office, of which I assume there are many. Basically what they are trying to signal to the Science Foundation was that we need a tighter grip on the way they spend money; that when people back home think about spending a dollar, they really run through a lot of priorities, and they run through a lot of interests that they have before they decide on actually spending that dollar, and that this organization ought to do the same. And so I rise to, in essence, follow up on what they tried to do last year in sending a message on the importance of sharpening a pencil, because when I look at the grants that have come since then, and there are a list of several that have come since then; I look here at, as my colleagues know, $210,000 to study ATMs, I look at $17,000 to study interactive video-on-demand services for popular videos, I look at $220,000 to look at why women smile more than men, and I guess there are many reasons there. As my colleagues know, $193,000 to study collaborative activity on poker, or $147,000, and I cannot quite figure out what this means, but to study how globalization has transformed legal consciousness and personal injury in Thailand, or $334,000 to study methods for routing pick-up and delivery vehicles in real time, or finally, $12,000 to study cheap talk.

I look at again a little bit more in the way of pencil sharpening that it seems to me that needs to be done, that we do have a duty, if my colleagues will, to authorize the study of basic sciences in this country, but we also have a duty to watch out for the taxpayer, and that is why later in this week I will be offering an amendment in the appropriations bill to tighten the pencil a little bit because it seems to me that some of this at minimum could be done by the private sector.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Ms. STABENOW).

Ms. STABENOW. Mr. Speaker, it is my pleasure today to rise in strong support of this authorization bill for the National Science Foundation, to commend the Chair and ranking members of the committee and the subcommittee for their very, very important work. I cannot think of a more important subject for the Federal Government to be involved in than basic research and the development of technology for the future as it relates to jobs, our ability to compete in a world economy. The kinds of focuses by the National Science Foundation are critical to the quality of life of my constituents and all of the families of America. I commend them for their work.

Mr. Speaker, I commend universities in my district: the Michigan State University efforts, University of Michigan research efforts, that were continually in partnership with NSF to promote the quality of life through research that we need to be promoting across this country.

It is also important, as we all know, to focus on our future scientists by promoting quality math and science education, encouraging both boys and girls to be focused and to pick math and science education as future endeavors. As part of that, it is important that we make sure our schools are equipped with technology and the research equipment that they need so that we can excite young people about science and involve them in the future of math and science, and I want to particularly point out to my colleagues a section of the bill that I think is important in making sure our schools have that kind of equipment and the kind of computers that they need.

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I am very pleased to commend the committee for putting into the bill section 206, which provides an encouragement to NSF to donate surplus computers and research equipment to our schools.

I would just speak to the fact that I have been involved in the last year and a half in providing wiring through the Internet. We have wired almost 50 schools in my district through volunteer efforts to the Internet, and we have seen one school in my district, Lansing Sexton High School, that has benefited directly from this kind of a donation from the Federal Government. The EPA provided enough computers, and very high-quality computers, to Lansing Sexton to equip an entire computer lab. We now have young people, with wiring done through our Net Day and the computers donated through EPA, who are able to work on sophisticated equipment and be learning more about math and science and technology as a result of that partnership.

I would encourage NSF as we pass this authorization to work with us to provide that kind of equipment to our schools as we look for ways to join together to encourage math and science education for the future and make sure that our children have the kind of technology that they need in the classroom to be prepared.

This bill is about basic research, it is about developing technology, it is about at the same time a focus on our future children and developing the skills in math and science that are so critical. I commend the committee and urge its adoption.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I, too, would like to thank the committee and as well thank Dr. Lane for his outstanding leadership of the National Science Foundation and to congratulate him as he embarks on his new opportunity as adviser to the President on science.

I also rise in support of this bill, which authorizes funds for the National Science Foundation through the year 2000. The National Science Foundation provides this Nation with the tools to remain a superpower in a world where technology remains supreme. It helps develop new technologies, not only on its own, but also through its partnerships with other government agencies, like NASA, and as well educational institutions and private institutions. I am likewise proud of my locally-based institutions, like the University of Houston, the Texas Medical Center, Texas Southern University, Houston Baptist College, the Houston Community College, Rice University, and many, many others that have embellished and bolstered their own science interests and activity.

Additionally, let me acknowledge Dr. Joshua Hill of Texas Southern University, who, as we speak, is conducting a science program with high school students.

The National Science Foundation is largely responsible for many of the scientific breakthroughs that we currently enjoy in this country. In fact, many of our more important scientific achievements started with either an experiment in an NSF lab or with an NSF grant to a university or a private corporation.

When this bill was in markup, I am very delighted that my colleagues joined me as I amended this particular legislation to provide for a provision which asked the Federal Government to do what it can to help educate our children. Section 206 is a simple process, but through this simple act it encourages the NSF to donate used computer research equipment to needy school children. I can assure you that many around this country are anxiously waiting for this legislation to pass so this wonderful partnership can be established.

I feel it is a simple solution to a complex problem, the underdevelopment of our public school computer and technology infrastructure. We cannot expect our children to be prepared for the next millennium if we do not have the right equipment to learn on.

Mr. Speaker, trying to teach children computer science without the benefit of a computer is like trying to teach English to children with the benefit of vocabulary or books. We must do our

part to ensure that our children have the opportunity to learn, especially in the areas of math and science.

This year in the House Committee on Science we have heard a myriad of testimony during such hearings regarding the undereducation of our children in the hard sciences. In fact, it has been disappointing that we have not gotten our hands around that issue, and we must, in order to be competitive, work on getting our children to that competitive level.

It has gotten to the point that the media fails to report scientific breakthroughs, and we discussed that, not because of lack of public interest, but often because they feel that the general public will not understand the scientific achievement and what it means to them. This I think is something we cannot stand for, Mr. Speaker, and I would hope that this Congress would very quickly and efficiently pass this legislation and move our children along to the 21st Century.

Mr. Speaker, I rise to speak on behalf of this bill, which authorized funds for the National Science Foundation through the year 2000.

The National Science Foundation (NSF) provides this Nation with the tools to remain a superpower in a world where technology remains supreme. It helps develop new technologies, not only on its own, but also through its partnerships with other government agencies, like NASA, and with private institutions.

The NSF is largely responsible for many of the scientific breakthroughs that we currently enjoy in this country. In fact, many of our more important scientific achievements started either with an experiment in a NSF lab, or with a NSF grant to a university or private corporation.

When this bill was in markup, I was able to amend it to include a provision which asks the Federal government to do what it can to help educate our children, in this case, through the simple act of donating used computer and research equipment to needy schoolchildren.

I feel it is a simple solution to a complex problem, the under-development of our public school computer and technology infrastructure. We cannot expect our children to be prepared for the next millennium if they do not have the right equipment to learn on. Ladies and gentlemen, trying to teach children computer science without the benefit of a computer is like trying to teach English to children without books—utterly impossible.

We must do our part to ensure that our children have the opportunity to learn, especially in the areas of math and science. This year in the House Science Committee, we have heard a myriad of testimony during hearings regarding the under-education of our youth in the hard science. It has gotten to the point that the media fail to report scientific breakthroughs, not because of lack of public interest, but often because they do not feel that the general public will understand the scientific achievement and what it means to them. That is shameful. If this Nation intends to remain a world leader, we must do out part to educate our children in the ways of the future.

Here in Congress, we have worked long and hard to rectify this problem. We have sought to increase funding for education. We have tried to provide targeted discounts to schools and libraries so that they can get on the Internet. Those initiatives are controversial, but this provision is not. Its costs are low, and its benefits high. In short, this is "good legislation".

I encourage you all to vote for this authorization, and invest in our future generations.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendment to H.R. 1273.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the Senate amendment to H.R. 1273.

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

There was no objection.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

TECHNOLOGY TRANSFER COMMERCIALIZATION ACT OF 1998

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2544) to improve the ability of Federal agencies to license federally owned inventions, as amended.

The Clerk read as follows:

H.R. 2544

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 "Technology Transfer Commercialization Act of 1998".

SEC. 2. COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.

Section 12(b)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(b)(1)) is amended by inserting "or, subject to section 209 of title 35, United States Code, may grant a license to an invention which is federally owned, made before the granting of the license, and directly related to the scope of the work under the agreement," after "under the agreement,".

SEC. 3. LICENSING FEDERALLY OWNED INVENTIONS.

(a) AMENDMENT.—Section 209 of title 35, United States Code, is amended to read as follows:

"§ 209. Licensing federally owned inventions

"(a) AUTHORITY.—A Federal agency may grant an exclusive or partially exclusive license on a federally owned invention only if—

"(1) granting the license is a reasonable and necessary incentive to—

"(A) call forth the investment capital and expenditures needed to bring the invention to practical application; or

"(B) otherwise promote the invention's utilization by the public;

"(2) the Federal agency finds that the public will be served by the granting of the license, as indicated by the applicant's intentions, plans, and ability to bring the invention to practical application or otherwise promote the invention's utilization by the public, and that the proposed scope of exclusivity is not greater than reasonably necessary to provide the incentive for bringing the invention to practical utilization, as proposed by the applicant, or otherwise to promote the invention's utilization by the public;

"(3) the applicant makes a commitment to achieve practical utilization of the invention within a reasonable time;

"(4) granting the license will not tend to substantially lessen competition or create or maintain a violation of the Federal antitrust laws; and

"(5) in the case of an invention covered by a foreign patent application or patent, the interests of the Federal Government or United States industry in foreign commerce will be enhanced.

"(b) MANUFACTURE IN UNITED STATES.—A Federal agency shall normally grant a license to use or sell any federally owned invention in the United States only to a licensee who agrees that any products embodying the invention or produced through the use of the invention will be manufactured substantially in the United States.

"(c) SMALL BUSINESS.—First preference for the granting of any exclusive or partially exclusive licenses under this section shall be given to small business firms having equal or greater likelihood as other applicants to bring the invention to practical application within a reasonable time.

"(d) TERMS AND CONDITIONS.—Licenses granted under this section shall contain such terms and conditions as the granting agency considers appropriate. Such terms and conditions shall include provisions—

"(1) retaining a nontransferrable, irrevocable, paid-up license for the Federal agency to practice the invention or have the invention practiced throughout the world by or on behalf of the Government of the United States;

"(2) requiring periodic reporting on utilization of the invention, and utilization efforts, by the licensee, but only to the extent necessary to enable the Federal agency to determine whether the terms of the license are being complied with; and

"(3) empowering the Federal agency to terminate the license in whole or in part if the agency determines that—

"(A) the licensee is not executing its commitment to achieve practical utilization of the invention, including commitments contained in any plan submitted in support of its request for a license, and the licensee cannot otherwise demonstrate to the satisfaction of the Federal agency that it has

taken, or can be expected to take within a reasonable time, effective steps to achieve practical utilization of the invention;

"(B) the licensee is in breach of an agreement described in subsection (b);

"(C) termination is necessary to meet requirements for public use specified by Federal regulations issued after the date of the license, and such requirements are not reasonably satisfied by the licensee; or

"(D) the licensee has been found by a competent authority to have violated the Federal antitrust laws in connection with its performance under the license agreement.

"(e) PUBLIC NOTICE.—No exclusive or partially exclusive license may be granted under this section unless public notice of the intention to grant an exclusive or partially exclusive license on a federally owned invention has been provided in an appropriate manner at least 15 days before the license is granted, and the Federal agency has considered all comments received in response to that public notice. This subsection shall not apply to the licensing of inventions made under a cooperative research and development agreement entered into under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

"(f) BASIC BUSINESS PLAN.—A Federal agency may grant a license on a federally owned invention only if the person requesting the license has supplied to the agency a basic business plan with development milestones, commercialization milestones, or both.

"(g) NONDISCLOSURE OF CERTAIN INFORMATION.—Any basic business plan, and revisions thereto, submitted by an applicant for a license, and any report on the utilization or utilization efforts of a licensed invention submitted by a licensee, shall be treated by the Federal agency as commercial and financial information obtained from a person and not subject to disclosure under section 552 of title 5, United States Code.".

(b) CONFORMING AMENDMENT.—The item relating to section 209 in the table of sections for chapter 18 of title 35, United States Code, is amended to read as follows:

"209. Licensing federally owned inventions.".

SEC. 4. TECHNICAL AMENDMENTS TO BAYH-DOLE ACT.

Chapter 18 of title 35, United States Code (popularly known as the "Bayh-Dole Act"), is amended—

(1) by amending section 202(e) to read as follows:

"(e) In any case when a Federal employee is a coinventor of any invention made under a funding agreement with a nonprofit organization or small business firm, the Federal agency employing such coinventor may, for the purpose of consolidating rights in the invention—

"(1) license or assign whatever rights it may acquire in the subject invention from its employee to the nonprofit organization or small business firm; or

"(2) acquire any rights in the subject invention, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction."; and

(2) in section 207(a)—

(A) by striking "patent applications, patents, or other forms of protection obtained" and inserting "inventions" in paragraph (2); and

(B) by inserting ", including acquiring rights for the Federal Government in any invention, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction, to facilitate the licensing of a federally owned invention" after "or through contract" in paragraph (3).

SEC. 5. TECHNICAL AMENDMENTS TO THE STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.

Section 14(a)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710c(a)(1)) is amended—

(1) in subparagraph (A)(i), by inserting ", if the inventor's or coinventor's rights are assigned to the United States" after "inventor or coinventors"; and

(2) in subparagraph (B), by striking "succeeding fiscal year" and inserting "2 succeeding fiscal years".

SEC. 6. REVIEW OF COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENT PROCEDURES.

(a) REVIEW.—The Director of the Office of Science and Technology Policy, in consultation with relevant Federal agencies, national laboratories, and any other person the Director considers appropriate, shall review the general policies and procedures used by Federal agencies to gather and consider the views of other agencies on—

(1) joint work statements under section 12(c)(5)(C) or (D) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)(5)(C) or (D)); or

(2) in the case of laboratories described in section 12(d)(2)(A) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)(A)), cooperative research and development agreements under such section 12,

with respect to major proposed cooperative research and development agreements that involve critical national security technology or may have a significant impact on domestic or international competitiveness.

(b) PROCEDURES.—Within one year after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy, in consultation with relevant Federal agencies and national laboratories, shall—

(1) determine the adequacy of existing procedures and methods for interagency coordination and awareness; and

(2) establish and distribute to appropriate Federal agencies—

(A) specific criteria to indicate the necessity for gathering and considering the views of other agencies on joint work statements or cooperative research and development agreements as described in subsection (a); and

(B) additional procedures, if any, for carrying out such gathering and considering of agency views.

Procedures established under this subsection shall be designed to the extent possible to use or modify existing procedures, to minimize burdens on Federal agencies, to encourage industrial partnerships with national laboratories, and to minimize delay in the approval or disapproval of joint work statements and cooperative research and development agreements.

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

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

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

Mr. Speaker, in the past two decades, Congress has established a system to transfer unclassified technology from our Federal laboratories to the private sector in order to facilitate its commercialization. This system is designed to ensure U.S. citizens receive the full benefit from our government's investment in research and development.

To help further these goals, the Committee on Science first reported the Stevenson-Wydler Technology Innovation Act of 1980. The committee expanded on that landmark legislation with the passage of the Federal Technology Transfer Act of 1986, the National Competitive Technology Transfer Act of 1989, the American Technology Preeminence Act of 1991 and the National Technology Transfer and Advancement Act of 1995, among others.

Technology transfer has resulted in products which are currently being used to enhance our quality of life. Examples include the AIDS home testing kit, the global positioning system nautical navigation, and new materials technology to make automobiles lighter and more fuel-efficient.

H.R. 2544 continues the Committee on Science's long and rich history of advancing technology transfer to help boost our Nation's standard of living. I congratulate the Chair of the Subcommittee on Technology, the gentlewoman from Maryland (Mrs. MORELLA), for introducing H.R. 2544, and for her efforts to work cooperatively with members of the minority and the administration to craft this bipartisan bill.

I would also like to acknowledge and congratulate the hard work of the ranking Members from the Committee on Science and Subcommittee on Technology, the gentleman from California (Mr. BROWN) and the gentleman from Michigan (Mr. BARCIA) on this important legislation. Its drafting and passage by the Committee on Science could not have occurred without their considerable input and assistance.

The purpose of H.R. 2544 as reported is to promote the transfer and private sector commercialization of the technology created in our Nation's system of over 700 Federal laboratories, thereby leveraging Federal investment in scientific research through increasing collaboration with the private industry.

Specifically, the bill improves and streamlines the ability of Federal agencies to license federally-owned inventions. H.R. 2544 does this by reducing procedural obstacles and, to the greatest extent possible, the uncertainty involved in the licensing of government-owned patented inventions.

During the Committee on Science's hearing on this bill, the committee received testimony from both past and prospective private industry partners regarding their concerns about current Federal technology licensing processes.

Witnesses indicated that the strategic advantage of acquiring intellectual property rights through a cooperative research and development agreement, called CRADA for short, and/or

the licensing of government-owned technology, are, unfortunately, offset by the delays and uncertainty often associated with the lengthy Federal technology transfer process, which is often out of sync with private sector timing. In addition to the uncertainty of actually being granted the license, these procedural barriers increase transaction costs and delay commercialization.

The present regulations also make it difficult for government-owned and government-operated laboratories, or GOGO for short, to bring existing scientific inventions into a CRADA, even when inclusion would create a more complete technology package.

By reducing the delay and uncertainty imposed by existing procedural barriers and thus lowering transactional costs associated with the licensing of technology transferred from the Federal laboratories, Federal agencies could greatly increase participation by the private sector in their technology transfer programs.

H.R. 2544 does just that. Its approach will expedite the commercialization of government-owned inventions and reduce the costs to the American taxpayer for the development of new technology-based products.

Through H.R. 2544, Federal agencies are provided with two important new tools for effectively commercializing on-the-shelf government-owned inventions: First, revised authorities under section 209 of the Bayh-Dole Act; and, second, the ability to license technology as part of a CRADA. Both mechanisms make Federal technology transfer programs much more attractive to U.S. private industries that seek to form partnerships with the Federal laboratories.

The committee reported H.R. 2544 by voice vote. The bill was subsequently discharged by the Committee on the Judiciary, to which it was sequentially referred. I appreciate the cooperation of the chairman and ranking minority member of the Committee on the Judiciary, the gentleman from Illinois (Mr. HYDE) and the gentleman from Michigan (Mr. CONYERS), for their assistance in bringing H.R. 2544 to the floor.

This bill is yet another important step in refining our Nation's technology transfer laws to remove existing impediments to advance government and industry collaboration, and I urge its adoption.

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

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

Mr. Speaker, I would first begin by thanking the gentleman from Wisconsin (Chairman SENSENBRENNER) and, of course, the ranking member the gentleman from California (Mr. BROWN) for bringing H.R. 2544, the Technology Transfer Commercialization Act, to the floor. I would like to especially thank the bill's chief sponsor, the chairman of the Subcommittee on Technology, the gentlewoman from Maryland (Mrs. MORELLA), for her continued leadership on this and other important technology matters.

The goal of H.R. 2544 is to make sure that those innovations owned by our Federal labs and with commercial potential enter the marketplace as quickly and efficiently as possible. However, the bill also includes important protections that the gentleman from Utah (Mr. COOK) and I introduced during our Subcommittee on Technology markup to promote fairness of opportunity, to increase due diligence on the part of licenses, and to encourage the creation of American jobs.

The bill relaxes general notice requirements, but requires public notice when it matters most, when the granting of an exclusive license to a Federal invention is contemplated. Giving notice in advance of awarding an exclusive license is essential to ensure that the public gets full benefit from its research investment. This will make sure that every American company, no matter how small, has a chance to make its case for a license before exclusive rights are awarded. Without these protections, important innovations can inadvertently be blocked. Companies, often small businesses previously unknown to Federal laboratories, have responded to these public notices with revolutionary ideas that would otherwise have been lost.

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The National Institutes of Health first learned of companies with the capability to turn NIH innovations into a cystic fibrosis gene therapy and a cervical cancer vaccine through public notices of the intent to grant exclusive licenses to someone else. The Department of Agriculture uncovered important applications of its research, including a novel egg immunization technology and a way to take formaldehyde out of permanent press fabrics which could have been blocked without public notice.

Time and time again, public notice of the intent to grant exclusive licenses has produced dramatic results. The gentlewoman from Maryland (Mrs. MORELLA), the chairperson of the subcommittee, was absolutely right in pointing out to the committee that publication in the Federal Register is probably no longer the most effective method of public notice in an Internet age. Agencies need to make use of a variety of modern communication techniques such as electronic mailing lists, the Internet, and web pages. We encourage agencies to think creatively, to devise plans for reaching more people during shorter periods of public notice, and to pass the time savings on to their potential private sector partners.

Further, as our private sector is ultimately driven by small business, the licensing of Federal inventions may well be our most successful and cost-effective program to aid these smaller firms. In fact, the Department of Defense grants 61 percent of its exclusive licenses to small businesses, NIST grants 80 percent of licenses to small businesses, and NASA grants 93 percent of its licenses to small businesses. This bill ensures that small businesses will continue to be the focus of technology transfer initiatives far into the future.

Finally, this bill is geared toward American jobs. Federal licensees are expected to do high quality research and establish manufacturing jobs right here in the United States of America. In the 1980s, our committee showed wisdom in requiring a fair share of the jobs coming out of Federal innovations be located in the U.S. This bill will continue this important principle into the next century.

Mr. Speaker, the Subcommittee on Technology, under the leadership of the gentlewoman from Maryland (Mrs. MORELLA) and our distinguished chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), as well as our distinguished Ranking Member, the gentleman from California (Mr. BROWN) have, in a bipartisan manner, invested a large amount of time and energy in gathering the information necessary to perfect this legislation. I strongly urge my colleagues to support this bill.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. COOK).

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

Mr. Speaker, I rise in support of H.R. 2544, the Technology Transfer Commercialization Act of 1998. First, I would like to commend our chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER); the subcommittee chairwoman, the gentlewoman from Maryland (Mrs. MORELLA); and the ranking members of both committees, for their commitment and leadership on this legislation.

H.R. 2544 will improve the laws promoting technology transfer from our Nation's Federal laboratories. It will facilitate Federal technology licensing by streamlining the process and eliminating burdensome procedural hurdles for American businesses.

As a businessman I know the importance of keeping up with technology and the necessity of constantly innovating and initiating new ideas in order to remain competitive. I also understand how difficult it is to interact with the government. I am pleased that the committee accepted my pro-business amendments that further knock down some of the obstacles and concerns of industry when they seek to license technology from our Federal laboratories.

H.R. 2544 will bolster America's ability to compete internationally and will

help our economy reap the fruits of taxpayer-funded Federal technology research.

I thank the chairman again for his support of this legislation, and I urge my colleagues to vote for this bill.

Mr. BARCIA. Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from California (Mr. BROWN), ranking member of the House Committee on Science.

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

Mr. Speaker, over the last 20 years we have seen a complete change in attitude regarding technology transfer, and it has been a change for the better. In 1979 and in 1980, the House Committee on Science and Technology, working with some far-thinking individuals in the Carter administration, the university community and the private sector, came up with a holistic method of thinking about innovation in this country and the legislation necessary to back it up.

I am proud to have been a part of the bipartisan group of legislators who guided these bills, the Bayh-Dole Act and the Stevenson-Wydler Act, to enactment and who later worked with the Reagan administration to broaden their scope by extending the Bayh-Dole Act to government-owned, contractor-operated laboratories and by adding the concept of cooperative research and development agreements to the Stevenson-Wydler Act.

When I say bipartisan, my colleagues will all recognize that Senator Bayh was a leading Democratic Senator from Indiana, and Senator Dole of course was the later-to-be Republican leader and candidate for President. Of the Stevenson-Wydler Act, Senator Stevenson was the junior Senator from Illinois at that time, and Mr. Wydler was the Ranking Member of the Committee on Science, which I am today, so I am following in his great footsteps. But the point that I am trying to make here is that we unabashedly worked together on a bipartisan basis to enact this type of legislation which was aimed at reaping greater benefits from our investments in research and development in this country, and these programs have succeeded.

I should point out that the foundation for most of our current advanced technology programs was contained in the 1988 Trade Act, perhaps an odd place for it to be, but it was a separate title of that trade act which was signed into law by President Reagan and which has given us some of the new and, unfortunately, at times, controversial programs which have continued to help ensure our leadership in the world in terms of continually improving our market share in high technology products of all kinds.

What were revolutionary ideas in the 1980 and 1986 bills are now the heart of our Federal laboratory policy. These ideas have been so successful that practice in some ways has outgrown the original statute. Rather than having thousands of Federal inventions going unused, we now see intense competition in the private sector for the best ideas and need to ensure fairness of opportunity in selecting the most appropriate licensees, and this is what the legislation before us attempts to encourage. Instead of Federal researchers meeting their colleagues from outside the government only in professional meetings, we now have a culture of cooperative research involving Federal labs and universities in the private sector.

Mr. Speaker, this is an important, well-thought-out bill. I urge my colleagues to support it.

Mr. BARCIA. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Illinois for his kindness and his leadership; the ranking member, the chairman and the committee for their work.

This is an exciting piece of legislation, and I am delighted to rise to support the Technology Transfer Commercialization Act of 1997. I certainly think Senators Bayh and Dole were innovative in 1980 when their act was first implemented, because it revolutionized the way we handle patents arising from Federal research. Until their legislation passed, the Federal Government retained title to all patents arising from Federal research and granted only nonexclusive licenses to private parties. This left no room for competitive advantages and what we wound up with was these 20,000 Federal inventions sitting in laboratories, underutilized and unused.

As a result of the Bayh-Dole policy, current policy is to get these inventions out to the private sector, either by licensing government-developed technology or by letting a university or company who made the invention with Federal funds have the patent outright. Out of that we have gotten new medicines and materials and processes, and ideas for products are flowing.

However, I believe as we move into the information age, we can do better. We have learned a lot about licensing since 1980, and therefore, I think it is crucial that this new amendment and legislation conforms our patent policies to our new sensibilities. It takes lessons learned over these 18 years as well as the legitimate concerns of licensees, and streamlining our patenting and licensing procedures to reflect 21st century realities.

What I really like about it is this is a real dynamic opportunity for our small businesses. This is a job creation bill, for the small businesses now will have the first crack, as they have in the past, but they will have a real opportunity for the licenses and a substantial portion of the jobs arising from commercializing Federal inventions will have to be located right here in the United States. I think it is a match made in heaven.

The small business preference works, because there are so many innovative technological firms that are small businesses and, in fact, generate a lot of jobs. This helps them to get right to the source of opportunity and to create more jobs and to create high technology. In fact, I understand that over 90 percent of NASA's licenses typically go to small businesses, many of which reside in my community.

H.R. 2544 also carefully devices ways to make sure that the ideas of all companies with an interest in commercializing an invention are considered before rights are awarded. H.R. 2544 also makes crucial adjustments to CRADA, a process by which companies can do joint research with the Federal laboratories. Again, here is another opportunity where there is joint venturing and partnerships between our Federal laboratories.

Mr. Speaker, as I said earlier, this is a bill for the 21st century. I am very proud to support this bill as well as on behalf of our small businesses in America, and technology.

Mr. Speaker, I rise in support of H.R. 2544, the Technology Transfer Commercialization Act of 1997. This bill is important to me for a number of reasons. It strengthens a program of great importance to small business, and it is key to helping U.S. companies harvest the bountiful ideas of Federal laboratories.

This bill amends the Bayh-Dole Act of 1980, which revolutionized the way we handle patents arising from Federal research. Until Bayh-Dole passed, the Federal government retained title to all the patents arising from Federal research and granted only non-exclusive licenses to private parties. This policy left no room for competitive advantages and led to 20,000 Federal inventions sitting in laboratories underutilized and unused.

As a result of Bayh-Dole, current policy is to get these inventions out to the private sector either by licensing government-developed technology, or by letting the university or company who made the invention with Federal funds have the patent outright. New medicines, materials, processes, and ideas for products are flowing from the government to the private sector as never before.

But we can do better. We have learned much about licensing since 1980. Businesses have also changed dramatically in this period. Product marketing and quality is much better now. There has been a communications revolution and business decisions must be made very quickly. Today's high-technology businesses simply do not have the time to produce mounds of paperwork and wait months to license a Federal invention.

H.R. 2544 conforms our patent policies to our new sensibilities. It takes the lessons

learned over these 18 years as well as the legitimate concerns of licensees, and streamlines our patent licensing procedures to reflect 21st century realities.

This bill also preserves what is good about Bayh-Dole. Small businesses still will have first crack at the licenses, and a substantial portion of the jobs arising from commercializing Federal inventions will have to be located right here in the United States. This is a small business preference that works. I understand that over 90% of NASA's licenses typically go to small businesses, many of which reside in my district. H.R. 2544 also carefully devises ways to make sure that the ideas of all companies with an interest in commercializing an invention are considered before rights are awarded.

H.R. 2544 also makes crucial adjustments to the CRADA process by which companies can do joint research with the Federal laboratories. It retains all of the provisions which permit small businesses easy access to federal laboratories, but it also sets up a careful review of those CRADAs that are large enough or prominent enough to raise national security, antitrust, or international competitiveness issues.

Mr. Speaker, this bill represents hard and fruitful work on the part of my colleagues from both sides of the aisle, and from the Administration. I urge all of you to support this important legislation.

Mr. BARCIA. Mr. Speaker, having no additional speakers on our side, I yield back the balance of my time.

Mrs. MORELLA. Mr. Speaker, for nearly two decades, Congress and the Science Committee has encouraged the transfer to United States private industry of unclassified technology created in our federal laboratories.

As a result of these technology transfer laws, the ability of the United States to compete globally has been strengthened and a new paradigm for greater collaboration among the scientific enterprises that conduct our Nation's research and development—government, industry, and universities—has been developed. By permitting effective collaboration between our Federal laboratories and private industry, new technologies can be rapidly commercialized.

Federal technology transfer stimulates the American economy, enhances the competitive position of United States industry internationally, and promotes the development and use of new technologies developed under taxpayer funded research so those innovations are incorporated rapidly and effectively into practice to the benefit of the American public.

Our Federal laboratories have long been considered one of our greatest scientific research and development resources, employing one of every six scientists in the country and encompassing one-fifth of the country's laboratory and equipment capabilities. Effectively capturing this wealth of ideas and technology from our federal laboratories, through the transfer to private industry for commercialization, has helped to bolster our Nation's ability to compete in the global marketplace.

Given the importance and benefits of technology transfer, the Technology Subcommittee has continued to refine the technology transfer process to facilitate greater government, university, and industry collaboration. In the past Congress, we enhanced and simplified the process for Cooperative Research and Development Agreements through a bill which I introduced, the National Technology Transfer and Advancement Act (P.L. 104–113).

With the Technology Transfer Commercialization Act, we have now attempted to remove the obstacles to effectively license federally-owned inventions which are created in government-owned, government-operated laboratories, by adopting the successful Bayh-Dole Act as a framework.

Under the bill, agencies would be provided with two important new tools for effectively commercializing on-the-shelf federally owned technologies—either licensing them as standalone inventions, under the bill's revised authorities of Section 209 of the Bayh-Dole Act, or by including them as part of a larger package under a Cooperative Research and Development Agreement. In doing so, this will make both mechanisms much more attractive to United States companies that are striving to form partnerships with federal laboratories.

In the Technology Subcommittee's two legislative hearings on H.R. 2544, witnesses enthusiastically endorsed the bill's intent to streamline technology licensing to make it more effective. We heard from the Administration, large corporations, small businesses, federal laboratories, and technology transfer organizations, among others, that the bill will substantially improve the process of licensing federal technology for commercial applications and make it more attractive for industry to partner with government.

The bill before us represents a bipartisan consensus. I am pleased that we have worked closely with the members of the Minority in revising the bill since it was originally introduced. I would also like to thank the Chairman and Ranking Member of the Science Committee, Mr. SENSENBRENNER and Mr. BROWN, as well as the Ranking Member of the Technology Subcommittee, Mr. BARCIA, for their support of H.R. 2544.

I look forward to working with them and my Senate counterparts to have this bill signed into law before the conclusion of the 105th Congress. I urge all of my colleagues to pass this important measure.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 2544, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2544, the bill just passed.

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

There was no objection.

HOMEOWNERS PROTECTION ACT OF 1998

Mr. LEACH. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 318) to require automatic cancellation and notice of cancellation rights with respect to private mortgage insurance which is required as a condition for entering into a residential mortgage transaction, to abolish the Thrift Depositor Protection Oversight Board, and for other purposes, as amended.

The Clerk read as follows:

S. 318

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Homeowners Protection Act of 1998".

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Termination of private mortgage insurance.
Sec. 4. Disclosure requirements.
Sec. 5. Notification upon cancellation or termination.
Sec. 6. Disclosure requirements for lender paid mortgage insurance.
Sec. 7. Fees for disclosures.
Sec. 8. Civil liability.
Sec. 9. Effect on other laws and agreements.
Sec. 10. Enforcement.
Sec. 11. Construction
Sec. 12. Effective date.
Sec. 13. Abolishment of the Thrift Depositor Protection Oversight Board.

SEC. 2. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) ADJUSTABLE RATE MORTGAGE.—The term "adjustable rate mortgage" means a residential mortgage that has an interest rate that is subject to change.

(2) CANCELLATION DATE.—The term "cancellation date" means—

(A) with respect to a fixed rate mortgage, at the option of the mortgagor, the date on which the principal balance of the mortgage—

(i) based solely on the initial amortization schedule for that mortgage, and irrespective of the outstanding balance for that mortgage on that date, is first scheduled to reach 80 percent of the original value of the property securing the loan; or

(ii) based solely on actual payments, reaches 80 percent of the original value of the property securing the loan; and

(B) with respect to an adjustable rate mortgage, at the option of the mortgagor, the date on which the principal balance of the mortgage—

(i) based solely on amortization schedules for that mortgage, and irrespective of the outstanding balance for that mortgage on that date, is first scheduled to reach 80 percent of the original value of the property securing the loan; or

(ii) based solely on actual payments, first reaches 80 percent of the original value of the property securing the loan.

(3) FIXED RATE MORTGAGE.—The term "fixed rate mortgage" means a residential mortgage that has an interest rate that is not subject to change.

(4) GOOD PAYMENT HISTORY.—The term "good payment history" means, with respect to a mortgagor, that the mortgagor has not—

(A) made a mortgage payment that was 60 days or longer past due during the 12-month period beginning 24 months before the date on which the mortgage reaches the cancellation date; or

(B) made a mortgage payment that was 30 days or longer past due during the 12-month period preceding the date on which the mortgage reaches the cancellation date.

(5) INITIAL AMORTIZATION SCHEDULE.—The term "initial amortization schedule" means a schedule established at the time at which a residential mortgage transaction is consummated with respect to a fixed rate mortgage, showing—

(A) the amount of principal and interest that is due at regular intervals to retire the principal balance and accrued interest over the amortization period of the loan; and

(B) the unpaid principal balance of the loan after each scheduled payment is made.

(6) MORTGAGE INSURANCE.—The term "mortgage insurance" means insurance, including any mortgage guaranty insurance, against the nonpayment of, or default on, an individual mortgage or loan involved in a residential mortgage transaction.

(7) MORTGAGE INSURER.—The term "mortgage insurer" means a provider of private mortgage insurance, as described in this Act, that is authorized to transact such business in the State in which the provider is transacting such business.

(8) MORTGAGEE.—The term "mortgagee" means the holder of a residential mortgage at the time at which that mortgage transaction is consummated.

(9) MORTGAGOR.—The term "mortgagor" means the original borrower under a residential mortgage or his or her successors or assignees.

(10) ORIGINAL VALUE.—The term "original value", with respect to a residential mortgage, means the lesser of the sales price of the property securing the mortgage, as reflected in the contract, or the appraised value at the time at which the subject residential mortgage transaction was consummated.

(11) PRIVATE MORTGAGE INSURANCE.—The term "private mortgage insurance" means mortgage insurance other than mortgage insurance made available under the National Housing Act, title 38 of the United States Code, or title V of the Housing Act of 1949.

(12) RESIDENTIAL MORTGAGE.—The term "residential mortgage" means a mortgage, loan, or other evidence of a security interest created with respect to a single-family dwelling that is the primary residence of the mortgagor.

(13) RESIDENTIAL MORTGAGE TRANSACTION.—The term "residential mortgage transaction" means a transaction consummated on or after the date that is 1 year after the date of enactment of this Act, in which a mortgage, deed of trust, purchase money security interest arising under an installment sales contract, or equivalent consensual security interest is created or retained against a single-family dwelling that is the primary residence of the mortgagor to finance the acquisition, initial construction, or refinancing of that dwelling.

(14) SERVICER.—The term "servicer" has the same meaning as in section 6(i)(2) of the Real Estate Settlement Procedures Act of 1974, with respect to a residential mortgage.

(15) SINGLE-FAMILY DWELLING.—The term "single-family dwelling" means a residence consisting of 1 family dwelling unit.

(16) TERMINATION DATE.—The term "termination date" means—

(A) with respect to a fixed rate mortgage, the date on which the principal balance of the mortgage, based solely on the initial amortization schedule for that mortgage, and irrespective of the outstanding balance for that mortgage on that date, is first scheduled to reach 78 percent of the original value of the property securing the loan; and

(B) with respect to an adjustable rate mortgage, the date on which the principal balance of the mortgage, based solely on amortization schedules for that mortgage, and irrespective of the outstanding balance for that mortgage on that date, is first scheduled to reach 78 percent of the original value of the property securing the loan.

SEC. 3. TERMINATION OF PRIVATE MORTGAGE INSURANCE.

(a) BORROWER CANCELLATION.—A requirement for private mortgage insurance in connection with a residential mortgage transaction shall be canceled on the cancellation date, if the mortgagor—

(1) submits a request in writing to the servicer that cancellation be initiated;

(2) has a good payment history with respect to the residential mortgage; and

(3) has satisfied any requirement of the holder of the mortgage (as of the date of a request under paragraph (1)) for—

(A) evidence (of a type established in advance and made known to the mortgagor by the servicer promptly upon receipt of a request under paragraph (1)) that the value of the property securing the mortgage has not declined below the original value of the property; and

(B) certification that the equity of the mortgagor in the residence securing the mortgage is unencumbered by a subordinate lien.

(b) AUTOMATIC TERMINATION.—A requirement for private mortgage insurance in connection with a residential mortgage transaction shall terminate with respect to payments for that mortgage insurance made by the mortgagor—

(1) on the termination date if, on that date, the mortgagor is current on the payments required by the terms of the residential mortgage transaction; or

(2) on the date after the termination date on which the mortgagor becomes current on the payments required by the terms of the residential mortgage transaction.

(c) FINAL TERMINATION.—If a requirement for private mortgage insurance is not otherwise canceled or terminated in accordance with subsection (a) or (b), in no case may such a requirement be imposed beyond the first day of the month immediately following the date that is the midpoint of the amortization period of the loan if the mortgagor is current on the payments required by the terms of the mortgage.

(d) NO FURTHER PAYMENTS.—No payments or premiums may be required from the mortgagor in connection with a private mortgage insurance requirement terminated or canceled under this section—

(1) in the case of cancellation under subsection (a), more than 30 days after the later of—

(A) the date on which a request under subsection (a)(1) is received; or

(B) the date on which the mortgagor satisfies any evidence and certification requirements under subsection (a)(3);

(2) in the case of termination under subsection (b), more than 30 days after the termination date or the date referred to in subsection (b)(2), as applicable; and

(3) in the case of termination under subsection (c), more than 30 days after the final termination date established under that subsection.

(e) RETURN OF UNEARNED PREMIUMS.—

(1) IN GENERAL.—Not later than 45 days after the termination or cancellation of a private mortgage insurance requirement under this section, all unearned premiums for private mortgage insurance shall be returned to the mortgagor by the servicer.

(2) TRANSFER OF FUNDS TO SERVICER.—Not later than 30 days after notification by the servicer of termination or cancellation of private mortgage insurance under this Act with respect to a mortgagor, a mortgage insurer that is in possession of any unearned premiums of that mortgagor shall transfer to the servicer of the subject mortgage an amount equal to the amount of the unearned premiums for repayment in accordance with paragraph (1).

(f) EXCEPTIONS FOR HIGH RISK LOANS.—

(1) IN GENERAL.—The termination and cancellation provisions in subsections (a) and (b) do not apply to any residential mortgage or mortgage transaction that, at the time at which the residential mortgage transaction is consummated, has high risks associated with the extension of the loan—

(A) as determined in accordance with guidelines published by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, in the case of a mortgage loan with an original principal balance that does not exceed the applicable annual conforming loan limit for the secondary market established pursuant to section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act, so as to require the imposition or continuation of a private mortgage insurance requirement beyond the terms specified in subsection (a) or (b) of section 3; or

(B) as determined by the mortgagee in the case of any other mortgage, except that termination shall occur—

(i) with respect to a fixed rate mortgage, on the date on which the principal balance of the mortgage, based solely on the initial amortization schedule for that mortgage, and irrespective of the outstanding balance for that mortgage on that date, is first scheduled to reach 77 percent of the original value of the property securing the loan; and

(ii) with respect to an adjustable rate mortgage, on the date on which the principal balance of the mortgage, based solely on amortization schedules for that mortgage, and irrespective of the outstanding balance for that mortgage on that date, is first scheduled to reach 77 percent of the original value of the property securing the loan.

(2) TERMINATION AT MIDPOINT.—A private mortgage insurance requirement in connection with a residential mortgage or mortgage transaction described in paragraph (1) shall terminate in accordance with subsection (c).

(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to require a mortgage or mortgage transaction described in paragraph (1)(A) to be purchased by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

(4) GAO REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Congress a report describing the volume and characteristics of

residential mortgages and residential mortgage transactions that, pursuant to paragraph (1) of this subsection, are exempt from the application of subsections (a) and (b). The report shall—

(A) determine the number or volume of such mortgages and transactions compared to residential mortgages and residential mortgage transactions that are not classified as high-risk for purposes of paragraph (1); and

(B) identify the characteristics of such mortgages and transactions that result in their classification (for purposes of paragraph (1)) as having high risks associated with the extension of the loan and describe such characteristics, including—

(i) the income levels and races of the mortgagors involved;

(ii) the amount of the downpayments involved and the downpayments expressed as percentages of the acquisition costs of the properties involved;

(iii) the types and locations of the properties involved;

(iv) the mortgage principal amounts; and

(v) any other characteristics of such mortgages and transactions that may contribute to their classification as high risk for purposes of paragraph (1), including whether such mortgages are purchase-money mortgages or refinancings and whether and to what extent such loans are low-documentation loans.

SEC. 4. DISCLOSURE REQUIREMENTS.

(a) DISCLOSURES FOR NEW MORTGAGES AT TIME OF TRANSACTION.—

(1) DISCLOSURES FOR NON-EXEMPTED TRANSACTIONS.—In any case in which private mortgage insurance is required in connection with a residential mortgage or mortgage transaction (other than a mortgage or mortgage transaction described in section 3(f)(1)), at the time at which the transaction is consummated, the mortgagee shall provide to the mortgagor—

(A) if the transaction relates to a fixed rate mortgage—

(i) a written initial amortization schedule; and

(ii) written notice—

(I) that the mortgagor may cancel the requirement in accordance with section 3(a) of this Act indicating the date on which the mortgagor may request cancellation, based solely on the initial amortization schedule;

(II) that the mortgagor may request cancellation in accordance with section 3(a) of this Act earlier than provided for in the initial amortization schedule, based on actual payments;

(III) that the requirement for private mortgage insurance will automatically terminate on the termination date in accordance with section 3(b) of this Act, and what that termination date is with respect to that mortgage; and

(IV) that there are exemptions to the right to cancellation and automatic termination of a requirement for private mortgage insurance in accordance with section 3(f) of this Act, and whether such an exemption applies at that time to that transaction; and

(B) if the transaction relates to an adjustable rate mortgage, a written notice that—

(i) the mortgagor may cancel the requirement in accordance with section 3(a) of this Act on the cancellation date, and that the servicer will notify the mortgagor when the cancellation date is reached;

(ii) the requirement for private mortgage insurance will automatically terminate on the termination date, and that on the termination date, the mortgagor will be notified of the termination or that the requirement will be terminated as soon as the mortgagor is current on loan payments; and

(iii) there are exemptions to the right of cancellation and automatic termination of a requirement for private mortgage insurance in accordance with section 3(f) of this Act, and whether such an exemption applies at that time to that transaction.

(2) DISCLOSURES FOR EXCEPTED TRANSACTIONS.—In the case of a mortgage or mortgage transaction described in section 3(f)(1), at the time at which the transaction is consummated, the mortgagee shall provide written notice to the mortgagor that in no case may private mortgage insurance be required beyond the date that is the midpoint of the amortization period of the loan, if the mortgagor is current on payments required by the terms of the residential mortgage.

(3) ANNUAL DISCLOSURES.—If private mortgage insurance is required in connection with a residential mortgage transaction, the servicer shall disclose to the mortgagor in each such transaction in an annual written statement—

(A) the rights of the mortgagor under this Act to cancellation or termination of the private mortgage insurance requirement; and

(B) an address and telephone number that the mortgagor may use to contact the servicer to determine whether the mortgagor may cancel the private mortgage insurance.

(4) APPLICABILITY.—Paragraphs (1) through (3) shall apply with respect to each residential mortgage transaction consummated on or after the date that is 1 year after the date of enactment of this Act.

(b) DISCLOSURES FOR EXISTING MORTGAGES.—If private mortgage insurance was required in connection with a residential mortgage entered into at any time before the effective date of this Act, the servicer shall disclose to the mortgagor in each such transaction in an annual written statement—

(1) that the private mortgage insurance may, under certain circumstances, be canceled by the mortgagor (with the consent of the mortgagee or in accordance with applicable State law); and

(2) an address and telephone number that the mortgagor may use to contact the servicer to determine whether the mortgagor may cancel the private mortgage insurance.

(c) INCLUSION IN OTHER ANNUAL NOTICES.—The information and disclosures required under subsection (b) and paragraphs (1)(B) and (3) of subsection (a) may be provided on the annual disclosure relating to the escrow account made as required under the Real Estate Settlement Procedures Act of 1974, or as part of the annual disclosure of interest payments made pursuant to Internal Revenue Service regulations, and on a form promulgated by the Internal Revenue Service for that purpose.

(d) STANDARDIZED FORMS.—The mortgagee or servicer may use standardized forms for the provision of disclosures required under this section.

SEC. 5. NOTIFICATION UPON CANCELLATION OR TERMINATION.

(a) IN GENERAL.—Not later than 30 days after the date of cancellation or termination of a private mortgage insurance requirement in accordance with this Act, the servicer shall notify the mortgagor in writing—

(1) that the private mortgage insurance has terminated and that the mortgagor no longer has private mortgage insurance; and

(2) that no further premiums, payments, or other fees shall be due or payable by the mortgagor in connection with the private mortgage insurance.

(b) NOTICE OF GROUNDS.—

(1) IN GENERAL.—If a servicer determines that a mortgage did not meet the requirements for termination or cancellation of private mortgage insurance under subsection (a) or (b) of section 3, the servicer shall provide written notice to the mortgagor of the grounds relied on to make the determination (including the results of any appraisal used to make the determination).

(2) TIMING.—Notice required by paragraph (1) shall be provided—

(A) with respect to cancellation of private mortgage insurance under section 3(a), not later than 30 days after the later of—

(i) the date on which a request is received under section 3(a)(1); or

(ii) the date on which the mortgagor satisfies any evidence and certification requirements under section 3(a)(3); and

(B) with respect to termination of private mortgage insurance under section 3(b), not later than 30 days after the scheduled termination date.

SEC. 6. DISCLOSURE REQUIREMENTS FOR LENDER PAID MORTGAGE INSURANCE.

(a) DEFINITIONS.—For purposes of this section—

(1) the term "borrower paid mortgage insurance" means private mortgage insurance that is required in connection with a residential mortgage transaction, payments for which are made by the borrower;

(2) the term "lender paid mortgage insurance" means private mortgage insurance that is required in connection with a residential mortgage transaction, payments for which are made by a person other than the borrower; and

(3) the term "loan commitment" means a prospective mortgagee's written confirmation of its approval, including any applicable closing conditions, of the application of a prospective mortgagor for a residential mortgage loan.

(b) EXCLUSION.—Sections 3 through 5 do not apply in the case of lender paid mortgage insurance.

(c) NOTICES TO MORTGAGOR.—In the case of lender paid mortgage insurance that is required in connection with a residential mortgage or a residential mortgage transaction—

(1) not later than the date on which a loan commitment is made for the residential mortgage transaction, the prospective mortgagee shall provide to the prospective mortgagor a written notice—

(A) that lender paid mortgage insurance differs from borrower paid mortgage insurance, in that lender paid mortgage insurance may not be canceled by the mortgagor, while borrower paid mortgage insurance could be cancelable by the mortgagor in accordance with section 3(a) of this Act, and could automatically terminate on the termination date in accordance with section 3(b) of this Act;

(B) that lender paid mortgage insurance—

(i) usually results in a residential mortgage having a higher interest rate than it would in the case of borrower paid mortgage insurance; and

(ii) terminates only when the residential mortgage is refinanced, paid off, or otherwise terminated; and

(C) that lender paid mortgage insurance and borrower paid mortgage insurance both have benefits and disadvantages, including a generic analysis of the differing costs and benefits of a residential mortgage in the case lender paid mortgage insurance versus borrower paid mortgage insurance over a 10-year period, assuming prevailing interest and property appreciation rates;

(D) that lender paid mortgage insurance may be tax-deductible for purposes of Federal income taxes, if the mortgagor itemizes expenses for that purpose; and

(2) not later than 30 days after the termination date that would apply in the case of borrower paid mortgage insurance, the servicer shall provide to the mortgagor a written notice indicating that the mortgagor may wish to review financing options that could eliminate the requirement for private mortgage insurance in connection with the residential mortgage.

(d) STANDARD FORMS.—The servicer of a residential mortgage may develop and use a standardized form or forms for the provision of notices to the mortgagor, as required under subsection (c).

SEC. 7. FEES FOR DISCLOSURES.

No fee or other cost may be imposed on any mortgagor with respect to the provision of any notice or information to the mortgagor pursuant to this Act.

SEC. 8. CIVIL LIABILITY.

(a) IN GENERAL.—Any servicer, mortgagee, or mortgage insurer that violates a provision of this Act shall be liable to each mortgagor to whom the violation relates for—

(1) in the case of an action by an individual, or a class action in which the liable party is not subject to section 10, any actual damages sustained by the mortgagor as a result of the violation, including interest (at a rate determined by the court) on the amount of actual damages, accruing from the date on which the violation commences;

(2) in the case of—

(A) an action by an individual, such statutory damages as the court may allow, not to exceed $2,000; and

(B) in the case of a class action—

(i) in which the liable party is subject to section 10, such amount as the court may allow, except that the total recovery under this subparagraph in any class action or series of class actions arising out of the same violation by the same liable party shall not exceed the lesser of $500,000 or 1 percent of the net worth of the liable party, as determined by the court; and

(ii) in which the liable party is not subject to section 10, such amount as the court may allow, not to exceed $1000 as to each member of the class, except that the total recovery under this subparagraph in any class action or series of class actions arising out of the same violation by the same liable party shall not exceed the lesser of $500,000 or 1 percent of the gross revenues of the liable party, as determined by the court;

(3) costs of the action; and

(4) reasonable attorney fees, as determined by the court.

(b) TIMING OF ACTIONS.—No action may be brought by a mortgagor under subsection (a) later than 2 years after the date of the discovery of the violation that is the subject of the action.

(c) LIMITATIONS ON LIABILITY.—

(1) IN GENERAL.—With respect to a residential mortgage transaction, the failure of a servicer to comply with the requirements of this Act due to the failure of a mortgage insurer or a mortgagee to comply with the requirements of this Act, shall not be construed to be a violation of this Act by the servicer.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to impose any additional requirement or liability on a mortgage insurer, a mortgagee, or a holder of a residential mortgage.

SEC. 9. EFFECT ON OTHER LAWS AND AGREEMENTS.

(a) EFFECT ON STATE LAW.—

(1) IN GENERAL.—With respect to any residential mortgage or residential mortgage transaction consummated after the effective date of this Act, and except as provided in paragraph (2), the provisions of this Act shall supersede any provisions of the law of any State relating to requirements for obtaining or maintaining private mortgage insurance in connection with residential mortgage transactions, cancellation or automatic termination of such private mortgage insurance, any disclosure of information addressed by this Act, and any other matter specifically addressed by this Act.

(2) PROTECTION OF EXISTING STATE LAWS.—

(A) IN GENERAL.—The provisions of this Act do not supersede protected State laws, except to the extent that the protected State laws are inconsistent with any provision of this Act, and then only to the extent of the inconsistency.

(B) INCONSISTENCIES.—A protected State law shall not be considered to be inconsistent with a provision of this Act if the protected State law—

(i) requires termination of private mortgage insurance or other mortgage guaranty insurance—

(I) at a date earlier than as provided in this Act; or

(II) when a mortgage principal balance is achieved that is higher than as provided in this Act; or

(ii) requires disclosure of information—

(I) that provides more information than the information required by this Act; or

(II) more often or at a date earlier than is required by this Act.

(C) PROTECTED STATE LAWS.—For purposes of this paragraph, the term "protected State law" means a State law—

(i) regarding any requirements relating to private mortgage insurance in connection with residential mortgage transactions;

(ii) that was enacted not later than 2 years after the date of the enactment of this Act; and

(iii) that is the law of a State that had in effect, on or before January 2, 1998, any State law described in clause (i).

(b) EFFECT ON OTHER AGREEMENTS.—The provisions of this Act shall supersede any conflicting provision contained in any agreement relating to the servicing of a residential mortgage loan entered into by the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, or any private investor or note holder (or any successors thereto).

SEC. 10. ENFORCEMENT.

(a) IN GENERAL.—Compliance with the requirements imposed under this Act shall be enforced under—

(1) section 8 of the Federal Deposit Insurance Act—

(A) by the appropriate Federal banking agency (as defined in section 3(q) of the Federal Deposit Insurance Act) in the case of insured depository institutions (as defined in section 3(c)(2) of such Act);

(B) by the Federal Deposit Insurance Corporation in the case of depository institutions described in clause (i), (ii), or (iii) of section 19(b)(1)(A) of the Federal Reserve Act that are not insured depository institutions (as defined in section 3(c)(2) of the Federal Deposit Insurance Act); and

(C) by the Director of the Office of Thrift Supervision in the case of depository institutions described in clause (v) and or (vi) of section 19(b)(1)(A) of the Federal Reserve Act that are not insured depository institutions (as defined in section 3(c)(2) of the Federal Deposit Insurance Act);

(2) the Federal Credit Union Act, by the National Credit Union Administration Board in the case of depository institutions described in clause (iv) of section 19(b)(1)(A) of the Federal Reserve Act; and

(3) part C of title V of the Farm Credit Act of 1971 (12 U.S.C. 2261 et seq.), by the Farm Credit Administration in the case of an institution that is a member of the Farm Credit System.

(b) ADDITIONAL ENFORCEMENT POWERS.—

(1) VIOLATION OF THIS ACT TREATED AS VIOLATION OF OTHER ACTS.—For purposes of the exercise by any agency referred to in subsection (a) of such agency's powers under any Act referred to in such subsection, a violation of a requirement imposed under this Act shall be deemed to be a violation of a requirement imposed under that Act.

(2) ENFORCEMENT AUTHORITY UNDER OTHER ACTS.—In addition to the powers of any agency referred to in subsection (a) under any provision of law specifically referred to in such subsection, each such agency may exercise, for purposes of enforcing compliance with any requirement imposed under this Act, any other authority conferred on such agency by law.

(c) ENFORCEMENT AND REIMBURSEMENT.—In carrying out its enforcement activities under this section, each agency referred to in subsection (a) shall—

(1) notify the mortgagee or servicer of any failure of the mortgagee or servicer to comply with 1 or more provisions of this Act;

(2) with respect to each such failure to comply, require the mortgagee or servicer, as applicable, to correct the account of the mortgagor to reflect the date on which the mortgage insurance should have been canceled or terminated under this Act; and

(3) require the mortgagee or servicer, as applicable, to reimburse the mortgagor in an amount equal to the total unearned premiums paid by the mortgagor after the date on which the obligation to pay those premiums ceased under this Act.

SEC. 11. CONSTRUCTION.

(a) PMI NOT REQUIRED.—Nothing in this Act shall be construed to impose any requirement for private mortgage insurance in connection with a residential mortgage transaction.

(b) NO PRECLUSION OF CANCELLATION OR TERMINATION AGREEMENTS.—Nothing in this Act shall be construed to preclude cancellation or termination, by agreement between a mortgagor and the holder of the mortgage, of a requirement for private mortgage insurance in connection with a residential mortgage transaction before the cancellation or termination date established by this Act for the mortgage.

SEC. 12. EFFECTIVE DATE.

This Act, other than section 13, shall become effective 1 year after the date of enactment of this Act.

SEC. 13. ABOLISHMENT OF THE THRIFT DEPOSITOR PROTECTION OVERSIGHT BOARD.

(a) IN GENERAL.—Effective at the end of the 3-month period beginning on the date of enactment of this Act, the Thrift Depositor Protection Oversight Board established under section 21A of the Federal Home Loan Bank Act (hereafter in this section referred to as the "Oversight Board") is hereby abolished.

(b) DISPOSITION OF AFFAIRS.—

(1) POWER OF CHAIRPERSON.—Effective on the date of enactment of this Act, the Chairperson of the Oversight Board (or the designee of the Chairperson) may exercise on behalf of the Oversight Board any power of

the Oversight Board necessary to settle and conclude the affairs of the Oversight Board.

(2) AVAILABILITY OF FUNDS.—Funds available to the Oversight Board shall be available to the Chairperson of the Oversight Board to pay expenses incurred in carrying out paragraph (1).

(c) SAVINGS PROVISION.—

(1) EXISTING RIGHTS, DUTIES, AND OBLIGATIONS NOT AFFECTED.—No provision of this section shall be construed as affecting the validity of any right, duty, or obligation of the United States, the Oversight Board, the Resolution Trust Corporation, or any other person that—

(A) arises under or pursuant to the Federal Home Loan Bank Act, or any other provision of law applicable with respect to the Oversight Board; and

(B) existed on the day before the abolishment of the Oversight Board in accordance with subsection (a).

(2) CONTINUATION OF SUITS.—No action or other proceeding commenced by or against the Oversight Board with respect to any function of the Oversight Board shall abate by reason of the enactment of this section.

(3) LIABILITIES.—

(A) IN GENERAL.—All liabilities arising out of the operation of the Oversight Board during the period beginning on August 9, 1989, and the date that is 3 months after the date of enactment of this Act shall remain the direct liabilities of the United States.

(B) NO SUBSTITUTION.—The Secretary of the Treasury shall not be substituted for the Oversight Board as a party to any action or proceeding referred to in subparagraph (A).

(4) CONTINUATIONS OF ORDERS, RESOLUTIONS, DETERMINATIONS, AND REGULATIONS PERTAINING TO THE RESOLUTION FUNDING CORPORATION.—

(A) IN GENERAL.—All orders, resolutions, determinations, and regulations regarding the Resolution Funding Corporation shall continue in effect according to the terms of such orders, resolutions, determinations, and regulations until modified, terminated, set aside, or superseded in accordance with applicable law if such orders, resolutions, determinations, or regulations—

(i) have been issued, made, and prescribed, or allowed to become effective by the Oversight Board, or by a court of competent jurisdiction, in the performance of functions transferred by this section; and

(ii) are in effect at the end of the 3-month period beginning on the date of enactment of this section.

(B) ENFORCEABILITY OF ORDERS, RESOLUTIONS, DETERMINATIONS, AND REGULATIONS BEFORE TRANSFER.—Before the effective date of the transfer of the authority and duties of the Resolution Funding Corporation to the Secretary of the Treasury under subsection (d), all orders, resolutions, determinations, and regulations pertaining to the Resolution Funding Corporation shall be enforceable by and against the United States.

(C) ENFORCEABILITY OF ORDERS, RESOLUTIONS, DETERMINATIONS, AND REGULATIONS AFTER TRANSFER.—On and after the effective date of the transfer of the authority and duties of the Resolution Funding Corporation to the Secretary of the Treasury under subsection (d), all orders, resolutions, determinations, and regulations pertaining to the Resolution Funding Corporation shall be enforceable by and against the Secretary of the Treasury.

(d) TRANSFER OF THRIFT DEPOSITOR PROTECTION OVERSIGHT BOARD AUTHORITY AND DUTIES OF RESOLUTION FUNDING CORPORATION TO SECRETARY OF THE TREASURY.—Effective at the end of the 3-month period beginning on the date of enactment of this Act, the authority and duties of the Oversight Board under sections 21A(a)(6)(I) and 21B of the Federal Home Loan Bank Act are transferred to the Secretary of the Treasury (or the designee of the Secretary).

(e) MEMBERSHIP OF THE AFFORDABLE HOUSING ADVISORY BOARD.—Effective on the date of enactment of this Act, section 14(b)(2) of the Resolution Trust Corporation Completion Act (12 U.S.C. 1831q note) is amended—

(1) by striking subparagraph (C); and

(2) by redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively.

(f) TIME OF MEETINGS OF THE AFFORDABLE HOUSING ADVISORY BOARD.—

(1) IN GENERAL.—Section 14(b)(6)(A) of the Resolution Trust Corporation Completion Act (12 U.S.C. 1831q note) is amended—

(A) by striking "4 times a year, or more frequently if requested by the Thrift Depositor Protection Oversight Board or" and inserting "2 times a year or at the request of"; and

(B) by striking the second sentence.

(2) CLERICAL AMENDMENT.—Section 14(b)(6)(A) of the Resolution Trust Corporation Completion Act (12 U.S.C. 1831q note) is amended, in the subparagraph heading, by striking "AND LOCATION".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa (Mr. LEACH).

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

Mr. Speaker, I rise today in support of S. 318, the Homeowners Protection Act. This legislation is about saving money for America's homeowners by ensuring that they do not overpay for private mortgage insurance, or PMI.

Private mortgage insurance, although paid by the homeowner, is designed to protect lenders from mortgage default risk, and it is usually required when the homeowner has less than 20 percent equity in his or her home. While most industry standards allow for cancellation of PMI once the 20 percent equity level is achieved, homeowners are not always aware of how it can be terminated. It is estimated that some borrowers are paying $240 to $1,200 annually for mortgage insurance that is no longer needed.

By requiring that automatic termination of PMI when insurance is no longer necessary and by requiring mortgage companies and other financial institutions to provide homeowners with information on the terms and conditions of this insurance and how it can be canceled, S. 318 protects homeowners from paying for PMI after all parties in the mortgage process agree that it is no longer needed.

□ 1515

Over the last 30 years, the mortgage financial markets have evolved with innovative products that leverage private sector resources in a manner that facilitates and expands affordable home ownership opportunities. In fact, the United States home ownership rate is at a record level today, with 66 percent of Americans owning their own home.

The Senate bill, S. 318, will further enhance home ownership opportunities by making home ownership less expensive and by providing the industry with clear and certain Federal rules on when and how mortgage insurance can be canceled.

The bill before us, which represents a compromise agreed to by the Senate Committee on Banking, is based on legislation originally introduced by the gentleman from Utah (Mr. HANSEN). The gentleman's firsthand difficulties in canceling PMI and the mortgage secured by his condominium led him to introduce legislation, H.R. 607, on this subject.

The Committee on Banking and Financial Services reported out the Hansen bill on March 20, 1997, and the full House approved by a vote of 421 to 7 on April 16, 1997. The Senate followed suit last fall in approving its version of PMI legislation, which is before the House today.

The homeowner protections contained in this bill cover owners of condominiums and cooperatives as well as owners of single-family detached homes. Under S. 318, the PMI disclosure and cancellation mandates cover residential mortgages and mortgage transactions for single-family dwellings. In the context of this legislation, the term "single-family dwellings" applies to condominium and cooperative home ownership arrangements.

In closing, I would like to thank my colleague, the gentleman from Utah (Mr. HANSEN), for his perseverance in his fight for the average homeowner, and the gentlewoman from Connecticut (Mrs. ROUKEMA), the gentleman from New York (Mr. LAZIO), the gentleman from New York (Mr. LAFALCE), the gentleman from Minnesota (Mr. VENTO), the gentleman from Massachusetts (Mr. KENNEDY), the gentlewoman from California (Ms. WATERS), the gentlewoman from Texas (Ms. JACKSON-LEE) and other members of this committee who have been such constructive participants in crafting the legislation before the House today.

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

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

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

Mr. Speaker, I thank the chairman of the Committee on Banking and Financial Services for his kind words. This has been a very bipartisan and collegial process that has brought us to the floor today.

The fact is, if you are a homeowner today, or are thinking of becoming one, you do not want to spend any more money than you have to, especially on

unnecessary payments. But, unfortunately, between 250,000 to 400,000 families nationwide are now doing exactly that. They are making unnecessary payments. They are paying up to $100 each month and thousands of dollars over the life of their mortgages for unnecessary private mortgage insurance.

There is nothing inherently wrong with private mortgage insurance, or PMI. It can be a valuable and essential tool used by many families who want to buy a home but are unable to finance a full 20 percent down payment. Fully 54 percent of mortgages offered last year did require PMI, private mortgage insurance.

That means the lender requires the borrower to buy and pay for insurance to protect the lender in case of a borrower's default. As a result, lenders have then been able to issue mortgages to families with smaller down payments who otherwise could not afford homes. So far, so good.

The problem with PMI arises once you have established approximately 20 percent equity in your home. This is the figure generally accepted by the mortgage industry as a benchmark of the risk they take in financing your home. At that point, PMI should no longer be necessary, since there is minimal risk to the lender. After all, the lender holds title to the home if you should default, and can always sell the property. But many homeowners are never even notified that they can discontinue their private mortgage insurance, and just keep on paying and paying and paying. It adds up to thousands of dollars.

Continuing to pay insurance to protect the lender after a borrower no longer represents a serious risk is an unjustified windfall to insurance companies, and an unfair burden on homeowners. That practice must stop, and our action today will insure that it does stop.

Mr. Speaker, I give special credit to the gentleman from Utah (Mr. HANSEN) for bringing this issue to the attention of our Committee on Banking and Financial Services and for bringing it to the attention of the full House of Representatives.

The bill he introduced initially would have required disclosure to homebuyers, both at the mortgage signing and in annual statements, of the precise conditions that might enable them to cancel payments of that insurance. But after committee members had time to reflect upon it, we believed that that would be helpful but not helpful enough. Some argued we should move beyond disclosure and also create a right to terminate, at least after certain conditions were met.

But many thought, well, even that is not good enough. We should go further still. This was my position. Simple disclosure and creation of a right to cancel is not enough. Unnecessary insurance payments should be terminated as a matter of law. No borrower in his right mind would choose to pay for insurance to protect a lender against the borrower's own default unless forced to do so.

Therefore, rather than create a right to reject and cancel insurance, which any reasonable person would always exercise, we argued we should legislate, instead, the actual termination of the insurance once certain conditions are met. That is the bill we have before us today.

The bill protects the consumer's right to initiate cancellation of the private mortgage insurance once 20 percent of the mortgage is satisfied, and requires servicers to cancel a consumer's mortgage insurance once 22 percent of the mortgage is satisfied.

Nonetheless, I am convinced we could have and should have gone even further. For instance, the bill does not afford the same automatic cancellation rights to so-called high-risk consumers, whose PMI will be canceled at the half-life of the mortgage. The bill does direct the housing enterprises, FNMA and FreddieMac, to establish industry guidelines defining what constitutes a risky borrower.

I assume and hope, and will watch to see, that the GSEs use their authority prudently, but I want to be clear that this provision was not included to enable lenders or investors to circumvent the intent of this legislation or to discriminate against certain types of borrowers. We will be watching this very closely.

With that in mind, I have asked that the bill require the GAO to evaluate how the high-risk exception is being applied, and report the findings to the Congress after enactment.

With regard to State preemption, again, I much preferred the House version. At least in this case the bill does protect State PMI cancellation and consumer laws in effect prior to January 2, 1998, and provides those States, eight of them, 2 years to revise and amend their laws: California, Minnesota, New York, Colorado, Connecticut, Maryland, Massachusetts, and Missouri.

I would have strongly preferred that the bill simply respect the rights of all States to enact stronger cancellation and disclosure laws, or had allowed the eight States with laws on the books to amend their laws without limitation. Nonetheless, I am pleased that we are now protecting stronger State consumer laws in States like New York, where they already do exist.

All in all, this is a strong consumer bill. It could have been stronger, and we might make it even stronger in future years. I urge my colleagues now to join me in supporting S. 318.

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

Mr. LEACH. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Utah (Mr. HANSEN), the author of this bill and our good friend and great leader on this subject.

Mr. HANSEN. Mr. Speaker, I thank the chairman of the committee, the gentleman from Iowa (Mr. JIM LEACH), for the great leadership he has shown on this legislation, and the gentleman from New York (Mr. LAFALCE) for what he has done on this. I just say amen to what they have said. Both of them have hit it on the head.

Let me add a little, if I may. What is PMI? What is private mortgage insurance? It is a good thing, and I am grateful that the lending institutions have come up with this creative way in which to help people who could not pay at least 20 percent down on their loans. So they get into these things, they buy the house, they are elated, they are given the key to the house, this is a big moment, and they walk in.

Then after that goes away after a short time, they start looking at that payment bill that comes in. Anywhere between $20 to $100 they see every month, and say, what am I paying this for? They find that they are paying private mortgage insurance. When we think of insurance, we think of something that we buy to help us. This is not the case in this instance. This is something we buy to take care of the lender in case we do not make our payments.

It is an interesting history. I have to admit I did not know too much about it. After my first term I sold my place out in Virginia and bought a little condo across from the Pentagon. I wanted to be close to the House. I noticed that when I got my bill, there was something about private mortgage insurance. I did not even know what it was.

I called up the lending institution and said, what is this, anyway? They explained it to me, as it has been explained today. I said, that is all well and good, how do I get rid of it? They said, you send us a check for x amount of dollars and we will take it off.

I sent them the check. They did not take it off. I said, why did you not take it off? They said, we do not have to take it off. But if you will have an independent appraisal done on your place, we will be happy to consider it. How much is that? $1,200. Now, the average American paying between $20 to $100 for this, he is not going to see a lawyer, he is not going to fuss, he is going to be mad and hunker down and do it.

They did not do it after the appraisal. So I called them up again and they said, we do not have to take it off. Then, just like most people in our business, I started using this speech around America, and lo and behold, half the people in the audience would come up and say, I have this same problem. I have been paying this year after year after year.

A couple of attorneys came to see me, one from Alabama. He had a class action going of two or three thousand people who had faithfully made payments on their PMI, and they would not take it off. Then we started getting letters. I have stacks of letters now in my office where people would write in and show me the sarcastic and cavalier way that many of the banks, lending institutions, would come up with, and say, we do not have to take it off. Pay it the rest of your life.

That is what has happened, Mr. Speaker. Many people in America have paid it the rest of their lives. It would be interesting some day to see all of the letters we have, such as from a little lady in Texas, one in Nevada, one in Massachusetts, scattered all over America, who have faithfully made their payments on time and are enriching insurance companies, servicers, and lending institutions to the point of millions of dollars which did not have to be paid.

This is a piece of consumer legislation which I think is extremely important. I would like to point out that the language as we got it from the Senate says "single-family dwelling." If you go into a homeowner's policy or a policy such as that, that is interpreted to mean a freestanding place and only one family living in it. I think the gentleman from Iowa (Mr. LEACH) adequately addressed this, but if someone wants to try this case, I think it comes down to the idea that we mean a single family in a condo, in any other area, a unit which they are buying, so we do not exclude all those particular people.

As the gentleman from New York (Mr. LAFALCE) pointed out, this bill will require full disclosure of what PMI is. It will require notification of their right to cancel, and will have some information in the bill about automatic cancellation if they live up to it.

I want to thank the members of the Committee on Banking and Financial Services, who have worked so diligently on this. I really feel that this is a good piece of legislation. The Senate and the House have worked diligently to do it. In my humble opinion, this is one of the better pieces of consumer legislation we have come up with this in term. I would urge the support of my colleagues in passing this legislation.

Mr. LAFALCE. Mr. Speaker, I yield 4 minutes to the gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Speaker, I rise in support of this measure. It has a Senate number but, candidly, the catalyst for this was, as has been indicated, our colleague, the gentleman from Utah (Mr. JIM HANSEN), and the measure that we worked on, H.R. 607, which I think was a good proposal in terms of disclosure, in terms of bringing the issue into focus, and one in which we worked to in fact provide an automatic cancellation.

In fact, private mortgage insurance (PMI) is a good product. We have, of course, some Federal programs, the Federal Housing Administration and the insurance that it provides, it means that if a person has a lower down payment, they can become a homeowner with this insurance providing a pool of dollars that will provide for default or delinquency in the case that default occurs with regard to the mortgage.

□ 1530

But clearly if you make a large enough down payment, you can completely avert, such insurance whether it is FHA insurance or if it is PMI insurance. The case here is that after someone has paid for even the half-life of the mortgage or paid down to the loan-to-value ratio of 80 percent, they should be entitled and should have the opportunity to discharge this responsibility, cost and this insurance because it is no longer necessary. There is not the risk in that loan. The homeowner is paying a fair rate of interest on the loan. They should not have to pay, on a $100,000 mortgage, as is indicated, this could be anywhere from $40 to $80 a month over the course of a $100,000 mortgage on a home. That can easily obviously be $1000 a year in insurance payments that they are making that would not be necessary. This bill provides for the termination of such insurance and the cost to the consumer.

There are some concerns about the bill specifically with regard to the high risk mortgages because that is left somewhat undefined. I know our colleagues in the House were in agreement that we should define hi risk mortgages. We should be more specific and not leave any uncertainty. But we were not able to convince our Senate colleagues who rely upon the Federal National Mortgage Association and others to help in terms of such guidelines to follow guidelines in terms of defining high risk mortgages. But if it proves to be a problem, we have, I think, put in place a measure where we will get needed information from the General Accounting Office and others to in fact lead us in a direction to resolve such problems.

This is an important measure because it means that housing, homeownership will be facilitated. It will cost less. It is fair. It is fair to those that extend the mortgages. It is fair to the insurance companies that are making the dollars on real risk and assuming real risk, and it is certainly fair to the homeowners. So this is a step in the right direction.

I again commend my colleagues. This is an important issue in terms of achieving homeownership, and it is fair to the States that have already taken actions, such as my State of Minnesota, which has a private mortgage insurance provision, and the 7 or 8 other States which have similar provisions. So it is a good measure.

I am pleased to join my colleague from Utah and the others on my committee in terms of support of the measure and hope to see it signed into law by President Clinton.

Mr. Speaker, I rise in support of S. 318, the Homeowners Protection Act of 1998.

Over a year ago, this House passed a similar but better bill that was drafted on a bipartisan basis using the measure introduced by Mr. HANSEN, H.R. 607, as the vehicle.

We come before the House today having reconciled with the Senate a bill which will serve the needs of millions of American homeowners covered by private mortgage insurance.

Consumers spend hundreds of dollars a year extra in mortgage insurance even though they have paid down the mortgage by 20%, 25% or more, to a point where such insurance is not required or necessary. This bill will provide some equity for those homebuyers who make their payments faithfully for years.

The agreed upon bill prospectively (one year after enactment) provides for the automatic cancellation of private mortgage insurance when borrowers have 22% equity, or a 78% loan-to-value (LTV) ratio, in their homes (based on the original value of the home). Premiums paid past that date will be refunded.

The bill allows for cancellation of PMI at 80% LTV ratio based on the initial amortization schedules and would not preclude borrowers from seeking cancellation using home price appreciation if it is agreed upon between the lender and the borrower.

Importantly, the bill also provides for the disclosure of borrowers' rights and protections under this law. Existing loans will get annual statements that their PMI may be cancelable. Future borrowers will be informed of their rights at or before closing along with the annual disclosure.

There is, unfortunately, a provision about which I have great concern. It is because of this concern that changes to S. 318 were sought and made. It has been part of the reason for the delay in considering this Senate-passed bill.

The bill as passed by the Senate would allow FNMA (Fannie Mae) and FHLMC (Freddie Mac) to set the standards for a whole class of loans to be called "high risk" that would be exempt from the automatic termination and cancellation rights. This exemption, undefined and unregulated, could be used to avoid this entire law or could be used to discriminate against certain borrowers. That indeed would frustrate the implementation and results that could be attained from this proposed new law.

While we could not sway the other body to define "high risk"; to have a regulator define it; or, to simply modify the trigger level for all to accommodate riskier loans; we were successful in mandating in this measure a GAO report that will let us know how this exemption is being used and for whom it is being used or abused if that is the case in the future. We will be looking very carefully at the results of this report for possible future policy actions in the event of high risk misunderstandings.

Mortgage insurance helps provide an opportunity to people to purchase homes when they

cannot come up with a 20% down payment. On a $100.000 home, that would be a hefty $20,000. Private mortgage insurance on a $100,000 house ranges from $28 to $76 a month depending on down payment. That works out to $336 to $912 a year! And of course, in many cities in this nation, including Washington, D.C., you cannot buy most homes for $100,000, so down payments are tougher to make and consumer premiums and costs also go up as does the size of the mortgage.

The consensus bill will not preempt state laws in the eight states that have passed laws on termination or disclosure of rights and rules to govern terminating private mortgage insurance. Since one of those innovative states is Minnesota, I wanted to be sure that our good and fairly simple law would not be unnecessarily preempted. Under the agreement, all of these states also have two years to further perfect their own law. While I would have liked to have seen more time and, in fact, no limitation on changes to those laws, two years is better than none and seven more states exempted from the initial Senate bill is better than only the state of New York.

Finally, although I do have some reservations about the complexity of the many trigger points for cancellation or termination of PMI generated by this bill's requirements, it is a step forward and a fairly good consensus bill to bring to our colleagues in the House. I hope that should the four basic trigger points be found to be too complex for consumers or servicers that we can revisit this bill and perhaps find a more uniform and fair trigger point for automatic cancellation.

Mr. Speaker, I urge my colleagues to support this very important consumer legislation. This bill will provide hundreds of dollars in relief to home buyers who have paid their way out of PMI, but have not yet found relief. More than phantom tax cut measures or phoney tax code revisions, this bill will produce real consumer savings in the purse of consumers paying PMI premiums today. Let's pass this proconsumer legislation now and see it signed into law by President Clinton.

Mr. LEACH. Mr. Speaker, I yield 2 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I thank the gentleman very much for yielding me the time.

Let me join the others who have congratulated the gentleman from Utah (Mr. HANSEN) who I think really spotted a problem. I am sort of embarrassed that I did not see it sooner. I actually did some of this work when I was a lawyer, not for the PMI people but for the consumers. I should have recognized the fact that there was a problem.

I often raised the question. We never could get exactly correct answers as to what happened after a period of time. The people did pay this for some time. I think by spotlighting it, he has brought forward all of the concerns of a lot of people of this country. This is not the most major thing that we are going to do in Congress this year, but in terms of being very black and white, this is that. This is something that is absolutely correct to do. It is clear. I do not see how anybody could possibly oppose it. I think that the Homeowners Protection Act is just good common sense protection for homeowners across the United States of America to protect them when they have paid down their private mortgage insurance sufficiently so that there is enough equity in their home, and the various mortgages companies will be protected.

I think and I agree with those who have said that this is a valuable service. Without this, quite frankly, a lot of people would not have been able to buy homes. I am not up here to decry PMI or say that it was a bad service or whatever it may be. But the bottom line is that I think often by inattention as much as anything else, people continue to pay this for years and years after they should have stopped. And when you start to add up $30 or $40 a month over a period of time, indeed it becomes a significant sum of money.

This indeed is consumer protection. This is why we in Congress should be here, to protect our constituents from problems such as this. This is a problem that is a hidden problem, I think, by and large, but I think it is a problem which is very real nonetheless. For that reason, I think it should go forward.

I have often questioned, frankly, whether it should go down to 20 percent or, as we say in this case, perhaps as far as 22 percent before we cut it off, but that seems to be a number which is agreed to by the lending industry and even by those who watch over consumers. So indeed I judge that it is good enough for us.

The bottom line is that this is good legislation. I hope we would all support it and be proud of a good record. Congratulations again to the gentleman from Utah (Mr. HANSEN).

Mr. LAFALCE. Mr. Speaker, I yield 2 minutes and 30 seconds to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, I appreciate the gentleman yielding time to me.

I rise in support of this legislation, although I do so with some ambivalence.

The bill that we have to consider today in some respects is a better bill than the bill we passed out of the House originally, but in other respects it is not as good a bill as we passed out of the House originally. But clearly it is a bill that is worthy of being supported because it is better than nothing and it moves us in the right direction.

I would like to spend a moment talking about some of the concerns I have about the bill that we are addressing though. First concern is that we are preempting State law, at least partially preempting State law, I should not say we are fully preempting it, but there are 8 States that have stronger laws in this area than we are passing here today. We protect those laws for a period of 2 years but, after that, we do not give them the protection that they deserve to have going forward for States that have stronger laws.

Second, and a more important concern, is this high risk loan situation. If you get a loan that is categorized as a high risk loan, then you have got to pay 50 percent of the value of that loan before this law is of any benefit to you. For other people, you pay 22 percent of the loan or possibly 20 percent of the loan, if you have got an appraisal, 22 percent of the loan in some circumstances, 23 percent of the loan in other circumstances, but if you have a high risk loan, regardless of the value of your house going forward, if you have got a loan that starts off being categorized as a high risk loan, even if your area goes through an urban renewal, the value of your home continues to appreciate, you can not get the benefit of the 80 percent provision in this bill or the 78 percent provision in this bill or the 77 percent provision in this bill.

So you are kind of stuck with that henceforth now and forever. That is a concern that we need to pay particular attention to in the future.

On balance, support the bill. It is better than nothing.

Mr. LEACH. Mr. Speaker, I yield myself 1 minute simply to offer a clarification. On the two-year provision, let me just clarify that States that have laws can further modify these laws during a two-year period, but the laws will stay in effect as long as the State wants to keep those laws in effect. So it is not a cancellation of the law itself.

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

Mr. LEACH. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I think that the House bill was much more clear with regard to some of these bend points. I think the gentleman from North Carolina raises a good point in terms of the complexity that is added to this and hopefully we will not see the type of frustration of the intent of this measure. But I think we did the best we could with the sponsors in the Senate.

Mr. LEACH. In that regard, I share some of the concerns of both the gentleman from Minnesota and the gentleman from North Carolina.

Mr. WATT of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. LEACH. I yield to the gentleman from North Carolina.

Mr. WATT of North Carolina. Mr. Speaker, I think it was my inartful articulation of what I was trying to say. I understood that these 8 States have their laws protected going forward, but

I appreciate the gentleman clarifying that. I was not trying to mislead anyone on that point.

Mr. LEACH. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. LAZIO).

Mr. LAZIO of New York. Mr. Speaker, I want to begin by commending the gentleman from Iowa (Mr. LEACH) for his hard work in improving this bill and his dedication in bringing it to the floor today and our colleague, the gentleman from Utah (Mr. HANSEN), whose diligence on this issue has raised consumer awareness of private mortgage insurance. And I think it is not too strong to say that he is really a consumer hero today to homeowners around America.

The mortgage financial markets have experienced dramatic change over the last few decades, allowing more low and moderate income families to attain the American dream of homeownership.

One important change is the emergence of private mortgage insurance. Before PMI, as it is known, families were typically required to make a 20 percent down payment for a new home. Now families who are creditworthy but are cash strapped can buy a house with down payments as low as 3 percent or 5 percent. And this private mortgage insurance also lowers the lender's risk of loss from mortgage defaults.

Private mortgage insurance is a crucial element in achieving our goals of helping all Americans buy homes so they can give their families a better quality of life. We should celebrate that our Nation now has the highest homeownership rate in our history. This is because of the new tools of the mortgage market, such as PMI, and our hard-earned Balanced Budget Agreement which lowered interest rates and created a strong economy.

While we provide a tool for the lenders to provide their investments, we also need to ensure that home buyers are safeguarded. If we can prevent homeowners from being exploited, American families can have peace of mind in buying a home. It is already a right of most homeowners to cancel their mortgage insurance when the equity in their homes reaches 20 percent. But many Americans are unaware of these rights and so they continue to pay the insurance premiums even after reaching the 20 percent level.

The average rate of private mortgage insurance is between $20 and $100 per month. That is an annual rate of $1,200. This is $1,200 that could instead be more money in the pocket of an average American family. It is food money, school costs, doctor bills and much more. How can we allow consumers to pay for private mortgage insurance long after they are considered good borrowers with little risk of default just because they are not aware of the applicable rules and laws?

I look forward to passage of this bill.

Mr. LAFALCE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, I rise in strong support of S. 318. I congratulate our colleague from Utah for his work on this bill.

I came to this body from the banking industry where I looked at a great number of mortgage portfolios. The standard by which one is required to attain PMI insurance is when you are putting down less money than what would require you to get to an 80 percent loan-to-value ratio.

Like the previous speaker, the gentleman from New York, PMI is a good tool because it does allow millions of Americans to be able to purchase a home by only having to put down a small percentage. So it does open the mortgage market to those Americans. But what is not a good deal is when you have paid down on your mortgage to a level below the 80 percent loan-to-value ratio and you are still paying for something that the market says you do not need anymore. That is the problem that the gentleman from Utah found and that millions of Americans have found and why this bill is necessary today.

I understand the gentleman from North Carolina's concerns. I appreciate those concerns. But this is a step in the right direction. This will help 5 million Americans, it is estimated, immediately who are paying for PMI insurance, in some cases $30, $60, $90 a month, for which they really are receiving nothing, because what would happen in a default is that the PMI company would never have to shell out anything but they would gain the benefits of all the premiums.

So this is a good piece of consumer legislation. This may well be the most important piece of consumer legislation that this Congress adopts.

I appreciate the efforts on the part of the chairman of the committee, the subcommittee and the ranking member on our side of the full committee and the ranking member of the subcommittee.

□ 1545

Mr. LAFALCE. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me this time. I wish to say "hats off" to the gentleman from Utah (Mr. HANSEN). This is an excellent, excellent response to the needs for housing in America, particularly in districts like mine.

Just a few weeks ago we participated in the Habitat for Humanity. That is one form of housing. But there is another form of housing where the working Americans are at a certain level and they are looking forward to having the opportunity to have and purchase homes. This bill allows homeowners to voluntarily cancel their private mortgage insurance when the loan-to-value ratio of the mortgage reaches 80 percent of the original value of the property, but only for loans originating 1 year after the enactment. It moves us forward.

I appreciate very much the story that the gentleman from Utah recounted for us because so many others have not caught that. And so we look forward to the fact that in America we encourage home ownership, we encourage people to pay down on their loans, and then we reward them by taking away the private mortgage insurance when it is not needed.

This is good legislation. I hope we pass it quickly.

Mr. Speaker, I strongly support this bill. Given the prosperity of our current economic climate, I believe that we should create mechanisms that make home buying easier and more practical. Such acts will protect these consumers who are so vital to the American economy.

It seems to me that automatic cancellation of private mortgage insurance (PMI) would create a buyer-friendly environment in the residential housing industry by ending the current problems associated with PMI.

Under the status quo, lenders usually require borrowers to purchase PMI if the borrower makes a downpayment on a home of less than 20 percent (i.e., if the mortgage loan will account for more than 80 percent of the home's purchase price). It is intended to offset the risk to lenders of making low downpayment loans.

However, many homeowners have reported difficulty in canceling PMI after paying down their loan to a level where it constitutes less than 80 percent of the home's value, and other homeowners have been unaware that they can cancel their policies at a certain point—often continuing to pay up to $100 a month for PMI.

By establishing three levels at which PMI must be automatically terminated by a mortgage service firm, the difficulties associated with PMI, and homebuying in general, would be alleviated to a limited extent.

The bill generally establishes three levels at which PMI paid for by a borrower must be canceled automatically by a mortgage servicing firm. Such automatic termination occurs when (1) the loan-to-value ratio of the mortgage reaches 78 percent of the original value of the property, (2) the loan-to-value ratio reaches 77 percent for larger "non-conforming" loans, or (3) the mid-point or "half-life" of the mortgage payment schedule for "high risk" loans (loans with higher risks of default).

The bill also allows homeowners to voluntarily cancel their PMI when the loan-to-value ratio of the mortgage reaches 80 percent of the original value of the property—but only for loans originated beginning one year after enactment, and only if the homeowner meets three requirements.

It appears that this bill adequately solves the problem before us. I do maintain some

reservations about the involvement of Fannie Mae and Freddie Mac because the definition of "high risk" loans would be determined by these two entities. I would have preferred the use of a Federal regulator, instead of a private body acting as a government entity, but Fannie Mae and Freddie Mac have served us well in the past, and I believe that they are up to the task at hand.

With this measure, we can simultaneously create an incentive for homebuyers and protection for homeowners and allow homebuyers to more easily terminate private mortgage insurance (PMI) once they have paid a requisite portion of their loan.

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

I support this legislation strongly for a good many reasons, most of which I have already articulated. Let me make three points, however.

One of the primary reasons I am supporting this legislation is because we are now going to provide for automatic termination for homeowners in each of the 50 States, whereas today there are only three states that provide for automatic termination. That makes this probably the most important consumer bill that will have passed the Congress in this session.

There are some difficulties, however. With the exception of a limited exemption for eight states, we preempt States from enacting stronger consumer protection legislation. This is offensive, especially because it involves the insurance industry. The Federal Government has had little role regarding, or knowledge or experience with the insurance industry, certainly not so much that we should go in and say we know so much more than all the other States that we are going to preempt them. We should not be doing that if the states think they can pass even stronger consumer protection laws. The Senate insisted upon that. We could have done better.

Third, I do not like the process of avoiding conferences between the House and the Senate. We have been ping-ponging this bill back and forth. That is a permissible process, but it is not as good as a direct dialogue with the Members of the United States Senate. I do not want the Senate to think that it is going to be able to do this in other legislation, whether it is credit union legislation, financial services modernization, et cetera, virtually saying to the House take it or leave it. That is not an appropriate approach.

I support this bill and I go along with this approach because we are providing for automatic termination for homeowners in 50 States, whereas it now only exists in three states. But I have great difficulties with high-risk mortgages, the general state preemption and the process itself.

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

Mr. LEACH. Mr. Speaker, I yield myself such time as I may consume and simply say, in conclusion, that I would like to stress that, as has been uttered by others, this is extraordinarily important consumer legislation, it is extraordinarily important home ownership legislation, it is common sense, and I would hope this body would adopt it unanimously.

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

Mr. LAFALCE. Mr. Speaker, I yield myself such time as I may consume to point out that the chairman of the committee, the gentleman from Iowa (Mr. LEACH), has been a champion on this issue. He has been totally cooperative, and we have been in lockstep on virtually each and every issue that we have discussed today. I thank him and his staff.

Mrs. ROUKEMA. Mr. Speaker, I rise in strong support of S. 318 and want to commend my colleague from Utah, Congressman HANSEN, for his perseverance on this important legislation. This legislation evolved out of Congressman HANSEN's personal trials and tribulations of trying to cancel his own Private Mortgage Banking Insurance. And Representative HANSEN's testimony before the committee defined the problem and the solution. Think of this as a "Consumer Bill of Rights."

Private Mortgage Insurance is both an important but little understood instrument in the current mortgage industry. PMI enables families to purchase homes with as little as a 3–5 percent downpayment by insuring the mortgage lender against default. In 1996, more than 1 million people bought or refinanced a home with PMI. It made homeowners out of more than 16 million families.

PMI is normally required whenever a borrower does not have a 20-percent downpayment. PMI costs homeowners between $20 to $100 per month and protects the lender against the risk of loss on low-downpayment loans. PMI can be canceled under certain conditions, when a good payment history is met and 30 percent or more is achieved on the cost of the home.

The problem arises when homeowners are not informed of what PMI is and when and how they can stop paying it. Overpayment of PMI is potentially costing hundreds of thousands of homeowners millions of dollars per year.

Passage of this bill will ensure that homeowners will be better equipped to understand what PMI is, who it insures, and what rights the homeowner has to cancel it. This legislation requires automatic termination of private mortgage insurance after the homeowner attains a certain equity level in his or her home. In addition, the bill would require the mortgage companies and financial institutions that originate and service mortgages provide homeowners with information on the terms and conditions of PMI and how it can be canceled, both voluntarily and by law.

It is time to correct this problem and to stop overcharging the consumer. This is good public policy and I urge my colleagues to support it.

Mr. LAFALCE. Mr. Speaker, it has been a very bipartisan and collegial process that has brought us to the floor today, and I thank the Chairman of the Committee on Banking and Financial Services.

All in all, I believe this is probably one of the most important consumer bills that will have passed the Congress this session. One of the primary reasons I am supporting it is that we are now going to provide for automatic termination of private mortgage insurance (PMI), and therefore the considerable reduction of the costs associated with homeownership, for homeowners in each of the 50 states. Today there are only three states that provide for automatic termination. Extending that right to homeowners in all of the fifty states is an enormous step forward for consumers.

The fact is, if you are a homeowner today, or are thinking of becoming one, you do not want to spend any more money than you have to, especially on unnecessary payments. But, unfortunately, between 250,000 to 400,000 families nationwide are now doing exactly that. They are paying up to $100 each month and thousands of dollars over the life of their mortgages for unnecessary private mortgage insurance.

There is nothing inherently wrong with private mortgage insurance, or PMI. It can be a valuable and essential tool used by many families who want to buy a home but are unable to finance a full 20 percent down payment. Fully 54 percent of mortgages offered last year did require PMI.

That means the lender requires the borrowers to buy and pay for insurance to protect the lender in case of a borrower's default. As a result, lenders have then been able to issue mortgages to families with smaller down payments, who otherwise could not afford homes. That is of benefit to the consumer. So far, so good.

The problem with PMI arises once you have established approximately 20 percent equity in your home. This is the figure generally accepted by the mortgage industry as a benchmark of the risk they take in financing your home. At that point, PMI should no longer be necessary, since there is minimal risk to the lender. After all, the lender holds title to the home if you should default, and can always sell the property.

But many homeowners are never even notified that they can discontinue their private mortgage insurance, and just keep on paying and paying and paying. It adds up to thousands of dollars. Continuing to pay insurance to protect the lender after a borrower no longer represents a serious risk is an unjustified windfall to insurance companies, and an unfair burden on homeowners. That practice must stop, and our action today will insure that it does stop.

Mr. Speaker, I give special credit to the gentleman from Utah (Mr. HANSEN) for bringing this issue to the attention of our Committee on Banking and Financial Services and for bringing it to the attention of the full House of Representatives.

The bill Congressman HANSEN introduced initially would have required disclosure to homebuyers, both at the mortgage signing and in annual statements, of the precise conditions that might enable them to cancel payments of private mortgage insurance. But after Committee Members had time to reflect upon it, we

believed that that would be helpful but not helpful enough. Some argued we should move beyond disclosure and also create a right to terminate, at least after certain conditions were met.

Many thought that even that was insufficient and we should go further still. This was my position. Simple disclosure and creation of a right to cancel is not enough. Unnecessary insurance payments should be terminated as a matter of law. Certainly, no sensible borrower would choose to pay for insurance to protect a lender against the borrower's own default unless forced to do so.

Therefore, rather than create a right to reject and cancel insurance, which any reasonable person would always exercise, we argued we should legislate instead the actual termination of the insurance once certain conditions were met. That is an essential element of the bill we have before us today.

The bill protects the consumer's right to initiate cancellation of the private mortgage insurance once 20 percent of the mortgage is satisfied, and requires servicers to cancel a consumer's mortgage insurance once 22 percent of the mortgage is satisfied.

Nonetheless, I am convinced we could have and should have gone even further. For instance, the bill does not afford the same automatic cancellation rights to so-called high-risk consumers, whose PMI will be canceled at the half-life of the mortgage. The bill does direct the housing enterprises, FNMA and Freddie Mac, to establish industry guidelines defining what constitutes a risky borrower.

I assume and hope, and will watch to see, that the GSEs use their authority prudently. But I want to be clear that this provision was not included to enable lenders or investors to circumvent the intent of this legislation or to discriminate against certain types of borrowers. We will be watching implementation of this provision very closely.

With that in mind, I have asked that the bill require the GAO to evaluate how the high-risk exception is being applied, and report the findings to the Congress after enactment.

With regard to state preemption, again, I much preferred the House version. At least in this case, the bill we have before us does protect state PMI cancellation and consumer laws in effect prior to January 2, 1998, and provides those states, eight of them, two years to revise and amend their laws: California, Minnesota, New York, Colorado, Connecticut, Maryland, Massachusetts and Missouri.

I would have strongly preferred that the bill simply respect the rights of all states to enact stronger cancellation and disclosure laws, or had allowed the eight states with laws on the books to amend their laws without limitation. But the Senate would not agree to this approach. Nonetheless, I am pleased that we are now protecting stronger state consumer laws in states like New York, where they already do exist.

All in all, this is a strong consumer bill. It could have been stronger in some regards, and we might make it even stronger in future years. But it represents real and significant progress for consumers. I urge my colleagues now to join me in supporting S. 318.

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

The SPEAKER pro tempore (Mr. HAYWORTH). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and pass the Senate bill, S. 318, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LEACH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 318, the Senate bill just passed.

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

There was no objection.

ENFORCEMENT OF CHILD CUSTODY AND VISITATION ORDERS

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4164) to amend title 28, United States Code, with respect to the enforcement of child custody and visitation orders.

The Clerk read as follows:

H.R. 4164

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

SECTION 1. CHILD CUSTODY AND VISITATION DETERMINATIONS.

Section 1738A of title 28, United States Code is amended as follows:

(1) Subsection (a) is amended by striking "subsection (f) of this section, any child custody determination" and inserting "subsections (f) and (g) of this section, any custody determination or visitation determination".

(2) Subsection (b)(2) is amended by striking "a parent" and inserting ", but not limited to, a parent or grandparent or, in cases involving a contested adoption, a person acting as a parent".

(3) Subsection (b)(3) is amended—

(A) by striking "or visitation";

(B) by striking "and" before "initial orders"; and

(C) by inserting before the semicolon at the end the following: ", and includes decrees, judgments, orders of adoption, and orders dismissing or denying petitions for adoption".

(4) Subsection (b)(4) is amended to read as follows:

"(4)(A) except as provided in subparagraph (B), 'home State' means—

"(i) the State in which, immediately preceding the time involved, the child lived with his or her parents, a parent, or a person acting as a parent, with whom the child has been living for at least six consecutive months, a prospective adoptive parent, or an agency with legal custody during a proceeding for adoption, and

"(ii) in the case of a child less than six months old, the State in which the child lived from birth, or from soon after birth,

and periods of temporary absence of any such persons are counted as part of such 6-month or other period; and

"(B) in cases involving a proceeding for adoption, 'home State' means the State in which—

"(i) immediately preceding commencement of the proceeding, not including periods of temporary absence, the child is in the custody of the prospective adoptive parent or parents;

"(ii) the child and the prospective adoptive parent or parents are physically present and the prospective adoptive parent or parents have lived for at least six months; and

"(iii) there is substantial evidence available concerning the child's present or future care;".

(5) Subsection (b)(5) is amended by inserting "or visitation determination" after "custody determination" each place it appears.

(6) Subsection (b) is amended by striking "and" at the end of paragraph (7), by striking the period at the end of paragraph (8) and inserting "; and", and by adding after paragraph (8) the following:

"(9) 'visitation determination' means a judgment, decree, or other order of a court providing for the visitation of a child and includes permanent and temporary orders and initial orders and modifications.".

(7) Subsection (c) is amended by striking "child custody determination" in the matter preceding paragraph (1) and inserting "custody determination or visitation determination".

(8) Subsection (c)(2)(D) is amended by adding "or visitation" after "determine the custody".

(9) Subsection (d) is amended by striking "child custody determination" and inserting "custody determination or visitation determination".

(10) Subsection (e) is amended—

(A) by striking "child custody determination" and inserting "custody determination or visitation determination"; and

(B) by striking "a child" and inserting "the child concerned".

(11) Subsection (f) is amended—

(A) by striking "determination of the custody of the same child" and inserting "custody determination";

(B) in paragraph (1) by striking "child" and by striking "and" after the semicolon;

(C) in paragraph (2) by striking the period and inserting "; and"; and

(D) by adding at the end the following:

"(3) in cases of contested adoption in which the child has resided with the prospective adoptive parent or parents for at least six consecutive months, the court finds by clear and convincing evidence that the court of the other State failed to consider—

"(A) the extent of the detriment to the child in being moved from the child's custodial environment;

"(B) the nature of the relationship between the biological parent or parents and the child;

"(C) the nature of the relationship between the prospective adoptive parent or parents and the child; and

"(D) the recommendation of the child's legal representative or guardian ad litem.

This subsection shall apply only if the party seeking a new hearing has acted in good faith and has not abused or attempted to abuse the legal process.".

(12) Subsection (g) is amended by inserting "or visitation determination" after "custody determination" each place it appears.

(13) Section 1738A is amended by adding at the end the following:

"(h) A court of a State may not modify a visitation determination made by a court of another State unless the court of the other

State has declined to exercise jurisdiction to modify such determination.

"(i) In all contested custody proceedings, including adoption proceedings, undertaken pursuant to this section, all proceedings and appeals shall be expedited.

"(j) In cases of conflicts between 2 or more States, the district courts shall have jurisdiction to determine which of conflicting custody determinations or visitation determinations is consistent with the provisions of this section or which State court is exercising jurisdiction consistently with the provisions of this section for purposes of subsection (g).".

(14) Subsection (c)(2) is amended—

(A) by inserting "or her" after "his" each place it appears; and

(B) by inserting "or she" after "he".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. COBLE).

GENERAL LEAVE

Mr. COBLE. 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. 4164, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 4164 is intended to alleviate the legal, financial and emotional hurdles that grandparents, who have visitation rights to their grandchildren, must overcome in order to enforce those rights if the children are subsequently moved to another State.

Mr. Speaker, I have met with several grandparents in my district, and the accounts that they share with me regarding their inability, for various reasons, to visit their grandchildren are generously laced with pain and frustration. H.R. 4164, Mr. Speaker, ensures that a visitation order granted to grandparents in one State will be recognized in any State where the grandchildren may be moved and thereby prevent grandchildren from losing contact with a valuable part of their family.

The bill also restores to Federal courts subject matter jurisdiction to determine which of two conflicting State court custody determinations or visitation determinations is valid based on which State is exercising proper jurisdiction. This will overturn a 1988 Supreme Court decision which held that various Federal courts did not have such jurisdiction, even though Federal courts had already been hearing these type cases for years. The decision resulted in conflicting State court custody decisions with no mechanisms to determine which order was valid.

H.R. 4164 will reduce duplicate State court proceedings. Though the number of such cases may not be overwhelming, the emotional and financial burdens that will be alleviated by this bill for those children and families faced with conflicting custody orders is immeasurable.

This bill also gives State courts an option whether or not to enforce the Parental Kidnapping Prevention Act in a limited number of interstate contested adoption cases. In an interstate contested adoption that has already been ruled on in another State, a State may exercise jurisdiction and modify the decision if the other State had failed to conduct a, "best interest of the child analysis". Litigants who have not acted in good faith or who have abused or attempted to abuse the system would not be eligible to utilize this provision.

As I said earlier, Mr. Speaker, I often, in my district, hear from grandparents about the many difficulties they face in trying to achieve contact with their grandchildren, and this is a significant step forward in protecting visitation rights for grandparents. This is a good bill that will benefit children and families involved in these cases, and I urge a "yes" vote on H.R. 4164.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

The chairman of the subcommittee has explained this well. I want to stress in particular the importance of giving due recognition to the role of grandparents, especially in today's world. Grandparents often find themselves in a parental role. In fact, we are seeing a good deal of grandparent involvement in the raising of grandchildren, and the law has simply not caught up with that.

I think the point of giving recognition to the strong emotional ties between grandparents and grandchildren, recognizing that grandparents, these days, are as likely to have the best interests of the children at heart as any other, those are all very important and I am delighted to support the legislation which adopts them.

The other part of the bill, which deals with allowing the Federal courts some substantive involvement, I say there is some constitutional controversy, but what persuades me this is worth supporting is it sets forth a substantive standard of the best interest of the child, and we have had too many other competing kinds of interests advanced.

So for those two principles, to the extent that we can federally, arguing that the best interest of the child should be the deciding point in custody cases, and recognizing the love and the care that grandparents parental and giving some protection to the grandparent-grandchildren bond, for those two reasons, I very much support this bill.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time.

I wish to thank the gentleman from North Carolina (Mr. COBLE) of the subcommittee, and the gentleman from Illinois (Mr. HYDE) of the full committee, as well as the ranking members, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Massachusetts (Mr. FRANK) for their help in bringing this legislation to the floor.

Most American grandparents would believe that after a hard fought, very difficult, painful and expensive process of winning the right to visit their grandchildren in State court that they have won that right permanently, or at least until some negative circumstance occurs. Many of them have been shocked and chagrined to find out that that is not the case. Very often, when the child moves to another State, the rights of the grandparents evaporate.

This legislation, which is based upon legislation I authored last year, will solve that problem. It will say that if grandparents have rights to visit their grandchild in New Jersey or North Carolina or Massachusetts, then they have those rights irrespective of where the child lives. If the child moves to Arizona or Pennsylvania or to another State, the rights move with the child.

I want to commend all my colleagues for their involvement in this and spend a minute in telling my colleagues how I got involved in it. A constituent of mine from Cherry Hill, New Jersey, by the name of Josephine D'Antonio, brought this problem to my attention about 3 or 4 years ago, and it was through learning of her story, as the gentleman from North Carolina (Mr. COBLE) has learned from many stories in his district, that we were able to work together as Republicans and Democrats to bring this bill to the floor today. So I want to thank Mrs. D'Antonio, Mr. Speaker, for her role in making this happen.

I also want to thank Maureen Doherty from my office, who has worked tirelessly on this legislation throughout her tenure here. She is leaving us to go to law school in a couple of weeks. There are not many people who help to write a law before they become a lawyer or a law student, and I commend her for that.

I also want to say that I have learned of the importance of the bond between grandparents and grandchildren in my own heart and in my own life. I also want to say the important lessons many of us parents learned have been in that way, and on behalf of my children I wanted to thank their surviving grandparents, Mrs. Phyllis Wolf, Mr. Ernest Spinello and Mrs. Florence Spinello for the lessons they have

taught us about that very important bond.

Mr. Speaker, I am glad today we are coming together so that grandparents all across this country will be able to walk into any courthouse in any State, if they have received a court order, and know that their right to participate in the nurturing and love of their grandchildren will continue across State lines.

I urge support of the bill and thank its movers to the floor.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from New Jersey for his leadership on this really very, very important issue, because it focuses on allowing for the loving and caring grandparents to have a role in the lives of our children.

I thank the gentleman from North Carolina (Mr. COBLE) and the gentleman from Illinois (Mr. HYDE) for their leadership, along with the gentleman from Michigan (Mr. CONYERS) and the gentleman from Massachusetts (Mr. FRANK) for recognizing the value of grandparents.

Let me speak for myself. Personally, I would like not to have to come to the floor of the House on legislation like this. I would like to think that families are bonded and are together for life.

□ 1600

We would like to think there is no such thing as divorce. We would like to think of the normal or at least, let me correct myself, the family of old, the extended family, where grandparents and parents and children live together. But we do have a different life and a different life-style, and I believe it is extremely important to reinforce that when a grandparent receives visitation in one State that every other State must respect and enforce that court order.

Nationwide, the percent of families with children headed by a single parent increased from 22 percent in 1985 to 26 percent in 1995. More than 75 percent of older Americans are grandparents. This legislation gives peace of mind and comfort, but it also gives the opportunity for our children to be connected with their history.

I, too, would like to pay tribute to my children's grandparents, Mr. and Mrs. Lee, Mr. Lee now deceased; and Mr. and Mrs. Jackson, Mr. Jackson now deceased. This is an excellent piece of legislation that helps bond our families and applauds and respects those grandparents and senior citizens who spend so much of their life contributing to the growth and nurturing of our children.

Mr. Speaker, thank you for allowing me time to speak on this important bill. As Chair of the Congressional Children's Caucus and as a parent, I care deeply about this bill.

H.R. 4164 is a law which is to the benefit of all family members. By enacting this legislation, we are requiring that when a grandparent is awarded visitation in one State, then every other State must respect and enforce that court order.

This law allows loving and caring grandparents access to their grandchildren, and it allows grandchildren the important experience of sharing time with additional family members who love and care about them, their grandparents.

In my home State of Texas the percentage of children living in single parent homes has increased by 33%.

Children growing up in single-parent households often do not have the same economic or human resources available as those growing up in 2 parent families. This law will make it possible for additional adults to make a difference in their lives, to offer support and love and guidance. Although some parents may have difficulties in their relationships with their adult children, a parent should not be able to sever the relationship between grandparent and grandchild—especially when the grandchildren and the grandparent have a meaningful, established relationship and the grandparents have been granted visitation.

For grandchildren, grandparents are the link to memories and family history. For grandparents, grandchildren are a link to the present and the future. This bill will allow a child to grow up with a sense of family history and with additional love and guidance.

Our children are our future and their well-being must be our focus. This bill recognizes the importance of family connection and I support it on behalf of our Nation's families and our children.

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

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

Mr. Speaker, oftentimes we hear about the partisan rancor that surrounds our dealings here, and sometimes that is appropriate because of the nature of the beast. But this is a good example of how bipartisan cooperation played into bringing this bill to the floor.

My friend, the gentleman from Massachusetts (Mr. FRANK), and my friend, the gentleman from New Jersey (Mr. ANDREWS), did good work on this; the gentleman from Michigan (Mr. CONYERS), the ranking member; the gentleman from Illinois (Mr. HYDE), chairman of the full committee. We all had our oars in the water. And with all that has been said, I guess nothing further needs to be said.

But let me say this. I would be remiss if I did not mention Debbie Laman, counsel to the committee, who worked very diligently in this matter as well. But as has been said, Mr. Speaker, the grandparent-grandchild relationship is a cherished one that should be encouraged and nurtured.

This bill before us today is designed to promote this special relationship and, hopefully, will result in the resolution of problems that presently plague not only grandparents but children and families across our land.

I urge passage of this bill.

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

The SPEAKER pro tempore (Mr. HAYWORTH). The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 4164.

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

A motion to reconsider was laid on the table.

HIRAM H. WARD FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2379) to designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse."

The Clerk read as follows:

H.R. 2379

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

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, shall be known and designated as the "Hiram H. Ward Federal Building and United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Hiram H. Ward Federal Building and United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KIM) and the gentleman from Ohio (Mr. TRAFICANT) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. KIM).

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

Mr. Speaker, this resolution, H.R. 2379, simply designates the Federal building and United States courthouse located in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse."

Hiram H. Ward is a distinguished jurist who sat on the Federal bench for more than 20 years. He was born and raised in North Carolina and served in the United States Army Air Force during World War II.

In 1972, President Nixon appointed Mr. Ward to the Federal bench for the Middle District of North Carolina. He served on the Middle District as a

judge and as a chief judge in 1988, when he elected to take senior status. However, even as a senior judge, Judge Ward continued to sit for an additional 6 years for the First Circuit Court of Appeals.

This is a fitting tribute to a dedicated public servant. I support the bill, and I urge my colleagues to support the bill.

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

Mr. TRAFICANT. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. WATT), the great baseball pitcher of the Democrat side.

Mr. WATT of North Carolina. Mr. Speaker, I want to rise in support of this bill. I was not expecting to speak in front of some of my colleagues from North Carolina who were the original sponsors of this bill. But I think all of us hold Judge Hiram Ward in such high esteem that we will all be lining up here to say some goods things about him.

I personally, when I was practicing law, had the privilege of trying at least one case in front of him that I can remember. I may have repressed some others that I tried in front of him, but I do remember at least one case that I tried in front of him. And this tribute is especially fitting to Judge Ward, because not only did he serve for a long, long period on the Federal bench, but he was actually instrumental in the design and development of this particular courthouse in the Winston-Salem area, which, actually, the courthouse is in my congressional district.

So I just want to thank the gentleman from North Carolina (Mr. COBLE), whose idea it was, and the gentleman from North Carolina (Mr. BURR), who has joined with the gentleman from North Carolina (Mr. COBLE) and myself and other members of the North Carolina delegation in support of this legislation.

But, most importantly, we want to thank Judge Ward for his long service and dedication to the Federal judiciary and encourage our colleagues to support this bill so that we can get this courthouse named for him. It is certainly a worthy venture.

I thank the gentleman for yielding me time and exaggerating my baseball exploits.

Mr. KIM. Mr. Speaker, I yield 6 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I thank the gentleman from California (Mr. KIM) for his assistance in developing this bill. And I want to say to my friends, the gentleman from Ohio (Mr. TRAFICANT) and the gentleman from North Carolina (Mr. WATT), I do not think you embellished his prowess. I think he did a good job on the mound and that was well-deserved.

This could develop into a turf battle, except we all get along very well, Mr. Speaker. I have extended my tentacles into a county that is represented by the gentleman from North Carolina (Mr. WATT), the gentleman from North Carolina (Mr. BURR), and the gentleman from North Carolina (Mr. BALLENGER).

I guess my coming into play in this bill is unique in that I did practice before Judge Ward and Judge Gordon when they were what I called the Dynamic Duo in those days in the Middle District. And I do not know that it has been said, but I am sure the gentleman from North Carolina (Mr. BURR) will remind us when it comes his time, but Judge Ward did receive his law degree from Wake Forest University in 1950. The gentleman from California (Mr. KIM) may have mentioned that.

During the time of years in which he was in practice, he became known as one of the most distinguished trial lawyers in North Carolina. He is highly regarded not only in the Middle District of North Carolina but the Fourth Circuit as well and, for that matter, throughout the Federal judiciary.

It has been said, Mr. Speaker and my colleagues, that a judge's temperament is as significant to his success on the bench as his academic credentials. I concur with that statement, Mr. Speaker; and permit me, if you will, to illustrate the temperament of Judge Ward.

I revert 2½ decades. It was the first day that he held court in the Middle District in Durham. I had the privilege of being there that day, and the first order of business was a naturalization ceremony in which a German woman became an American citizen. Keep in mind, this was Judge Ward's first day on the bench.

After citizenship was conferred upon her, she began to weep ever so softly and then her weeping developed into more noticeable sobbing and it became a distraction in the courtroom because it appeared that she was in obvious discomfort.

I will never forget the manner in which Judge Ward resolved that problem. He said to her, "Madam, may the court assist you in any way?" And then she continued to sob even more noticeably. Then she said to the judge, after she regained her composure, she said, "Your Honor, these are tears of joy, for the most part," she said. But she said, "I am weeping because I am happy to be an American citizen. But I am weeping also because I think of my family and friends in Germany who are not able to be here with me to share this very obvious day of celebration for me."

Judge Ward then said to her, and I remember it as if it were yesterday, he said, "Madam, most people in this courtroom are Americans as a result of residence of parents at their time of birth." He said, "You, Madam, are an American by choice." And then she began to weep even more, but those were tears of joy.

I said to a bystander when Judge Ward uttered those words, I said to him, "He has the proper judicial temperament." My words were prophetic. He did indeed express and still does his senior status.

But I appreciate the comments of my colleague, the gentleman from North Carolina (Mr. WATT). I look forward to hearing from Mr. BURR as well.

Again, I thank the gentleman from California (Mr. KIM) and his fine subcommittee and the gentleman from Ohio (Mr. TRAFICANT) for having moved this bill along. I cannot think of a more fitting tribute to a gentleman who, as a respected jurist and citizen, has contributed so much to his community and to his country.

Mr. KIM. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. BURR).

Mr. BURR of North Carolina. Mr. Speaker, I rise in support today of H.R. 2379. As an original cosponsor of this legislation, I believe this is an excellent opportunity to provide a fitting tribute to a great North Carolinian, Judge Hiram Ward.

Judge Ward is known throughout North Carolina as a distinguished veteran, attorney, and Federal judge. After his plane was shot down in a World War II mission over Burma, Judge Ward was decorated with the Purple Heart and Air Medal and soon returned to the United States dedicated to his education and his career.

Following his military service, he was quickly accepted and enrolled as a student in Wake Forest College, and not university at that time, where a course in business law became his gateway to a distinguished career as a private attorney.

Judge Ward went on to serve 20 years as a private attorney, gaining the highest respect from his peers and colleagues for his devotion, his honesty and perseverance in his work. Judge Ward's passion and dedication to his work is echoed still today by his peers and colleagues in the North Carolina Federal District Court and the Fourth Circuit. This reputation ultimately earned Judge Ward an appointment to the Federal bench by President Richard Nixon in 1972. In 1982, he became chief judge, where he would stay until 1988, when he elected to take his senior status.

Mr. Speaker, Judge Ward is a man of commitment, service, and honor. He has provided North Carolina with the kind of service and dedication that I can only hope for in our future. It is my sincere belief that the legislation currently before this House to designate the Federal Building at 251 North Main Street in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse" is both a fitting tribute

for a man who gave so much selfless service to his country and to the people of North Carolina.

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I thank the gentleman from North Carolina (Mr. COBLE) for his sponsorship of this legislation and for the rest of the North Carolina delegation who in a very bipartisan way supported this tribute to Hiram Ward. I think I can best say, in summation, that though we are here to rename a building in recognition to the good work and the dedication of Hiram Ward, in fact his reward has already been felt in the city of Winston-Salem and in the State of North Carolina by his accomplishments, his deeds and his commitment to the people of our great State.

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

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

Mr. Speaker, I do not know Judge Ward, and I never met Judge Ward, but I know the gentleman from North Carolina (Mr. COBLE), and the gentleman from North Carolina (Mr. BURR), and the gentleman from North Carolina (Mr. WATT) and the gentleman from North Carolina (Mr. BALLENGER), and we received numerous letters that our subcommittee under the diligent leadership of the gentleman from California (Mr. KIM) researched and reviewed, and not one of those was to the contrary.

So I would just like to say that I would first ask that those letters be spread upon the record, and, second of all, for brevity sake, just summarize by saying there is a unanimous agreement from all concerned on Judge Ward's outstanding contributions to our Nation and to that district court system and that I am proud to join with the chief sponsor, the gentleman from North Carolina (Mr. COBLE) and all the North Carolina delegation and the gentleman from California (Mr. KIM) in supporting this resolution. I ask that this bill be passed.

The letters referred to are as follows:

HENDRICK LAW FIRM,
Winston-Salem, NC, November 3, 1997.

Congressman HOWARD COBLE,
W. Market Street,
Greensboro, NC.

TO THE HONORABLE HOWARD COBLE: I was fortunate enough to serve as a law clerk to Judge Hiram Ward in the United States Federal Court for the Middle District of North Carolina from 1973 to 1975. It was an honor to work for a principled and intelligent judge. Judge Ward has certainly served the Middle District with distinction and integrity.

I know that he made some personal sacrifices in order to maintain his offices in Winston-Salem. I think it would be highly appropriate if the U.S. Courthouse in Winston-Salem is named in honor of Judge Ward. I understand that you are submitting legislation to this effect and wanted to wholeheartedly support this legislation. Please let me know if I can do anything to assist.

Sincerely,

T. PAUL HENDRICK.

WACHOVIA,
Winston-Salem, NC, November 3, 1997.

Congressman HOWARD COBLE,
W. Market Street,
Greensboro, NC.

DEAR CONGRESSMAN COBLE: I have just learned that you recently submitted a bill to Congress which, if enacted, would name the U.S. Courthouse in Winston-Salem in honor of Judge Hiram H. Ward. As a former law clerk for Judge Ward, I am absolutely delighted that you have submitted this bill and stand ready to support this legislation in any way that I can. For brevity's sake, and because I know it is unnecessary to do so, I will not set forth all of the reasons the courthouse should be named in honor of Judge Ward; I know that you are well aware of his distinguished career and outstanding reputation as a jurist. Suffice it to say, I cannot imagine any individual being more deserving than Judge Ward for this honor.

Again, thank you for introducing this legislation, and please do not hesitate to contact me if I may be of assistance in any way.

Best regards.

Very truly yours,

JAMES P. HUTCHERSON,
Counsel.

WACHOVIA,
Winston-Salem, NC, November 3, 1997.

Hon. HOWARD COBLE,
Member of Congress,
Greensboro, NC.

DEAR HOWARD: I have just received a letter from Fred Crumpler indicating that you have recently submitted a bill to Congress which would name the United States Courthouse in Winston-Salem in honor of Judge Hiram Ward.

I just wanted you to know I support that bill 100% and personally am very appreciative that you would submit it to the Congress.

Judge Ward is one of the finest men and clearly one of the most outstanding judges I have ever encountered, and naming the Courthouse in Winston after him would bring honor not only to him but to Winston-Salem and all members of the bar.

Thank you for your efforts in this regard. If I can be of service in any way, please do not hesitate to call upon me.

With best personal regards and good wishes, I am

Sincerely,

KENNETH W. MCALLISTER.

SARA LEE CORPORATION,
Winston-Salem, NC, November 3, 1997.

Congressman HOWARD COBLE,
W. Market Street,
Greensboro, NC.

DEAR CONGRESSMAN COBLE: I recently learned of the bill you have submitted to Congress which, if enacted, would name the U.S. Courthouse in Winston-Salem in honor of Judge Hiram Ward. Having had the privileges of serving as one of Judge Ward's law clerks, appearing as a practicing attorney in his court and serving as Sara Lee's representative as a party to cases heard by him, I wholeheartedly support your efforts regarding this bill.

Judge Ward has been a tireless servant to the Federal Courts and always has merited the respect of counsel and parties appearing before him. Thank you for working to honor him in this manner.

Yours very truly,

LEON E. PORTER, Jr.,
Chief Counsel, Personal Products.

ROBINSON & LAWING,
Winston-Salem, NC, November 3, 1997.

Hon. HOWARD COBLE,
West Market Street,
Greensboro, NC.

DEAR CONGRESSMAN COBLE: It was my privilege to serve as a law clerk for The Honorable Hiram H. Ward in 1989 and 1990. In addition to providing valuable exposure to some of the more practical aspects of trial practice, that experience gave me a deep insight into the integrity, conscientiousness, and fairness that Judge Ward personifies, both on and off the bench. I remember, and continue to be impressed by, the unanimously high regard that others held for Judge Ward, not only attorneys, court personnel and witnesses, but his colleagues in the Federal District Courts of North Carolina and the Fourth Circuit, as well. I believe that Judge Ward's level of service and commitment to the Federal Bench and to the Bar of Forsyth County and the Middle District has been, and will likely remain, without parallel.

I wholeheartedly support and appreciate your proposed legislation that would name the U.S. Courthouse in Winston-Salem in honor of Judge Ward. I cannot think of a more fitting tribute for a gentleman who has contributed so much, not only as a respected jurist, but as a citizen, to his community and to his country.

Yours very truly,

JOHN N. TAYLOR, Jr.

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

Mr. KIM. Mr. Speaker, I do not have any other speakers at this time, and I, too, yield back the balance of my time.

The SPEAKER pro tempore (Mr. WATTS of Oklahoma). The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 2379.

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

A motion to reconsider was laid on the table.

J.J. "JAKE" PICKLE FEDERAL BUILDING

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3223) to designate the Federal building located at 300 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building".

The Clerk read as follows:

H.R. 3223

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

SECTION 1. DESIGNATION.

The Federal building located at 300 East 8th Street in Austin, Texas, shall be known and designated as the "J.J. 'Jake' Pickle Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "J.J. 'Jake' Pickle Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KIM) and the gentleman from Ohio (Mr. TRAFICANT) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. KIM).

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

Again this resolution designates the Federal building located in Austin, Texas, as the J.J. Jake Pickle Federal Building. A former colleague, Jake Pickle was a dedicated public servant who served his constituents well during his career in this House which spanned over 30 years. He was born and raised in Texas and served in the United States Navy during World War II. He was elected to fill a vacant congressional seat in 1963 and was reelected to the seat for 15 successive Congresses.

During his tenure in Congress, Congressman Pickle was a strong advocate of civil rights issues and equal opportunities for women and minorities. He sat as Chair of the Committee on Ways and Means' Subcommittee on Oversight and Subcommittee on Social Security. It is a fitting honor for Congressman Pickle and the people he served.

I support this bill and urge my colleagues to support the bill.

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

Mr. TRAFICANT. Mr. Speaker, I yield as much time as he may consume to the gentleman from Austin, Texas (Mr. DOGGETT), the new Congressman who has done an outstanding job and whose persistence ensured that this legislation and this honor is bestowed on Mr. Pickle.

Mr. DOGGETT. Mr. Speaker, my thanks to the ranking member, my friend and colleague from Ohio (Mr. TRAFICANT), and to the chairman of the committee for their favorable recommendation on this piece of legislation. It is with the greatest pleasure that I authored and now join in presenting this legislation as a tribute to the outstanding public service of Jake Pickle by naming the Federal Building in Austin in his honor.

For 31 years, from the time that I personally was a senior at Austin High School with his daughter, Peggy, until the day I was sworn in as a Congressman representing the same district here in this House in 1995, Jake Pickle was the only Congressman who ever represented me, and he did that and his representation for all of us in central Texas with the very greatest distinction. For all but 3 of his 31 years in office, the first 3, he officed on East Eighth Street in Austin, Texas, in the building that will now bear his name.

This is not, of course, the first structure in our community to bear his name. Our future in central Texas is already marked with the Pickle Research Campus and Complex at the University of Texas, and I am sure that this will not be the last such physical reminder of all that those decades of service have meant to our neighbors there in the Travis County and the broader central Texas area.

James Jerald "Jake" Pickle was born in 1913 up in Big Spring, Texas, and a few years back I had the pleasure of attending one of his many birthday parties and found that there must be something really good up there in Big Springs in the springs because there were a number of people that he went to public school there in Howard County with who were there, and they brought the same degree of enthusiasm that I have always seen in his work as our Congressman.

Jake went on to get his degree at the University of Texas in Austin back in 1938 where he served as Student Body President. He later worked as an area director for the National Youth Administration under President Roosevelt, and he served 3½ years in the Navy, as was mentioned, and I understand he even had a career as a night watchman over here in the Cannon Office Building where he later officed.

Upon returning to Austin though after World War II, he worked in radio at KVET in public relations. He served as the director of the Texas State Democratic Executive Committee and as a member of the Texas Employment Commission. It was from his position at TEC that he resigned to run for Congress in 1963.

He has established himself throughout his career as someone who is willing to stand up and be counted for what he believes in.

It was only a short time after he arrived here in Washington that he faced the challenging decision, given the times, of whether to vote for the Civil Rights Act of 1964, and he joined five other Members from the Southern States who voted for that legislation and still tells the tale of getting the call at I believe it was about 2:00 in the morning from President Johnson commending him on his support for the Civil Rights Act, and he went on the next year to support the Voting Rights Act and to continue his work on behalf of a broad range of people from our community in having opportunities for all of us to participate and share in the greatness of America. The service that he rendered was, of course, closely related to the service of President Lyndon Johnson, and President Johnson and of course still Lady Bird Johnson remain close friends of Congressman Pickle.

Naming this building in Austin in Congressman Pickle's honor is particularly important and appropriate because it was constructed during President Johnson's administration and still has there President Johnson's Texas apartment and office that he used during his Presidency, and it is preserved today in about the same fashion that he left it in 1973.

Jake has so many great stories that only he can tell in the appropriate way about the Great Society, about President Johnson and his work on that. All of it is really the stuff of political legend in Texas. He stands certainly as one of the few remaining personal historians of one have America's greatest Presidents.

Jake also distinguished himself, and I know others will speak of this, in his work on the House Committee on Ways and Means. He served as the Chair of the Committee on House Oversight where he focused on issues concerning the Internal Revenue Service, concerning the Medicare system and trying to be sure that waste and fraud were eliminated in Medicare. He also served as the chairman of the Subcommittee on Social Security back in the 98th Congress and is widely credited with shepherding through major Social Security reform that extended the life of the Social Security system.

But I think when folks back home in Texas think of him, they think not of all of his many votes and important committee work here in Congress, but they think of him as a person that, regardless of age, they call and feel comfortable in calling "Jake" because he was there when they had an individual problem or concern. His reputation for effective and efficient constituent service and community involvement is absolutely legendary. He set the highest standard for any Member of Congress, certainly for me, to emulate.

Not only did he engage in tireless advocacy on behalf of his constituents, he also deserves a reputation for giving selflessly of his time and seemingly boundless energies for our community.

Recently Jake and his daughter Peggy Pickle have authored a book about his life and reflections on his service here that many of our Members have obtained. It is a book that contains many wonderful anecdotes about Congress, LBJ and Texas politics, and it makes very clear his philosophy. He not only felt that each of us have a responsibility to one another, but that government has a responsibility to each of us to be fair and to be compassionate. He viewed that responsibility as both a duty and an honor, and while he never took himself too seriously and always had that great sense of humor that he brought to his work, he took this duty as a representative of government very seriously indeed, and he still does.

These days, while Jake is retired from Congress, he is hardly retiring, but he is working very hard there in Austin. He has continued energetic involvement particularly in questions involving our transportation system. He is invaluable. He continues to inspire us and to provide great counsel to many of us who serve in public office.

Based on these and other accomplishments that are too numerous to mention, I know that Congress will move

promptly to name the Federal Building in Austin in Jake's honor, and short of having the security guards there pass out those plastic green pickles that all of us have to everyone who enters, I cannot think of a more fitting way to remind future generations of Texas how much he has really done for us. With 31 years of service to this community and to its people, J.J. "Jake" Pickle deserves nothing less than this very permanent memorial.

Mr. KIM. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. HOUGHTON).

Mr. HOUGHTON. Mr. Speaker, I would like to follow up on the words of the gentleman from Texas (Mr. DOGGETT) and talk a little bit about Mr. Pickle.

I am honored to be able to stand here and endorse the naming of this Federal Building in Houston in the name of J.J. "Jake" Pickle. As my colleagues know, many times this is a now community, out of sight, out of mind, because there is so much going on here. But it is not so with Jake Pickle. He was a real hero.

He was, first of all, as others have said, a national hero, having been a great member of the United States Navy during World War II; certainly a congressional hero in terms of the legislation which he was part of, passed, supported and also his work on the Committee on Ways and Means.

I am not a resident of Austin, Texas, but I remember going down with the Committee on Ways and Means, and Jake was our host, and he is a real folk hero in that area. I can understand it, having known him and worked with him, but one has to go down there to see it to appreciate his association with that great community and the people in it.

Also, frankly, he is a personal hero. I worked with Jake in many different ways. The one I think I remember best is working with him on the Committee on Ways and Means and the Subcommittee on Oversight. The Republicans at that point were in the minority, and I was the ranking member on the minority side. That never bothered Jake. He never made a decision, and he never sort of threw his leadership around without checking with me. He did not have to, it was not necessary, but with all the discussion of bipartisanship and civility, he represented it, he lived it, he spoke it and was a wonderful, wonderful example to me.

So all I can say is, "Jake, if you ever will read the record of this proceedings, I love you, you're a great man, and you're a standard for which this institution, all of us, strive to reach."

Mr. TRAFICANT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

□ 1630

Ms. JACKSON-LEE of Texas. I thank the gentleman from California and the gentleman from Ohio both for their leadership. It may not seem that these are the most crucial aspects of our legislative business, but to each of these gentlemen, let me say that they make many people in our respective States extremely happy and extremely pleased, and give honor to those who deserve honor.

I am delighted to rise as a Texan to pay tribute to J.J. "Jake" Pickle. Many of you had the honor with serving with him, of which I did not. But I bring a special perspective to this tribute to Jake, as he is affectionately called, recognizing his service in World War II, but also recognizing his battle in the war of civil rights.

I would not be standing here today, nor would my predecessors, the esteemed and honorable Barbara Jordan, Mickey Leland and Craig Washington, for this seat was created after the passage of the 1965 Voter Rights Act. This was the first seat that elected an African American to the United States Congress since reconstruction from the State of Texas, and certainly the first seat that elected an African American woman from the deep South to go to the United States Congress.

Do not let anyone tell you that this was an easy choice for Jake Pickle; but for him it was the right choice, and he believed in what he did, and he continued to believe in the equality and the freedom and justice for all.

He was not on the Committee on the Judiciary, and as I noted, he was from the deep State of Texas, the Yellow Rose State, and, for many, that could have been the appropriate cover not to vote for any civil rights during the time he did. But Jake Pickle saw the right way, and he recognized the deep segregation in Texas and realized that it was wrong.

Jake, I pay tribute to you, and I thank the gentleman from Texas (Mr. DOGGETT) for his leadership on giving to Jake his flowers before his end.

He is vibrant all right, and he is leading us in many different ways. He was proud to be an American, proud to be a Texan, and, yes, he is proud to be a Democrat. He served in the United States Congress for 31 years, and he took some very serious votes and did some great works as a member of the Committee on Ways and Means. As a Congresswoman from the 18th Congressional District, a district that is only one of two that has elected an African American from the State of Texas, knowing that we all are created equal, my special thanks to Jake for his vote for the 1964 Civil Rights Act and his vote for the 1965 Voters Rights Act.

While he was visiting the White House, as I close, he was meeting with President Johnson and Jack Valenti, and Jack thanked him for his vote on the 1964 Voter Rights Act, and he said, "Mr. President Johnson, well, it was a tough one, and I am sure glad that it is over."

President Johnson was listening, and he said "Jake, that was a tough vote, but you will be in Congress for another 20 years," and, of course, as I said, Jake was in Congress for 31 years, "and you will probably have a civil rights vote every year from now on. We have just started civil rights reform, and we are 200 years behind. We have a long way to catch up. So don't think for a second you have got your vote behind you."

As usual, the President, President Johnson was right, and the fight did go on. And I can assure you, our friend Jake was right there in the midst and helped create for us many victories that declared that we all are created equal and we all stand equal under the sun.

Thank you, Jake, and congratulations on this honor. I support this legislation and look forward to seeing Jake in future years taking his rightful place as one of our true American heroes.

Mr. KIM. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I am pleased to rise in strong support of naming the Federal building in Austin, Texas, after our good colleague, former colleague, Jake Pickle, who we honored in Washington very recently; not only a veteran in our military, but a veteran in the House, and did so much for so many, particularly for our seniors. It is a great honor and a privilege to join in the debate supporting the naming of the Federal building in his honor.

Mr. TRAFICANT. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, I thank the gentleman for yielding me time and thank the chairman and ranking member of the subcommittee for bringing this bill to the floor.

Jake Pickle was a student of the "old school of politics." Raised in the small Texas town of Roscoe, Jake never forgot his rural roots. Jake belongs to a dwindling group of Texas politicians who were the protegees of another great Texan, President Lyndon Baines Johnson. In fact, Jake represented the same Texas district as President Johnson had once before and our colleague, the gentleman from Texas (Mr. DOGGETT) now represents. In fact, as the gentleman from Texas (Mr. DOGGETT) was telling me, that district used to run not just around Travis County, but ran all the way to Harris County at the time that Jake was first elected.

He wore many hats during his political career, serving as a campaign manager, Congressional aide, Congressman and an adviser to LBJ. After graduating from the University of Texas at Austin, he became the area director of

the National Youth Administration. He then went on to serve 3½ years in the Navy in the Pacific during the Second World War.

When he got back, he went into the radio business in Austin and then reentered politics in 1957 as the director of the Texas State Democratic Executive Committee, which at that time was considered a contact sport.

In 1961, he was appointed a member of the Texas Employment Commission, resigning in 1963 to run for Congress. Some could say that it was the pickle-shaped campaign pins and recipe books that got him elected in 1964, but that would only be a small part of his success. It was Jake's great sense of knowing what the people want from their government that got him elected. His decades of experience in the public service prior to being elected to office gave Jake the tools he needed to be a Congressman. His warm personality and natural leadership skills made him a legend. I might add that having Beryl probably made the district.

As a member of Congress, where he served on the Committee on Ways and Means, Jake managed to involve himself in just about every major issue in his committee, from Social Security to trade to the complete revision of the Tax Code in 1986.

As chairman of the Committee on Ways and Means Subcommittee on Oversight and the Subcommittee on Social Security, Jake exercised broad mandate. In 1983, as the chairman of the Subcommittee on Social Security, Jake was convinced that the way to save the Social Security System from a long-term collapse was to raise the retirement age. While others wanted to solve long-term financing problems with eventual increases in the payroll tax, Jake unexpectedly prevailed on the floor in what was the most impressive and significant victory of his career, and what was then the Pickle-Pepper amendment to the Social Security reform bill.

Jake fought long and hard for the elderly. The effort in 1983 to save Social Security is the best example of the many attempts to improve their lives. To Jake, the elderly were the backbone of our society, helping America stand tall. For this reason, he did everything he could in Congress and in his committees and subcommittees to ensure the elderly would receive proper care and maintain financial stability.

Every once in a while one can find a leader and a politician as great as Jake Pickle. I have to say, while I did not have the opportunity to serve with Mr. Pickle as a Member of the House, I did have the opportunity as a member of the staff to the House during his tenure here. It was something that every year when the Texas State Society, which continues to meet on Fathers Day for its annual Fathers Day picnic, Jake and Beryl would be out there. And while I did not get to serve with them, I did get to play horseshoes with them on a couple of occasion. That is how he was every year of his service for the 31 years he was here, and even today, when he comes back to visit us and join us at the weekly Wednesday Texas Delegation Lunch to tell us how things were done before he was in Congress, while he was in Congress, and how we ought to be doing them now. I congratulate the chairman and ranking member for bringing this bill.

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

Mr. Speaker, I know Jake Pickle, I served with Jake Pickle, and I know that Jake Pickle is deserving of this honor, and I am, too, proud, as other colleagues have spoken, to be a part of this legislation.

One thing about Jake Pickle, he was not yellow. He had a backbone, not a wishbone, a backbone, and very few of us may realize the pressure he had when he was one of only five Southern leaders to pass President Johnson's Civil Rights Act of 1964, amidst great pressure and attacks from those who thought otherwise.

Men like Jake Pickle have created an opportunity for all Americans that were not gifted with an automatic entry into our mainstream. But I want to just make a few comments on the Congressman that I knew, and how he helped me personally in a couple areas where we changed IRS law.

He helped me to pass legislation that requires the IRS to have a training program for all their agents so they do not abuse our taxpayers. Also he helped me pass legislation that allows an abused taxpayer now to sue the IRS. Then Jake worked on legislation with me and others to raise the limits for such lawsuits from $100,000 to $1 million. He also helped to promote, over a period of years, my legislation to make it tougher for the IRS to seize our property and to help us change the burden of proof in a civil tax case that has recently been passed with the help of Republican leadership, and I am appreciative of that.

Jake Pickle may be watching. If he is, thank you, Jake. Thanks for all you did for the American people, and thanks for your tough and courageous stand. You are most deserving of this honor and tribute.

Mr. GREEN. Mr. Speaker, I rise in strong support of H.R. 3223, a bill designating the J.J. "Jake" Pickle Federal Building in Austin, Texas. This is a fitting tribute to a unique Texan and former Member of Congress.

Congressman Pickle is a legend even by Texas standards. He put himself through college during the Depression, worked for President Roosevelt's National Youth Administration, served in the Pacific during World War II, started a radio station in Central Texas, and represented Texas' Tenth Congressional District from 1963 to 1995. During his long and distinguished career in the Congress, Jake Pickle prided himself as a protector of small businesses and a specialist in the Social Security system.

Over the years, Congressman Pickle managed to involve himself in every major issue that confronted the Ways and Means Committee, from Social Security to trade to the complete revision of the tax code.

During the 98th Congress, Jake Pickle chaired the Ways and Means Social Security Subcommittee. As chairman of that subcommittee, he was convinced that the way to save the Social Security system from a long-term collapse was to raise the retirement age. Democratic leaders, including Thomas P. O'Neill and Claude Pepper, wanted to solve long-term financing problems with eventual increases in the payroll tax. Few expected Pickle would prevail on the floor, but he did.

Through months of argument over what to do about Social Security, Pickle and Pepper were the spokesmen for two diametrically opposite points of view. During floor consideration, the House chose Jake Pickle's approach, which later became law. This victory represents the culmination of a long personal struggle for Jake Pickle to put the Social Security system on a sound personal footing.

Most everyone knows Jake Pickle as a political protege of President Lyndon B. Johnson. Congressman Pickle was a campaign manager and a Congressional aide to Johnson before World War II and an advisor in Johnson's 1948 Senate campaign. Jake always spoke reverently about President Johnson and his commitment and dedication is a testament to their friendship.

Congressman Pickle is also known for his storytelling ability. In 1997, shortly after his retirement from the United States House of Representatives, Jake Pickle wrote a book with his daughter in which he recalled some of the many adventures he has had during his political career. One of my favorite is featured in Chapter 35 of *Jake:*

In 1957 or 1958 Governor Price Daniel and I were in El Paso attending a state democratic Executive Committee meeting. About that time the state of Chihuahua and Texas were instigating a program to eradicate the yellow boll weevil. So the Governor was in El Paso to officially give credence to the boll weevil eradication program as well. Jean Daniel was in El Paso with her husband.

Our party stayed at El Paso's Del Norte Hotel, the finest in town. One night after our meeting, Price and Jean, Hazel and Bob Haynsworth, and I decided to go across the border to Juarez.

The Haynsworths knew a bar in Juarez with a good band and a floor show, and Bob Haynsworth called ahead to speak to the manager. The Manager was told that the Governor of Texas would be in our party, and we wished no publicity. The manager said we did him a great honor. Absolutamente! He would respect our privacy.

When our group arrived at the bar, we were seated at a big table near the band. Now, Governor Daniel was a Baptist and a teetotaler. Officially, he never drank. But he liked Cokes. Every time we went someplace people would offer Daniel a drink, and he'd always decline, saying, "Well thank you, but I don't drink." People expected this, but always felt they had to offer the governor a drink anyway.

But sometimes Daniel would add, "I'll take a Coke, though. Jake, why don't you get me a Coke?" And I would—but I'd have the bartender pour a shot of bourbon in it. Daniel never mentioned the bourbon—but he always asked me to get his Cokes. It was a little game we played for years, one which allowed Daniel to follow his religion, but enjoy a little socializing with a clear conscience.

However, Coke or no Coke, the last thing Daniel wanted was to be recognized in a bar, even a Mexican bar with no constituents.

Everything went fine for a few minutes. Then the band, which had been playing lively Mexican melodies, suddenly stopped, then executed a drum-roll flourish. The Governor and I looked at each other and thought, "Uh oh." He sank lower in his seat.

Then the bandleader announced into the mike, "We are proud to have with us tonight the Governor of the State of Texas"—Another drum roll—"the honorable Price Daniel!" Amid the fanfare, a white spotlight swept the dark bar and came to rest on our table.

Nobody moved. Daniel kept his head down.

Again, the announcer said, "Damas y caballeros, permitanme presentarles el gobernador del estado de Tejas!" Another drum roll and the bright spotlight on our table.

Still no movement from Price.

With the spotlight still on us, a third time the announcer called, "Please! Will the Governor of Texas stand and be recognized?"

Finally Jean leaned over and whispered urgently, "Jake, for goodness sake, will you do it?" And Daniel said, "Jake, I bet you've always wanted to be Governor—here's your chance."

So I got to my feet and grinned and waved to thunderous applause, as the band struck up "The Eyes of Texas." I must admit, I got a great reception.

Boll weevils and politicians. We're jus' lookin' for a home.

Mr. Speaker, I am proud to have served with Congressman Jake Pickle and will be forever grateful for his friendship. This designation is only a small token of our appreciation to a dedicated public servant.

Mr. ARCHER. Mr. Speaker, I rise in strong support of H.R. 3223, to designate the Federal building located at 300 East 8th Street in Austin, TX, as the "J.J. 'Jake' Pickle Federal Building."

It is a well deserved honor for a man who selflessly served his country in a multitude of ways over many years.

I was pleased to serve alongside Jake not only as a member of the Texas Congressional Delegation, but also on the Ways and Means Committee. His integrity, compassion and unswerving sense of right and wrong remain as sterling examples of the standard to which every public official should strive.

I join my colleagues and the American people in gratefully honoring the life, the contributions and achievements of Jake Pickle, a cherished friend, a loyal Texan and a selfless public servant.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. KIM) that the House suspend the rules and pass the bill, H.R. 3223.

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

A motion to reconsider was laid on the table.

DICK CHENEY FEDERAL BUILDING

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3453) to designate the Federal Building and Post Office located at 100 East B Street, Casper, WY, as the "Dick Cheney Federal Building".

The Clerk read as follows:

H.R. 3453

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

SECTION 1. DESIGNATION OF DICK CHENEY FEDERAL BUILDING.

The Federal Building and Post Office located at 100 East B Street, Casper, Wyoming, shall be known and designated as the "Dick Cheney Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal Building and Post Office referred to in section 1 shall be deemed to be a reference to the "Dick Cheney Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KIM) and the gentleman from Ohio (Mr. TRAFICANT) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. KIM).

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

Mr. Speaker, this resolution designates the Federal building and post office located in Casper, WY, as the Dick Cheney Federal Building. As a former Member of this body and a former Secretary of Defense, Dick Cheney has served this country and distinguished himself in both the executive and legislative branches of Federal Government. He served in the administrations of Presidents Nixon, Ford, and Bush. As head of the Department of Defense, Secretary Cheney presided over a number of historical operations, including Operation Just Cause in Panama and Operation Desert Storm in the Middle East. For his service during Desert Storm, President Bush awarded Secretary Cheney the Presidential Medal of Freedom on July 3, 1991.

In addition to his career in the executive branch, Dick Cheney was elected to the House of Representatives in 1978, representing the State of Wyoming. At the end of his first term, he was elected to serve as the chairman of the Republican Policy Committee. Congressman Cheney was reelected to serve in the House for five more consecutive terms. He became the chairman of the Republican Conference and House minority whip during his tenure.

For such a distinguished career and dedicated service to his career, this is a fitting tribute to Secretary Cheney. I support this bill and urge my colleagues to support the bill.

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

Mr. Speaker, I knew Dick Cheney and served with Dick Cheney and am proud to be here today associated with this honor being paid to the former Secretary of Defense. I would just like to say that under his stewardship and leadership, two of the largest, most recent military campaigns, and, I might add, most successful, perhaps, in our recent history, that was Operation Just Cause in Panama and Operation Desert Storm in the Middle East, were under his stewardship.

□ 1645

His leadership was not only positive but powerful for all of us that knew him. When he said something, he meant it. Everybody recognized that, no one debated it, and no one had to argue the point.

He was well liked. In addition to this stern, strong leadership, he possessed a genuine sense of humor and did much to advance the Armed Services of the United States of America, and everyone who worked with him and interacted with him not only respected him, they liked him very much.

So I want to just join today and say that I am proud to be a part of that, proud to be able to vote on this legislation, and urge everyone to vote for it.

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

Mr. KIM. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Speaker, it is a great pleasure for me to rise here today in support of passage of this legislation designating the Dick Cheney Federal Building in Casper, WY. I should note that by naming this building after Dick, in some respects we are passing on a family heritage. Dick's father worked in that building when it was first opened, when it was a brand-new building. So I am very grateful, and it has special meaning to those of us from Wyoming.

As my colleagues may know, I introduced the bill in March to rename the Federal building and post office in Casper, WY, in recognition of Mr. Cheney's many contributions to our country. I can think of no one who is more deserving of this honor. Dick has served this body in a number of capacities, including policy committee chairman, conference chairman, and minority whip. He also very ably served our country as Secretary of Defense in the Bush administration and received the Presidential Medal of Freedom for his leadership during Operation Desert Storm.

Mr. Speaker, there are few things in our lives that happen where we remember forever and ever where we were sitting and what we were doing when a

national event occurred. The tragic death of President Kennedy was one of those things for me. When Anwar Sadat was assassinated, that was another thing for me.

I remember very well when Operation Desert Storm started. I was in the State legislature in a committee meeting in the Capitol, and the news came in that the bombing had started, and I remember having brothers that served in Vietnam and thinking about the young people that were there. I remember thinking, well, thank you, God, that Dick Cheney is in charge of those troops over there, because they could not be in better hands, and I truly felt that way, and I believe that today.

I know my colleagues will join me in thanking Dick for his leadership, for his statesmanship, but, most of all, for his friendship. I would also like to thank the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from California (Mr. KIM), and the Committee on Transportation and Infrastructure staff for working with me to enact this legislation. I urge the Senate to act on it expeditiously and hope that when it comes before that body that it will come into law.

Mr. KIM. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Speaker, I rise in strong support of this legislation to name the Federal building in Casper for our former colleague, Dick Cheney. I thank the chairman for yielding me this time.

The gentlewoman from Wyoming has pointed out Dick Cheney's meteoric rise within Republican ranks of leadership here in the House of Representatives. In all probability, he now would be the Speaker of the House of Representatives if he had stayed here, if he had not answered the call of the country to serve as our Secretary of Defense, and he served there so ably with such a distinguished record.

Dick Cheney's competence was recognized by all as soon as he arrived here. I can recall that, directly, since he and I were first elected in the 96th Congress and served the first 4 years side by side on what was then called the House Committee on Interior and Insular Affairs.

He was born in my district in Lincoln, NE. His father was an employee of the U.S. Soil Conservation in Nebraska before he moved to Wyoming with Dick and his mother. They lived in a small central Nebraska town during World War II when Dick's father was serving in the military.

Dick Cheney has sometimes told me in the past when he came into my district or when I visited him in his district, "Doug, if I stayed in Lincoln, of course, I would be the Congressman." He would be. And I would be? "Well," he said, "I don't know what you would be." So Dick Cheney's departure to Wyoming was probably fortunate for me and undoubtedly for the citizens of Wyoming.

But I must say, as I watched Dick Cheney in this body and watched his competence already demonstrable in the earliest stages of his career here in the House, because of his service as the White House Chief of Staff and earlier at the OEO where he worked for Dick Rumsfield, I think that I and everyone else who knew Dick were quite impressed with him. He was my candidate to be the President of the United States; I wish he had made that effort.

In any case, he brought great honor and respect to this body for the contributions that he made here, and I thank my colleagues, particularly the gentlewoman from Wyoming, for offering this legislation. Naming the Federal Building in Casper for the Honorable Richard Cheney is a wonderful tribute that ought to be due to our former colleague, Dick Cheney.

Mr. KIM. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. GILMAN), our chairman of the Committee on International Relations.

Mr. GILMAN. Mr. Speaker, I am pleased to rise in strong support of the gentlewoman's measure, the gentlewoman from Wyoming, in honoring Dick Cheney by naming the Federal building and post office at Casper, WY, in his name.

As a former White House Chief of Staff, as a former Member of the Congress, former Republican Chairman in the Congress, former Secretary of Defense, I can think of no more appropriate honor that we could give to Dick Cheney for his service to our Nation, and I am pleased to rise in support of the measure.

Mr. KIM. Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. KIM) that the House suspend the rules and pass the bill, H.R. 3453.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KIM. 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. 3453, the bill just passed.

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

There was no objection.

AGRICULTURE EXPORT RELIEF ACT OF 1998

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2282) to amend the Arms Export Control Act, and for other purposes, as amended.

The Clerk read as follows:

S. 2282

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 "Agriculture Export Relief Act of 1998".

SEC. 2. SANCTIONS EXEMPTIONS.

(a) EXEMPTION REGARDING FOOD AND OTHER AGRICULTURAL COMMODITY PURCHASES.—Section 102(b)(2)(D) of the Arms Export Control Act (22 U.S.C. 2799aa–1(b)(2)(D)) is amended as follows:

(1) In clause (i) by striking "or" at the end.

(2) In clause (ii) by striking the period and inserting ", or".

(3) By inserting after clause (ii) the following new clause:

"(iii) to any credit, credit guarantee, or financial assistance provided by the Department of Agriculture to support the purchase of food or other agricultural commodity.".

(b) DESCRIPTION OF AGRICULTURAL COMMODITIES.—Section 102(b)(2)(F) of such Act is amended by striking the period at the end and inserting ", which includes fertilizer.".

(c) OTHER EXEMPTIONS.—Section 102(b)(2)(D)(ii) of such Act is further amended by inserting after "to" the following: "medicines, medical equipment, and".

(d) APPLICATION OF AMENDMENTS.—The amendment made by subsection (a)(3) shall apply to any credit, credit guarantee, or other financial assistance provided by the Department of Agriculture before, on, or after the date of enactment of this Act through September 30, 1999.

(e) EFFECT ON EXISTING SANCTIONS.—Any sanction imposed under section 102(b)(1) of the Arms Export Control Act before the date of the enactment of this Act shall cease to apply upon that date with respect to the items described in the amendments made by subsections (b) and (c). In the case of the amendment made by subsection (a)(3), any sanction imposed under section 102(b)(1) of the Arms Export Control Act before the date of the enactment of this Act shall not be in effect during the period beginning on that date and ending on September 30, 1999, with respect to the activities and items described in the amendment.

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

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

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 2282, as amended.

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

There was no objection.

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

Mr. Speaker, it has been long-standing American policy to penalize nuclear proliferators. In fact, the so-called "Glenn amendment," which we are modifying today, was supported by the Clinton administration and was adopted by the 103d Congress.

This bill, as amended, would permit taxpayer financing of certain commodity shipments to India and to Pakistan. It was approved in a slightly different form by unanimous rollcall vote in the other body. It extends an existing exemption for food assistance already contained in the law to financing food shipments. It also changes the definition of agricultural products and extends an exemption to include medicines.

The bill is necessary because, after extensive review, the Justice Department concluded that the law prohibits export credit guarantees for Pakistan. In response, we are making the necessary adjustments and showing ourselves capable of responding in a timely fashion to adjust these laws, if necessary.

We have made, in consultation with the Agriculture Committee, a series of changes to the Senate-passed bill. First, we have removed the provision that provided that spending to carry in effect the bill would be emergency spending under the Budget Act. Because we did not want to designate this as emergency spending, we have followed the pattern of the Nethercutt Amendment to the Agricultural Appropriations bill which makes this change only through September 30, 1999. Finally, there were several technical changes. I appreciate the work of the Committee on Agriculture and its staff in putting this amendment together.

In fiscal year 1997, Pakistan bought $347 million worth of U.S. wheat with USDA export credit guarantees. In fiscal year 1998, Pakistan was allocated $250 million in export credit guarantees and has used $162 million of that amount, all for wheat.

On July 15, Pakistan will hold a tender for 350,000 metric tons of wheat. Without export credit guarantees, the U.S. will not be able to secure that market for our farmers, which is worth some $37 million. The taxpayer subsidy will be $7 million in 1998 and $24 million in 1999.

Members should not lose sight of the fact that we are weakening the sanctions put in place against India and Pakistan on account of their having conducted numerous nuclear tests. These tests have only served to increase tensions and instability in south Asia.

I anticipate that today's debate may become a debate about our nonproliferation laws, but we should be careful about proceeding piecemeal to dismantle any of those laws. The credibility and effectiveness of our policies depends on our capacity to penalize nations which defy international norms and undermine our own national security.

I want to make clear that I am pleased that we can help our farmers by enacting this legislation. Food should not be any weapon in foreign policy.

But I also want to say that all Members should be aware of what we are doing today. We are approving United States loans funded by taxpayer dollars to replace the money that the Pakistanis could have used to take care of their own needs. Instead, they used that money to develop nuclear weapons.

I am confident that some Members will say that this bill is evidence that we need to rethink and rewrite all of our proliferation sanction laws. They will argue that our laws are ineffective and have not accomplished the purposes for which they were intended. They may even argue that our sanction laws are counterproductive.

Well, I fully disagree. There is definitely a role for both unilateral and multilateral sanctions, and I believe that they deterred India and Pakistan for many years from taking the steps they finally took earlier this year.

Many of the statistics and arguments you may hear today about how sanctions don't work and cost hundreds of thousands of jobs are gross exaggerations. For example, the Congressional Budget Office did work at the request of Mr. HAMILTON and myself on the impact of sanctions. Their estimate is that the actual impact of sanctions on the economy may be closer to $1 billion per year than the $15 billion often asserted in this debate. I happen to believe that $1 billion is not too much to spend to help keep Iraq, Iran, and other countries that would exploit our technology against their neighbors under some sort of control.

Just as we do not throw out the criminal code or abolish the police when we find that crime occurs, we should not give up the deterrent effects built into our nonproliferation, technology control, human rights and other foreign policy laws, even though they are not airtight.

Often it is argued that only multilateral sanctions work. Well, Members will recall that, following the G–8 summit in May, the President said he could not assert that it would have made a difference if he had been able to persuade the G–8 to sanction India. I have a hard time believing that the President really thinks that. In my view, he was merely rationalizing a failure to lead.

Had the President worked harder for a multilateral firm response, we would not be here today. In fact, Pakistan may not have tested. But we are where we are today, and we have to adjust to the situation we face today. We do not want our farmers needlessly penalized.

Mr. Speaker, Mr. SMITH is coming in from the airport, so at this time I will reserve the balance of my time; but, pending that, I ask unanimous consent that time be controlled by the gentleman from Nebraska (Mr. BEREUTER) on our side.

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

There was no objection.

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

I rise in support of this bill, S. 2282. I think all of us understand the intent of the bill. Section 102 of the Arms Export Control Act, which is commonly referred to as the "Glenn Amendment," mandates a set of sweeping sanctions against any country that detonates a nuclear explosive device other than the five recognized nuclear weapon states.

Following the nuclear tests by India and Pakistan which they conducted last May, the United States imposed section 102 sanctions against both countries. The section 102, as currently written, exempts humanitarian assistance and intelligence activities from these sanctions.

The bill we have before us today would create one additional exemption. It would permit government financing and credits to support the sale of food, agricultural products, including fertilizers, medicines and medical equipment.

The question, of course, is why this additional exemption is needed, I think, because our experience has demonstrated that the original language of the Glenn amendment, at least in present circumstances, was too broad and sweeping in its coverage.

□ 1700

It was indiscriminate in its targets. It provided the executive branch with no waiver authority, and therefore reduced the President's ability to negotiate with the governments of India and Pakistan. It contained no termination date. It penalized the individuals and families in the sanctioned countries, with whom we really have no complaint, rather than the governments that have offended us. It required American producers and American farmers to forsake important sales that would be lost to foreign producers.

This bill should not be construed as a lessening of our commitment to nonproliferation. To the contrary, by crafting a more focused sanctions policy, it helps secure the domestic base for continuing sanctions. For that reason, I think even Senator GLENN, the author of the original sanctions legislation, supported this change when the Senate voted on it last week.

The administration supports this legislation. The Senate adopted it last week by a practically unanimous vote of 98 to zero. I want to note that we are amending the bill for technical reasons, and they support this amendment.

Creating an exception to sanctions in this bill does have budgetary consequences. The Senate passed the bill as an emergency spending authority.

We are revising it to provide for offsets. It is my understanding that there is bipartisan agreement on this amendment, and I hope that the Senate will quickly agree to the House amendment and send the bill to the President by the time that Pakistani wheat tender occurs tomorrow. I urge my colleagues to support S. 2282.

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

Mr. BEREUTER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I rise in strong support of this legislation, and endorse my colleagues' best hopes that in fact the Senate will act expeditiously on the amended version.

On May 11, 1998, America's wheat farmers were busy working in the fields when India detonated nuclear weapons the first time. Undoubtedly our farmers had no idea that Pakistan's subsequent nuclear test, and a very questionable American sanctions policy, which failed to deter the tests, would undermine our farmers' ability to sell wheat to the countries of the Asia subcontinent.

Perhaps they were also busy in their fields in 1994 when Congress passed the Glenn amendment to the Nuclear Proliferation Prevention Act. That amendment prohibits export credit guarantees to nonnuclear countries which either develop or test nuclear weapons.

Across the Atlantic on that same day, French wheat farmers had no idea that India's detonation of a nuclear weapon might produce such a windfall for them in lost American export markets. Contrary to the United States, France does not have a mandatory sanctions law, and their wheat sales, subsidized wheat sales, I might add, can continue to Pakistan.

Today, Mr. Speaker, American wheat farmers stand to lose a 2.2 million ton wheat market in Pakistan because of our unilateral sanctions policy toward the Asian subcontinent. The stakes are high and the timing could not be worse. If Congress does not amend the sanctions law to allow U.S.-backed wheat sales to Pakistan, the French, Canadian or Australian farmers will exploit this lucrative wheat export market without American competition at a time when American wheat prices for our farmers are at their lowest point in decades and at at time when we desperately need to hold onto those export markets.

This nearly forgotten sanction legislation imposed automatically on the backs of American farmers without additional thought, is just one facet of the 61 sanction-related laws or executive orders that Congress or the administration has enacted in the last 4 years. Those sanctions target 35 countries. According to an Institute for International Economics study, economic sanctions cost American industry and agriculture combined about $15 to $19 billion annually in exports.

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

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

Mr. PALLONE. Mr. Speaker, I want to express support for the Agricultural Export Relief Act of 1998 that is before us. This is the first effort by Congress to lift the sanctions imposed pursuant to the Glenn amendment after India and Pakistan conducted underground nuclear tests earlier this year.

While I support this legislation, I think the President needs greater discretion in lifting these sanctions. Last week the task force empowered by the Senate leadership to look at the sanctions regime put forth a proposal that would give the President greater discretion in waiving unilateral sanctions against India and Pakistan, for example in international trade and finance. It would also allow for the President to clear the way for the U.S. to support international financial institutions to resume loan payments to India and Pakistan. The proposal, however, would not allow the President to waive sanctions that limit the transfer or sale of military and dual use technology.

Mr. Speaker, I plan to introduce a House bill today that is identical to the Senate task force proposal. I believe U.S. policy has proven to be ineffective in deterring the proliferation of nuclear weapons in South Asia, and it is time that Congress review this policy and implement legislation that gives the President greater flexibility in addressing nuclear crises.

I believe we must keep working for nonproliferation, but that the economic sanctions now in place are not the best way to achieve that goal. We have limited our diplomatic options in terms of nonproliferation in South Asia while damaging the growing economic relationship between India and the United States.

The administration has conducted several senior level meetings with the Indian government since the tests. India and Pakistan have expressed a desire to work with the U.S. in resolving these issues. Later this week Deputy Secretary of State Strobe Talbot and Assistant Secretary of State Karl Inderfurth will be visiting New Delhi and Islamabad to continue discussions and negotiations. This is following very successful meetings last week between the U.S. and India in Frankfurt, Germany.

During this critical time it is important that we give the President the necessary tools to help achieve our nonproliferation goals. I urge my colleagues from both chambers to work together so we can rectify this serious problem.

Mr. BEREUTER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. MANZULLO), a distinguished member of the committee and a man very much focused on export issues.

Mr. MANZULLO. Mr. Speaker, I rise in support of this legislation. This bill makes sense. Tomorrow Pakistan will purchase 350,000 metric tons of wheat for $37 million. The only question remains which country will sell them this wheat.

Only U.S. wheat growers bear this heavy sanctions burden, while farmers in other countries eagerly await to seize this market from us. Did we not learn anything from the failed Carter grain embargo against the Soviet Union? The Soviets simply bought wheat from Argentina, Canada, and Australia, and it took years for U.S. farmers to regain a foothold in the Russian market.

What is good for the farm community should also be good for our manufacturing sector. Because of nuclear testing by India and Pakistan, Eximbank halted support for $4 billion in U.S. exports to those countries. That is placing 48,000 high-paying U.S. manufacturing jobs at risk, including those who work at Sundstrand and Woodward Governor in Rockford, which companies supply aviation parts to Boeing.

What kind of punishment is that to those countries that detonate? Ingersoll Milling Machine Company is trying to determine if it can still sell an $8 million four-axis machine center to a state-owned electric utility company in India.

Two Italian machine tool manufacturers not encumbered by these sanctions are standing by waiting to seize that market from the Americans. If Ingersoll does not receive an answer from the Commerce Department by July 20, we could lose that $8 million contract.

Motorola has already lost $15 million worth of two-way radio sales to India, and could lose hundreds of millions in more export opportunities to upgrade India's communication system because of the Eximbank sanctions. Three thousand employees work at the Harvard, Illinois plant making telecommunications equipment for Motorola.

That is why we need to rethink our whole philosophy towards sanctions. Why would we try to punish a country for doing something wrong, and we end up punishing our own workers, when that country in fact can end up buying the same materials from other countries?

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, I thank the distinguished gentleman from Indiana for yielding time to me.

Mr. Speaker, the bill that is under consideration is an emergency response in an emergency situation. We have seen the reemergence of an agricultural depression in this country.

Among other areas that have been hit are wheat producing communities in the Red River and west. It has hit areas of Texas. It is critical that when our producers are in financial distress, we not attempt unilateral sanctions against other countries in this world that are doomed to failure.

Unfortunately, the unilateral sanctions we have announced against India and Pakistan do not appear to be destined for effectiveness, because other countries which are competitors in selling agricultural commodities are more than willing to come in and replace American farmers as the suppliers of those commodities; in this case, wheat.

I would urge my colleagues to carefully review this situation, and understand that as much as all of us abhor the spread of nuclear weapons and nuclear testing, that what we need to make sure is that we act responsibly here and we not use a bludgeon that is designed to be ineffective, and in many cases come back and hit ourselves and inflict a mortal wound on our own producers, when what we are trying to do is to emphasize to India and Pakistan and other countries of the world that this country does not tolerate continued nuclear testing.

This bill is a bill that ought to pass today. It ought to be signed by the President yet this week. We ought to be able to go ahead and move these agricultural commodities this week so our farmers do not have this impediment to their success in 1998.

Mr. BEREUTER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Washington (Mr. NETHERCUTT), who was, of course, the Member who first took legislative action for the successful Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and related agencies on the Committee on Appropriations.

Mr. NETHERCUTT. Mr. Speaker, I thank the gentleman very much for yielding.

Mr. Speaker, I am pleased to rise in support of this bill today. As the gentleman from Nebraska (Mr. BEREUTER) stated, he and I and the gentleman from Kansas (Mr. MORAN) and the gentleman from North Dakota (Mr. POMEROY) and many others from farm country introduced this sanctions exemption legislation over a month ago in anticipation of the effect of the Arms Export Control Act upon the agriculture industry in this country.

I, representing the State of Washington, am particularly affected by the seriousness of this sanctions policy that was adopted in 1994. I must say, I was just home in Pullman, Washington, and Walla Walla and Davenport, and some of the very high quality farm wheat-producing parts of my State and our country.

I must say to my colleagues, there is great concern about the effect of sanctions upon American agriculture; most particularly, our relationship with the countries of Pakistan and India. Pakistan is a very important trading partner to the State of Washington. We export 90 percent of our wheat in our State, soft, white wheat, and Pakistan has been a very good customer.

As we in this country have learned in the 1980's with the embargo of the Soviet Union, the self-imposed embargo, the unilateral sanctions that were imposed cost my State and my region dramatically. We lost market share in that part of the world that we are still struggling to recover. I must say, I am very supportive of this bill.

We struggled with the cost issue. We passed this legislation, we not only introduced it a month or so ago but we passed it in the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies on which I serve on the Committee on Appropriations in a bipartisan way, we passed it in the full committee, and it has passed the full House. We just did not have a chance to get it worked out on a cost payment basis through the agriculture appropriations conference.

The Senate has not finished their work yet. The other body has not finished its work yet. I respect the other body for bringing this bill to the floor, but we are going to do our best to make sure that all is fair and square regarding cost.

The most important thing is if Pakistan buys wheat on the market Wednesday, tomorrow, with their tender, it is critically important that we do not interrupt that ability by Pakistan to deal with American farm interests. If we do not lift these sanctions and have it in place by today, then we lose. Our farmers are unilaterally going to lose because our market would be shut off by these sanctions in position.

I must say to my colleagues, let us struggle through the cost part of this sanctions issue and lifting the sanctions issue, but we must stand up for our agricultural interests and the farmers of my State and Nebraska and Kansas and every other State that deal with agriculture, or else our farmers are in great jeopardy.

I am pleased to speak in favor of this bill, and urge its adoption by this House.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. STENHOLM).

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

Mr. Speaker, I rise in strong support of S. 2282. It is clear to me that the sanctions provisions of the Arms Export Control Act were never intended to limit the use of the Export Credit Guarantee Program. Nevertheless, I support clarification of the Act because of the uncertainty, as we have heard, of the U.S. wheat market.

Indeed, the Assistant to the President for National Security Affairs has recently sent a letter to the Congress indicating the Administration's strong support for this clarifying provision. In plain English, what we are saying is that it really does not make any common sense for the United States to unilaterally impose sanctions upon our producers and allow our friends and allies to make a sale.

As we have heard, the criticalness, the timeliness of this indicates we need to pass this and send this to the President for his signature very quickly.

□ 1715

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. BARRETT).

Mr. BARRETT of Nebraska. Mr. Speaker, I thank the gentleman for yielding me the time.

I also rise in support of this legislation. I do support the use of sanctions as a foreign policy tool, but I believe that the USDA has used them all too frequently.

The bill we are considering today would allow USDA to guarantee U.S. wheat sales to Pakistan and to India. Without the bill, American farmers would not be able to sell their product.

As has been mentioned by my colleagues from Illinois and Washington, Pakistan is expected to request bids for wheat very soon, possibly as early as tomorrow. This could involve nearly $40 million in sales of U.S. wheat.

I have examined the proposals to address the crisis in American agriculture, Mr. Speaker. There are some producers out there that are hurting; there is no question about it. I do not believe that the proposed solutions we are hearing about will do as much good as some believe. The so-called solutions would only rechain American agriculture to the dictatorial whims of our government.

However, the Federal Government, Congress and the executive branch, must live up to the promises of the 1996 Farm Bill or we could face a crisis. We must commit to a long-term, focused trade agenda. We need to expand our markets, enhance markets and find new markets.

It is a good bill. I hope the body will support it.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. DOOLEY).

Mr. DOOLEY of California. Mr. Speaker, I rise today in support of S. 2282 and ask my colleagues to support this important bill. This bill, which passed the Senate last week by a vote of 98 to 0, makes important changes in the 1994 Arms Export Control Act to allow India and Pakistan to continue to use U.S. guaranteed loans to import American food, fertilizer and other agriculture commodities.

The immediate beneficiaries of this legislation will be the wheat farmers in the Pacific Northwest who will be able to participate in the upcoming auction for 350,000 metric tons of white winter wheat to be sold to Pakistan.

While I support this legislation, I feel, unfortunately, that it does not go far enough, because it seems unlikely that India and Pakistan will be interested in purchasing U.S. agriculture products over a long term if we continue to prohibit the sale of other higher-value products to these countries.

While I have been listening to the remarks of some of my colleagues here, I find it difficult to see how we can rationalize that if it makes sense and it is in the interest of U.S. farmers to allow for their exportation of products to countries that are subject to sanctions, why does it not make sense for us to eliminate the sanctions on the production of any other U.S.-produced commodity or product?

Clearly, it is in the interest of U.S. workers and U.S. companies to eliminate sanctions that penalize our working men and women. That is why we need to go further, why we need to support the legislation introduced by our colleagues, the gentleman from Indiana (Mr. HAMILTON) and Mr. Sharp, that we can provide a better framework for future U.S. economic sanctions policy.

When we go beyond the sanctions, we have to move forward aggressively with our other trade issues and turn to the full funding of the International Monetary Fund, the passage of China most-favored-nation as well as the eventual passage of fast track authorization for the President.

I thank the gentleman for the opportunity to speak in support of S. 2282.

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentleman from New York for yielding me the time.

The timing on this legislation is important. S. 2282 needs to pass quickly and today. We need to resolve any differences with the Senate, and this legislation needs to be signed by the President. Not only is the timing important but Pakistan is important, 350,000 tons is up tomorrow for export tender, and our wheat farmers in Kansas as well as across the country cannot afford to lose one more market.

Price is low, as we know. Storage is a problem in Kansas. Transportation is a problem in Kansas. We need to move wheat on world markets to assist in improving the price, opening up storage and moving grain in our transportation system. It is necessary to have a boost in foreign sales, and perhaps that boost will translate into higher prices for wheat sold on the markets across this country.

This sets the stage for reducing trade barriers. It opens up the opportunity, sends a clear message to the rest of the world that we care about fighting on behalf of agriculture, and it also reminds us that sanctions do not work.

The gentleman who spoke previously is correct. We need to take the next step in regard to the Agricultural Export Act and the Sanctions Reform Act.

I urge passage of this bill quickly.

Mr. BEREUTER. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I would like to thank all the Members who have worked on this measure, particularly the gentleman from New York (Mr. GILMAN), the gentleman from Oregon (Mr. SMITH) and my colleague, the gentleman from Washington State (Mr. NETHERCUTT). Without their leadership on this issue, we would not be here today considering this important measure.

Right now, the wheat producers of Washington State are facing wheat prices that are below the cost of production. This means that they can either choose to sell for a loss or store their wheat in hopes that prices will return to a higher level. Many of these growers have been waiting around for months for the price to climb. It has not. Now is the time to act.

Unfortunately, with the test of the nuclear weapons by both India and Pakistan, the Arms Control Act Mandates certain economic sanctions. Mr. Speaker, let me be clear, I wholeheartedly condemn the escalation of the arms race between India and Pakistan. I do not believe the way to send a message is to unilaterally cut off trade of our producers. That is precisely what will happen if we do not pass this bill before us today.

It is important to note that Pakistan is a number one foreign purchaser of wheat from the northwest, over 35 percent. Without the guarantees that are offered by the credits, the Department of Agriculture, Pakistan will purchase billions of dollars of wheat from other countries such as Australia and Canada. They are not bound by these outdated laws on our books.

So I would like to emphasize the timeliness of this legislation. If we do not pass this legislation today or the Senate does not follow suit immediately, our producers will be unable to participate in the upcoming rounds of purchases by Pakistan, and we will have missed another key opportunity to help our foreign farmers.

Mr. Speaker, I just want to reiterate what has been said here today. This legislation is very, very important to our agriculture industry but particularly to the wheat industry in my State.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Dakota (Mr. POMEROY).

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

I just returned today from 3 weeks in North Dakota. I want my colleagues to understand just how desperately dire the farm situation is in my State and throughout the upper Great Plains.

We are absolutely ravaged by the twin disasters of very difficult times producing a crop and then a horribly insufficient price once you get a few bushels to market. In fact, let us focus on the price problem for purpose of the debate before us.

Price adjusted for inflation for wheat is at its lowest point in 50 years, this in the face of input costs that have gone up 71 percent since 1992. Under that new farm bill, we have done terrible damage to any functioning safety net for agriculture, as the farmers in my region are so tragically demonstrating.

That means we have to do everything possible to try and get that price up. That is why I was so pleased to join the gentleman from Washington (Mr. NETHERCUTT) in initiating the legislation that is substantially what is before us this afternoon and why we must act and must act now.

The USDA has done some brilliant work using the GSM loan program to advance wheat sales. With Pakistan representing potentially 10 percent of our wheat export market, it is vital that we do not lose a day, that we do not lose one sale by virtue of having this GSM program opportunity disrupted by application of the Arms Export Control Act.

I have read that act and I, for the life of me, do not really see why we could not have gone forward with this anyway, but the administration has ruled that we needed legislation. So let us pass the legislation and let us pass it today.

We should not continue this "hurt America first" policy which is the unfortunate aspect of applying sanctions on our agriculture exports. We need this legislation. Please join me in voting for it.

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

Mr. GILMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BEREUTER).

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

I thought I would try to set some context for why the removal of this sanction is so important. Among the things that has happened that is very much on our minds are the ramifications of the Asian financial crisis. We have seen a dramatic cutback in agriculture exports from this country to Asia. One of the reasons for that reduction, of course, is not only the absolute cutback of the imports by those Asian countries, but it also reflects the fact

that the American currency versus the Australian, the Canadian and the European currencies is now more valuable; therefore, our export commodities and processed food products are less competitive in price than they were just a few months ago.

Thus we not only have an overall reduction in the imports of agriculture commodities by these countries, we actually have American exports a bit less competitive than they were. This reduction in imports and the reduced competitiveness of our exports have had a dramatic and negative impact upon our trade. That is why this legislation, before us today is so important. We especially cannot afford to lose those Pakistani or Indian agricultural export markets at this time. There is no reason why economic sanctions should fall on the backs of the American farmer. I would imagine that it was not, the intention of the original sanction legislation.

I thank the gentleman for yielding me the time.

Mr. GILMAN. Mr. Speaker, I yield the balance of my time to the gentleman from Oregon (Mr. SMITH), distinguished chairman of our Committee on Agriculture.

Mr. SMITH of Oregon. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, having just arrived from a long airplane trip from Oregon, I can tell my colleagues that the eyes of the Pacific Northwest are upon us at this time.

The urgency, I know, has been identified here, but, for instance, Pakistan is on the verge of a purchase of some 350,000 metric tons of wheat. I am sure it has been identified that sanctions were never to include food purchases and even the unintended result was voiced by the administration when the President has introduced this and supported this kind of legislation.

So, without further ado, Mr. Speaker, we hope that we can rush this along, even move it to the other body within the hour and it can become law, a great benefit, by the way, to a great country that needs to sell wheat, the United States, and a great country, Pakistan, who, by the way, is buying wheat for half the price it paid last year. Both our benefits are met.

Mr. KOLBE. Mr. Speaker, I rise in strong support of S. 2282, the Agriculture Export Relief Act of 1998. This bill will allow our agriculture exporters to continue to sell food and fertilizer to India and Pakistan, both of whom are subject to sanctions under the Arms Export Control Act for conducting nuclear tests.

Let's be clear here. This is not an argument about either of these countries conducting nuclear tests and raising tensions in this region of the world. I deplore their unilateral decisions to conduct tests, and urge both countries to comply with the nuclear non-proliferation treaty. But, without this legislation, our farmers will be shut out of these growing export markets, unable to sell their products, and thus unable to meet their own financial obligations. This could lead to job losses and bankruptcies throughout rural America.

The sad truth is that we created this problem ourselves. We enacted a sanctions law with noble purposes—among them stopping the spread of nuclear weapons. Unfortunately, this law, like most laws imposing unilateral sanctions, didn't work. It didn't stop India and Pakistan from nuclear testing. Yet our farmers and ranchers continue to pay the price.

Unfortunately, this Congress seems to be far more willing to impose unilateral economic sanctions as the foreign policy solution to practically all of our international problems. And the fact is—they rarely work! When we pull out of a foreign market or refuse to trade with foreign countries our foreign competitors love it! U.S. products are quickly and easily replaced by foreign goods while U.S. business is forced to stand on the sidelines. And, unfortunately, unilateral sanctions rarely result in the political changes we want.

Now I am not saying that economic sanctions should never be imposed. They can be an effective tool of foreign policy, particularly when applied selectively and multilaterally. But we in Congress should remember that they are just a tool—not the ultimate solution.

I would urge my colleagues to support this bill. I also hope many of you will take a hard look at a measure introduced by myself, Representative HAMILTON and Representative CRANE—the Enhancement of Trade, Security, and Human Rights through Sanctions Reform Act. Our legislation would not stop Congress from imposing sanctions, but would require a careful analysis of sanctions' costs and benefits before they are imposed. It would provide a rational, reasoned approach to our sanctions policy to help make sure that we do not find ourselves once again in the difficult situation we are trying to fix today.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the Senate bill, S. 2282, as amended.

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

A motion to reconsider was laid on the table.

COMPREHENSIVE NATIONAL ENERGY STRATEGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I am pleased to transmit the Comprehensive National Energy Strategy (Strategy) to the Congress. This report required by section 801 of the Department of Energy Organization Act (Public Law 95–91; 42 U.S.C. 7321(b)), highlights our national energy policy. It contains specific objectives and plans for meeting five essential, common sense goals enumerated in the accompanying message from Secretary Peña.

Energy is a global commodity of strategic importance. It is also a key contributor to our economic performance, and its production and use affect the environment in many ways. Thus, affordable, adequate, and environmentally benign supplies of energy are critical to our Nation's economic, environmental, and national security.

The Strategy reflects the emergence and interconnection of three preeminent challenges in the late 1990s: how to maintain energy security in increasingly globalized energy markets; how to harness competition in energy markets both here and abroad; and how to respond to local and global environmental concerns, including the threat of climate change. The need for research and development underlies the Strategy, which incorporates recommendations of my Committee of Advisors on Science and Technology (PCAST) for improvements in energy technologies that will enable the United States to address our energy-related challenges. Advances in energy technology can strengthen our economy, reduce our vulnerability to oil shocks, lower the cost of energy to consumers, and cut emissions of air pollutants as well as greenhouse gases.

This Strategy was developed over several months in an open process. Three public hearings were held earlier this year in California, Texas, and Washington, D.C., and more than 300 public comments were received. This Strategy is not a static document; its specifics can be modified to reflect evolving conditions, while the framework provides policy guidance into the 21st century. My Administration looks forward to working with the Congress to implement the Strategy and to achieve its goals in the most effective manner possible.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 14, 1998.*

□ 1730

26TH ANNUAL REPORT ON FEDERAL ADVISORY COMMITTEES, FISCAL YEAR 1997—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. BARRETT of Nebraska) 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 Government Reform and Oversight.

To the Congress of the United States:

As provided by the Federal Advisory Committee Act (FACA), as amended (Public Law 92–463; 5 U.S.C. App. 2, 6(c)), I am submitting the *Twenty-sixth Annual Report on Federal Advisory Committees*, covering fiscal year 1997.

Consistent with my commitment to create a more responsive government, the executive branch continues to implement my policy of maintaining the number of advisory committees within the ceiling of 534 required by Executive Order 12838 of February 10, 1993. As a result, the number of discretionary advisory committees (established under general congressional authorizations) was held to 467, or 42 percent fewer than those 801 committees in existence at the beginning of my Administration.

Through the advisory committee planning process required by Executive Order 12838, the total number of advisory committees specifically mandated by statute has declined. The 391 such groups supported at the end of fiscal year 1997 represents a 4 percent decrease over the 407 in existence at the end of fiscal year 1996. Compared to the 439 advisory committees mandated by statute at the beginning of my Administration, the net total for fiscal year 1997 reflects an 11 percent decrease since 1993.

Furthermore, my Administration will assure that the total estimated costs to fund these groups in fiscal year 1998, or $43.8 million, are dedicated to support the highest priority public involvement efforts. We will continue to work with the Congress to assure that all advisory committees that are required by statute are regularly reviewed through the congressional reauthorization process and that any such new committees proposed through legislation are closely linked to national interests.

Combined savings achieved through actions taken by the executive branch to eliminate unneeded advisory committees during fiscal year 1997 were $2.7 million, including $545,000 saved through the termination of five advisory committees established under Presidential authority.

During fiscal year 1997, my Administration successfully worked with the Congress to clarify further the applicability of FACA to committees sponsored by the National Academy of Sciences (NAS) and the National Academy of Public Administration (NAPA). This initiative resulted in the enactment of the Federal Advisory Committee Act Amendments of 1997 (Public Law 105–153), which I signed into law on December 17, 1997. The Act provides for new and important means for the public and other interested stakeholders to participate in activities undertaken by committees established by the Academies in support of executive branch decisionmaking processes.

As FACA enters its second quarter-century during fiscal year 1998, it is appropriate for both the Congress and my Administration to continue examining opportunities for strengthening the Act's role in encouraging and promoting public participation. Accordingly, I am asking the Administrator of General Services to prepare a legislative proposal for my consideration that addresses an overall policy framework for leveraging the public's role in Federal decisionmaking through a wide variety of mechanisms, including advisory committees.

By jointly pursuing this goal, we can fortify what has been a uniquely American approach toward collaboration. As so aptly noted by Alexis de Tocqueville in *Democracy in America* (1835), "In democratic countries knowledge of how to combine is the mother of all other forms of knowledge; on its progress depends that of all the others." This observation strongly resonates at this moment in our history as we seek to combine policy opportunities with advances in collaboration made possible by new technologies, and an increased desire of the Nation's citizens to make meaningful contributions to their individual communities and their country.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 14, 1998.*

BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997

The SPEAKER pro tempore. Pursuant to House Resolution 442 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2183.

□ 1730

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 further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, with Mr. SHIMKUS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Friday, June 19, 1998, pending was an amendment numbered 82 by the gentleman from California (Mr. DOOLITTLE) to amendment number 13 by the gentleman from Connecticut (Mr. SHAYS). Is there further debate on the amendment?

Mr. DOOLITTLE. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. DOOLITTLE. Mr. Chairman, this is the amendment that basically protects voter guides to be distributed by groups. The Shays-Meehan bill severely chills the freedom of speech in this regard and places restrictions that will subject anybody currently distributing voter guides to second-guessing by a Federal czar, and the imposition of sanctions should the second-guessing be interpreted as a violation of the provisions of the Shays-Meehan law.

For this reason I have offered this amendment to make clear that organizations that do voter guides are exempt from the application of this law and may continue to issue their voter guides without fear of chilling their freedom of speech or of being intimidated. And the intimidation that I am talking about is the intimidation of having to spend $400,000 or $500,000 in attorneys' fees and months of disruption of schedules preparing for depositions, et cetera, for the act of exercising their right of free speech protected by our United States constitution, and which I feel the Shays-Meehan bill impinges upon. For that reason I have offered this amendment.

I have, Mr. Chairman, an illustration of a voter guide. If I may, I am going to switch positions here to bring that up and illustrate it. This is an illustration of a 1994 Christian Coalition voter guide for the Iowa Congressional district, district number 4, the district of the gentleman from Iowa (Mr. GANSKE). This is distributed, as I am sure Members know, typically in churches.

The Christian Coalition describes itself as a pro-family organization. This includes different positions on issues, from Federal income taxes, the balanced budget amendment, taxpayer funding of abortion, parental notification for abortions by minors, voluntary prayer in public schools, homosexuals in the military, promoting homosexuality to schoolchildren.

Now, the Shays-Meehan language that my amendment seeks to replace says that an organization can only do voter guides in an educational manner, and in a way that no reasonable person could conclude that that group is advocating the election or defeat of a candidate. Well, it is quite clear from the context of this voter guide, it is distributed in churches, and the Christian Coalition describes itself in a statement down here, as a pro-family citizen action organization, quote-unquote.

So when we take those words in context, then, when they rank somebody as having a position on homosexuality in the schools or on abortion, that ranking could be interpreted by the Federal czar as advocating the defeat of a candidate and, therefore, as being proscribed. My amendment just protects this voter guide.

And I have heard several supporters, or I understand several supporters of Shays-Meehan have indicated in their opinion that this type of thing could continue to be distributed. I am just

saying that based on the reading of the law as being proposed by Shays-Meehan and their supporters, it would not be allowed. That is why I am offering my amendment, to make clear that this can be allowed, so that organizations who do voter guides can characterize the positions of the candidates.

The gentleman from Texas (Mr. DELAY) is going to bring up here another one from the NAACP, and that has zeros and heroes, I believe is the characterization. I think that ought to be able to continue to be allowed. It would be proscribed under Shays-Meehan. And for that reason, I think it needs to be amended in the way that I have proposed in order to allow the unfettered discussion to occur near election time by organizations exercising their first amendment rights to comment on candidates and on elections.

And that basically, Mr. Chairman, is the purpose of my amendment.

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

Mr. Chairman, what the previous speaker was indicating with the voter guide can easily be made available under the Shays-Meehan bill. It is not a problem in getting that type of voter guide out. It easily can be done, either in the method it is, or by very minor modifications. The problem with the amendment before us is that it would allow almost anything to be sent out and would gut the protection on express advocacy in the Shays-Meehan bill. That is the reason why we must oppose it.

There is already a provision in the underlying bill that allows for voter guides. Voter guides are permitted if they present information in an educational manner solely about the voting record or position of a candidate on a campaign issue of two or more candidates, that is not made in coordination with the candidate's political party or agent of the candidate or political party. There are specific provisions in Shays-Meehan that would allow it.

The amendment before us would gut an essential provision in the bill. It would not allow voter guides, it would allow just about any type of express issue advocacy without the restrictions that are currently contained in the Shays-Meehan bill.

Mr. Chairman, what we are trying to do here is bring forward a reasonable campaign finance reform proposal that has bipartisan support, that deals with issue advocacy, that deals with soft money, that deals with some of the other problems that we all agree need to be addressed. The Shays-Meehan bill will do that. The amendment before us does not permit voter guides, the amendment before us would gut the provision that deals with issue advocacy in the underlying bill.

If there was a need to adjust the language for voter guides, let us talk about it. But that is not what this amendment would do. Voter guides are permitted under the underlying bill. This amendment is unnecessary. It jeopardizes the ability for a bipartisan bill. I urge my colleagues to reject the amendment.

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

Mr. Chairman, first I wanted to say to my colleagues that this afternoon we continue the effort to restore integrity into the campaign process. The substitute proposed before the chamber, the Meehan-Shays proposal and McCain-Feingold in the Senate, seeks to ban soft money, the unlimited sums by individuals, corporations, labor unions and other interest groups. It seeks to recognize sham issue ads as they are, campaign ads, and put them under the campaign law. It seeks to codify Beck. It seeks to improve the FEC disclosure and enforcement. It seeks to ban district-wide franking 6 months to an election. And it seeks to ban foreign money and fund-raising on government property.

We have an amendment before us right now which basically seeks to gut the second part of our proposal dealing with the sham issue ads. Now, the voter guide that the gentleman from California (Mr. DOOLITTLE) put forward is legal under Meehan-Shays. The language in our bill is clear. In printed communication the term express advocacy does not include. In other words, it is not a campaign ad, does not come under the campaign law if it is a printed communication that, one, presents information and educational matter solely about the voting record or position on a campaign issue of two or more candidates, and, two, that is not made in coordination with a candidate, political party or agent of that candidate or party, or a candidate's agent or a person who is coordinating with a candidate or a candidate's agent. That voter guide is not done in coordination. It is showing the voting record of a candidate.

What the gentleman from California seeks to do is take out the very language that I read that is in the Meehan-Shays substitute. So we need to recognize that, one, he is incorrect when he states it would not allow for the voter guide. It would. And the language is in our substitute to allow it. He, in fact, seeks to take it out.

Mr. Chairman, we have lots of amendments that are going to come before us, and it is difficult to try to describe amendments that are totally gutting of our proposal; those that, while we would recommend they not pass, would not do serious harm. There are others that would actually maybe help the bill and we would urge their being supported. This is an amendment, however well intended, that is gutting Meehan-Shays, which would then break down the coalition that exists of a majority of Congress to pass Meehan-Shays, and it needs to be defeated. It would gut the sham issue ads.

The sham issue ads are those ads that are clearly campaign ads. They are the ads that seek to have someone vote for or against an individual, and they should come under the campaign law. When they come under the campaign law, those groups can advertise and encourage someone to vote for or against, but they do it under the campaign law.

So I sincerely request this chamber and the Members who are paying attention outside this chamber to recognize that the Doolittle proposal is a gutting proposal. It would destroy the integrity of the Meehan-Shays amendment and would not do what it says it would do. And what it says it would do is the allow for the voter guides. In fact, the bill presently allows for voter guides.

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

Mr. Chairman, this Congress is on trial. With each election, big money is talking bigger and the voice of the average citizen is growing smaller.

This amendment, as has been said, is not essentially about voter guides. The caption says it is about voter guides, but it goes way beyond it. It says the term express advocacy, and we are now talking about these ads that are really campaign ads, that it shall not apply with respect to any communication which provides information or commentary on the voting record or positions on issues taken by any individual holding Federal office or any candidate for election for Federal office unless the communication contains explicit words expressly urging a vote for or against any identified candidate or political party. So this, as the gentleman from Connecticut (Mr. SHAYS) has said, guts the express advocacy provisions of this bipartisan bill.

Next, this is not a question about banning anything. The question is whether voter guides under any circumstances should fall within the regulations of Federal elections that are now in place: the limits on contributions and also disclosure.

□ 1745

So I just want to make it clear. Voting guides are permitted in terms of the Federal system under Shays-Meehan. The only contrary case would be where they clearly are a campaign document and not essentially otherwise, where the only reason they are not arguably a campaign document is because they do not say the word "elect" or "defeat," Mr. DOOLITTLE presents on the floor a voter guide. Now, if it were clearly a campaign document and it just left out the words "defeat" or "elect," I guess he would say, that is fine, unrestricted amounts without disclosure. But the point is that Coalition document would not fall within the language of Shays-Meehan placing it under Federal regulation in any event.

Now, I just want to say a word about the reference to the gentleman from Iowa (Mr. GANSKE) and tell my colleagues what this amendment is all about. Here is an ad in 1996 by the League of Conservation Voters about the gentleman from Iowa (Mr. GANSKE). I want to read it.

"It is our land, our water." This was a TV ad. "America's environment must be protected. But in just 18 months, Congressman GANSKE has voted 12 out of 12 times to weaken environmental protections. Congressman GANSKE even voted to let corporations continue releasing cancer-causing pollutants into our air. Congressman GANSKE voted for the big corporations who lobbied these bills and gave him thousands of dollars in contributions. Call Congressman GANSKE. Tell him to protect America's environment for our families, for our future."

Now, the amendment of the gentleman from California (Mr. DOOLITTLE) and the gentleman from Texas (Mr. DELAY) would essentially say that that kind of an ad could continue to be classified as a non-campaign ad without any disclosure and without any limits as to how much is spent simply because instead of saying after that clear attack on the gentleman from Iowa (Mr. GANSKE), it says, "call him, tell him." It does not say, "defeat." It says, "call him."

Now, I do not think anybody can reasonably argue that that was not a campaign ad. And what the gentleman from California (Mr. DOOLITTLE) is proposing is that we gut the provisions in this bipartisan bill so that for any amount at any point, any amount, any point, this kind of an attack ad could be continued without any Federal regulation at all as to amount or disclosure. That is why we are on trial here.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The time of the gentleman from Michigan (Mr. LEVIN) has expired.

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

Mr. LEVIN. Because if we are serious about giving every citizen a voice and it not being submerged by big, undisclosed contributions, and I do not care if it is from corporations or from the labor movement or from wherever it comes, if they want that individual citizen to continue to have a real voice in America, we cannot vote for this amendment. We simply cannot vote for it.

Now, look, there may be some question about what the Supreme Court will eventually do. It has been 20 years since their decision. A lot has happened, including the explosion of these issue ads. One Circuit says we can regulate them. Another casts doubt on that. But we will leave that up to the courts.

What we should do is do what is right in terms of our obligations. Do not hide behind your theories of the First Amendment, especially when some of my colleagues not so recently rather glibly voted to amend it. We have here a question of the future health of this democracy.

I just want to conclude by reading from a nonpartisan study, the Annenberg study; and this is what it says. "This report catalogues one of the most intriguing and thorny new practices to come into the political scene in many years, the heavy use of so-called issue advocacy advertising by parties, labor unions, trade associations, and business, ideological and single issue groups during the last campaign. This is unprecedented and represents an important change in the culture of campaigns. To the naked eye, these issue advocacy ads are often indistinguishable from ads run by candidates."

I just want to read what the executive director of the NRA said about these. And I am not talking about the substance of their ads. I have no quarrel with them in terms of whether they should be permitted or not. That is not the issue.

The CHAIRMAN pro tempore. The time of the gentleman from Michigan (Mr. LEVIN) has expired.

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

Mr. LEVIN. The question is whether they should come within the kind of regulation that now applies to ads that say "elect" or "defeat."

Here is the what the executive director of the NRA's Institute for Legislative Action said. "It is foolish to believe there is any practical difference between issue advocacy and advocacy of a political candidate. What separates issue advocacy and political advocacy is a line in the sand drawn on a windy day."

Now, look, I think Shays-Meehan protects voter guides like we presented here. If there is any question about that, let us have an amendment that relates to voter guides. Though I do not think it is necessary. But do not present an amendment that guts the entire issue advocacy provisions of this bipartisan bill.

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

Mr. Chairman, I rise in strong support of this amendment. I want to compliment the gentleman from California (Mr. DOOLITTLE) for offering it.

Certainly, if nothing else, we ought to protect the rights of individuals and groups to distribute voter guides. There is an argument here whether or not it is actually doing this. But, obviously, the Member from California feels strongly that this is necessary in order to protect this right.

There has been a lot of talk here about soft money. I just often wonder about soft money. I know something about hard money. But this business of soft money and soft money automatically being bad is something we should think seriously about. Because so often when we are talking about soft money, we are talking about the people's money, their money, their property. Sure, it is a first amendment right. But there is also a property rights issue here. When people have money, they have a right to spend it; and if they want to spend it on a voters guide, they certainly ought to be able to do this.

So I think it is a very important amendment and we should pay close attention to this to make sure that we pass this amendment. The problem with attacking big money without knowing why there is big money involved in politics I think is the problem that we face. Big money is a problem. They are spending $100 million a month to lobby us in the Congress and hundreds of millions of dollars in the campaign, but nobody ever talks about why they are doing it.

There is a tremendous incentive to send all this money up here. Unless we deal with the incentive, we cannot deal with the problem. So, so far, almost all the talk that we have heard on this campaign finance reform is dealing with the symptom. The cause is Government is too big. Government is so big there is a tremendous incentive for people to invest this money. So as long as we do not deal with that problem, we are going to see a tremendous amount of money involved.

But what is wrong with people spending their own money to come here and fight for their freedom? What if they are a right-to-life group? What if they are a pro-gun-ownership group? What if they are a pro-property-ownership group? Why should they not be able to come and spend the money like the others have?

It just seems like they have been able to become more effective here in the last few years, and it seems like now we have to clamp down on them because they have an effective way to come here and fight for some of their freedoms back again.

So I think that we are misguided when we talk only about the money and not dealing with the incentive to spend the money, and that is big government. All the rules in the world will not change these problems. We had a tremendous amount of rules and laws written since the early 1970s and all it has done is compounded our problems.

So I think openness and reporting requirements to let people know where we are getting the money, let the people decide if we are taking too much from one group. But to come down hard and attack on individual liberty and the right for people to spend their money and the right for the people to distribute voters guides, I cannot say see how that is going to solve any problems. I mean, what are we doing here? I think it is total foolishness.

So I strongly endorse this amendment, and let us hope we can pass this amendment.

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

Mr. PAUL. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Chairman, may I inquire as to how much time is remaining?

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. PAUL) has 2 minutes remaining.

Mr. DOOLITTLE. I would like the gentleman from Michigan (Mr. LEVIN) or the gentleman from Connecticut (Mr. SHAYS) or someone from the side of the proponents of Shays-Meehan to explain to me why, in their opinion, the 1994 Christian Coalition voters guide is approved under Shays-Meehan. They say that so clearly, but it is quite clear to me that there is nothing clear about Shays-Meehan. I would like to have them specifically address themselves, instead of making the assertion and moving on, if they would please specifically address that illustration down there, which let us have it brought up in front of the House here, and explain to me why they think that that is protected.

If I were satisfied that that were protected by Shays-Meehan, I probably would not offer this amendment.

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

Mr. PAUL. I yield to the gentleman from California.

Mr. CAMPBELL. I would like to take up the challenge offered.

If we take a look at the voter guide, the standards under Shays-Meehan are met. The voter guide is not express advocacy if it presents information in an educational manner solely about the voting record or position on a campaign issue with two or more candidates. It does. There are two candidates there, and it presents simply their positions on the issues.

Two, that it is not made in coordination with a candidate, political party, or agent of that candidate. We do not know if this was or not. But, obviously, there is nothing I can tell from the four corners of the document that it was.

And, lastly, that it not contain a phrase such as "vote for," "reelect," "support," or "cast a ballot for." And I again look to the document, and it has none of those words in it.

I rest my case.

The CHAIRMAN pro tempore. The time of the gentleman from Texas (Mr. PAUL) has expired.

(By unanimous consent, Mr. PAUL was allowed to proceed for 3 additional minutes.)

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

Mr. PAUL. I yield to the gentleman from Texas.

Mr. DELAY. The gentleman from California (Mr. CAMPBELL) fails to continue reading the language that concerns us the most. And the language says, it does not contain words that in context can have no reasonable meaning other than to urge the election or defeat of one or more cleared identified candidates.

This is where the rift is, where reasonable meaning. And we say that big government gets to decide, according to the language of the gentleman from California, what "reasonable meaning" is. And if I pass this out in a church, my opposition could very well say that, under reasonable understanding, that they are trying to sway the people in that church with this voter guide towards the gentleman from Iowa (Mr. GANSKE) on this voter guide. Therefore, they would have to come under Federal regulations.

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

Mr. PAUL. I yield to the gentleman from California.

Mr. DOOLITTLE. I would like to answer the gentleman from California (Mr. CAMPBELL) as well.

The gentleman from Texas (Mr. DELAY) is quite correct, He conveniently left out that key phrase.

I want to note that one of those points says promoting homosexuality to school children. And then down below in the real fine print, which no one can read from here, the Christian Coalition is described as a pro-family action organization, I believe is the phrase.

In context, I believe a reasonable person could conclude that a pro-family action organization does not think it is a good idea to promote homosexuality to schoolchildren and, therefore, that would fall under Shays-Meehan as being held to be applicable to their law and, therefore, would be banned.

I would like the gentleman from California (Mr. CAMPBELL) to explain to me his interpretation.

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

Mr. PAUL. I yield to the gentleman from California.

Mr. CAMPBELL. The phraseology in Shays-Meehan refers to the words, the phrases, the slogan, that in context can have no reasonable meaning other than to urge the election or defeat of one or more clearly identified candidates.

The example we have before us does not give any statement regarding whether it is a good position or a bad position to be in support or in opposition to any of the listed subject matters. Accordingly, it passes the test under Shays-Meehan.

More fundamentally, the language that the gentleman from California would put in instead of the narrowly tailored voter guide exception of Shays-Meehan says that any communication that makes a comment on any position on an issue, even by a single candidate, qualifies as a voter guide. It does not have to refer to a voting record, it can refer only to a position taken, and he extends it to the phrase "commentary."

□ 1800

Accordingly it is a Mack truck kind of exception. Virtually anything could be called a "voter guide."

The CHAIRMAN pro tempore (Mr. SHIMKUS). The time of the gentleman from Texas (Mr. PAUL) has expired.

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

Mr. PAUL. Mr. Chairman, I yield to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I listened to the gentleman's explanation. The phrase in this bill that he supports says that words in context have no reasonable meaning other than to urge the election or defeat. I would submit to my colleague that the words "office of promoting homosexuality in schools" where one candidate opposes it and one supports it, those words in conjunction with the Christian Coalition card, which in context is being distributed in churches and the card or the word says it is a Christian action organization, those would be deemed, or could be deemed, to constitute the context advocating the election of the gentleman from Iowa (Mr. GANSKE) and the defeat of his opponent.

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

Mr. PAUL. I yield to the gentleman from Iowa.

Mr. GANSKE. Mr. Chairman, I appreciate the gentleman yielding, particularly since I was back in my office, and all of a sudden I saw my campaign reenacted on the floor here.

I oppose the Doolittle amendment. If I thought that the Shays-Meehan language would prohibit a voter guide like this one, I would not support the Shays-Meehan language. But when I read the Shays-Meehan language, it seems to me clear that this type of voter guide is okay; I mean, presents information in an educational manner about a voting record or a position on a campaign of two or more issues, and in terms of this particular item here, it refers to a vote that was made here.

Mr. PAUL. Mr. Chairman, I reclaim my time, and I yield to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Chairman, I just want to say, if that is the case for the gentleman from Iowa, then he ought to support Doolittle because Doolittle is very clear. In fact it uses Supreme Court language as his amendment that says that we can do voter guides unless we specifically advocate the election or defeat of a candidate.

There is no in-between, and Shays-Meehan is very ambiguous.

The CHAIRMAN pro tempore. The time of the gentleman from Texas (Mr. PAUL) has expired.

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

I think, Mr. Chairman, the evidence here is quite clear that the language does, in fact, in the Shays-Meehan bill, does allow this particular voter guide. That is why the amendment needs to be defeated.

There has been some arguments here that voter guides are unallowable. I think the evidence is overwhelming that the language does not say at all that they are not allowable. In fact, I would say that the gentleman from California (Mr. DOOLITTLE) was reading from the wrong section. The section says: expressly unmistakable and unambiguous support for our opposition; 2, one or more clearly identified candidates when taken as a whole and with limited reference to external events such as proximity to an election.

So it is overwhelmingly clear that this particular provision is nothing more than a smokescreen to try to defeat our bill.

Mr. GANSKE. Mr. Chairman, would the gentleman yield?

Mr. MEEHAN. I yield to the gentleman from Iowa.

Mr. GANSKE. Mr. Chairman, I think it is important that we pass legislation that deals with issue advocacy.

Once again, while I was watching from my office, I saw or heard about a campaign ad that was run against me in 1996. The text of the act reads:

It's Orlando water. America's environment must be protected, but in just 18 months Congressman Ganske voted 12 times out of 12 to weaken environmental protections. He even voted to let corporations continue releasing cancer-causing pollutants in our air. Congressman Ganske voted for big corporations who lobbied these bills, gave them thousands of dollars in contributions. Call and tell him to protect bla bla bla.

That is clearly an issue ad. It is the type of ad that we need to get after in terms of this legislation. There is a great big difference between that type of issue ad and a voter registration, a voter guide, that is put out either by this organization or any other number of organizations, and I think that we should defeat the Doolittle bill.

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

Mr. MEEHAN. I yield to the gentleman from Michigan.

Mr. LEVIN. Mr. Chairman, I applaud the gentleman from Iowa (Mr. GANSKE) for going back to his election. He won it, so it is a little easier than if he had lost it. But he is a Republican, I am a Democrat, but the last thing I would deny is that that ad that was run against him was a campaign ad.

I tried an ad like this out on a group of students. Every single one was amazed that anybody would call that anything but a campaign ad. Every single one, they could not believe that is the way we function in this democracy. And what the Doolittle amendment does is say it refers to voting records, but, as been said before by the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS), the sponsors, and by the gentleman from California (Mr. CAMPBELL), this amendment goes miles beyond voting records or voting guides. It says any communication on any position on any issue taken by a candidate.

My colleague is trying to gut the issue advocacy provisions and essentially leave defenseless, if he does not or she does not have a lot of money to respond, an ad like was tried against the gentleman from Iowa (Mr. GANSKE), and there was no need for the person or the group that presented it to indicate who they were.

Mr. MEEHAN. Reclaiming my time, let me just give an example of what we are trying to provide, why we want to have this provision in. This is what the amendment would allow people to not have to disclose, where money comes from. This is what we are protecting. This is a Senate candidate.

Senate candidate Winston Bryant's budget as Attorney General has increased by 71 percent. Bryant has taken taxpayer funded junkets to the Virgin Islands, Alaska and Arizona. And spent about $100,000 on new furniture. Unfortunately, as the state's top law enforcement official, he's never opposed the parole of any convicted criminal, even rapists and murderers. And almost 4,000 Arkansas prisoners have been sent back to prison for crimes committed while they were out on parole. Winston Bryant: government waste, political junkets, soft on crime. Call Winston Bryant and tell him to give the money back.

Now should not the person who had that ad and the organization at a minimum have to disclose where that money comes from? And is it not reasonable to assume that the intent of that particular advertisement was to influence that election? Of course. The only thing that we are looking to do in this legislation: when somebody wants to spend millions of dollars in races clear across this country and have that type of a negative ad, at a minimum, at a minimum, the American public has a right to know where the money came from.

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

Mr. Chairman, as my colleagues know, it may seem odd that I would be standing up here supporting the Doolittle bill because I can tell my colleagues this Congressman, as a candidate, had millions and millions of dollars of negative campaign ads targeted against her. The very ad that ran against the gentleman from Iowa (Mr. GANSKE) ran in my district, and I am very opposed to that kind of campaigning. It is despicable.

But the way to get at it is not through more confused and confusing rules and regulations, not through a bureaucracy, but through a full disclosure, which the Doolittle bill requires. The bill that I am an original cosponsor on requires full disclosure, and then it leaves it up to the voters to be able to make that determination as to what is truthful and what is correct, as they did in the gentleman from Iowa (Mr. GANSKE's) campaign and as they did in mine. I probably had more dollars, millions and millions of dollars, targeted at me from these very kinds of groups with those kinds of ads than any other congressional candidate in the Nation. And yet the voters in Idaho decided to cut to the chase and get to the bottom line. What my voters in Idaho did not have was who was really paying for those ads, and the Doolittle bill requires full disclosure because then it takes it out of the hands of the bureaucracy and puts it in the hands of the voters to make the final decision.

But if we are really going to cut to the chase, my colleagues, let us really define what this whole debate is about. It is about free speech. And even though I had a very uncomfortable campaign; I mean it was a carpet bombing, and it was mean, and it was vicious, and I did not like it at all, nevertheless, as a Congressman, my first responsibility is to protect the Constitution and free speech, and let me show you what this debate is really all about.

In Time Magazine, February 1997, what the minority leader said is what we have is two important values in direct conflict: freedom of speech and our desire for healthy campaigns in a healthy democracy. We cannot have both. Well, maybe in their narrow scope of regulate and rule and rule and regulate we cannot have both, but in a country of free people where the people make the decisions, of course we can have both, and that is what we must defend and protect.

The Washington Times really said it best in their June 5 editorial. They said if Congress wants to clean up the mess of money and politics, it should do so by encouraging free speech, free discussion and free debate. And that is the basis of good political activity in the United States of America.

Now the Doolittle amendment protects voter education guides and score cards, and we need to protect that very vital free speech. The Shays-Meehan substitute cuts to the very core of free speech that our Constitution so vigorously protects. It restricts the ability of organizations to engage in the freedom to educate the voters in this country. Whether we like it or not, we should protect free speech first. Not only does this prevent opportunities for the electorate to become more informed, but it violates the free-speech rights of all organizations, and organizations who are opposing a Helen Chenoweth as well as my opponent or anyone else still should have their free

speech rights protected vigorously by this body.

But the Shays-Meehan language also dictates a narrow set of speech specifications under which elected officials would deign to allow citizens groups to disseminate their voting records, specifications that would effectively ban the score cards that we saw here before, Mr. Chairman, and voter guides typically distributed by issue-oriented groups, and do we want to restrict the rights of groups or individuals to place ads in the Washington Post or the New York Times expressing their support or opposition to a piece of legislation? The Shays-Meehan substitute would restrict these sorts of actions regardless of whether the communication is express advocacy. This is a blatant violation of the first amendment, and I really do strongly support the Doolittle amendment.

Mr. Chairman, Congress should not find ways to restrict speech or limit the information available to our voters. Instead we should be promoting free speech and encouraging an educated electorate. We are responsible for that.

The CHAIRMAN pro tempore The time of the gentlewoman from Idaho (Mrs. CHENOWETH) has expired.

(On request of Mr. WHITFIELD, and by unanimous consent, Mrs. CHENOWETH was allowed to proceed for 2 additional minutes.)

Mrs. CHENOWETH. What are we afraid of?

As my colleagues know, I trust the American people to make the right decision when they are well-informed. I have faith in my fellow citizens, and I urge my colleagues to vote for the Doolittle amendment. Do not restrict political participation by American citizens, do not restrict the fundamental rights to free speech, and do not destroy the most vital tool we have to maintain our representative government.

Mr. Chairman, I yield to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, I think many of us feel the way the gentlewoman feels, that many of us had ads run against us in the last campaign that we did not like.

□ 1815

But we do believe that is the right of organizations to do that. I was just curious, what were some of the organizations that ran ads against the gentlewoman in her last election?

Mrs. CHENOWETH. Mr. Chairman, reclaiming my time, the organizations that I know about are the national labor organizations and national environmental organizations who tried to do the same thing that they did to the gentleman from Iowa (Mr. GANSKE) by distorting the record. I believe we should have truth in advertising in everything that is put across the airwaves, but the Shays-Meehan bill does not address that. So we need to leave it to the voters and their great discretion.

MODIFICATION TO AMENDMENT NO. 82 OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, I ask unanimous consent to modify my amendment.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 82 offered by Mr. DOOLITTLE:

The amendment is modified as follows:

In section 301(20)(B) of the Federal Election Campaign Act of 1971, as proposed to be inserted by the amendment, insert after "any communication" the following: "which is in printed form or posted on the Internet and".

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

Mr. SHAYS. Mr. Chairman, reserving the right to object, will the gentleman explain the purpose of this proposed modification?

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

Mr. SHAYS. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Chairman, it was my intent when we offered this to have it drafted in such a way as to protect the printed material or material on the Internet. It really was not my intent to go beyond that. The wording of the amendment arguably does go beyond that, so I offer this modification to conform the written language of what my intent clearly was.

Mr. SHAYS. Mr. Chairman, I withdraw my reservation of objection.

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

Mr. CAMPBELL. Mr. Chairman, reserving the right to object, I believe that every author of an amendment ought to have the right to put it in the way that he or she thinks is best, so I will not object. But my reason for reserving the right to object was to ask the gentleman from California, if he is going back and amending his amendment, the gentleman might recall the discussion that we had before the break, where I thought that inadvertently the gentleman had gone out and excluded, struck from the bill, the provision against coordination.

Truly, in the interest of just giving the gentleman the best shot at his amendment, if the gentleman is going to go back and amend his amendment, all it would take to get rid of that issue entirely would be to say that the gentleman is striking section 301(20)(B)(1) instead of (301)(20)(B), if one reads what I am saying.

I offer this merely from the point of view of helping. If my colleague and friend from California does not wish my assistance, then I have nothing further to add and would withdraw my objection to his unanimous consent request.

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

Mr. CAMPBELL. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Chairman, in drafting the original amendment, which we are now seeking to modify, although we strike out the coordination language in this subsection B, I would just reference the gentleman from California (Mr. CAMPBELL) to the overall section 206, which deals with coordination of the candidates. Since that deals with providing anything of value, it was our experts' belief that that would still apply, and, therefore, it was not necessary to do it in the way the gentleman is suggesting.

Mr. CAMPBELL. Mr. Chairman, further reserving the right to object, I offer this in a friendly way. If the gentleman said strike section 301(20)(B)(1), instead of all of 301(20)(B), you would remove all ambiguity. If, however, it is the gentleman's choice, then so be it.

I think the gentleman does create a dangerous legislative history, which is that the bill presently says you may not coordinate an expenditure. The gentleman's amendment strikes the phrase saying you may not coordinate an expenditure and puts in something silent on coordinating an expenditure, and that degree of history is dangerous.

Mr. Chairman, I withdraw my reservation of objection.

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

Mr. SHAYS. Mr. Chairman, reserving the right to object, I just wanted, one, to know the intent of my colleague, and also to say as a general principle, I think that anyone who offers an amendment should have the right to perfect it as they choose, so I really want to adhere to the concept that the gentleman from California (Mr. CAMPBELL) already expressed.

Mr. Chairman, I withdraw my reservation of objection, if this is the purpose of the gentleman.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, my purpose for rising was to engage my friend from California in a discussion, if he would wish, and I will reserve at least the requisite number of 2 minutes for that.

Here is the main point: The Shays-Meehan bill itself does not prohibit voter guides. It would not reach them in its own words. What it does deal with is whether they can be funded by soft money or whether, if you are going

to run an ad that really is a campaign ad, it ought to be under the same rules as a campaign ad: Namely, you have got to raise the money under the rules of disclosure and maximum contribution limits of the Federal Election Act. That is all that Shays-Meehan does.

To make it absolutely clear though, Shays-Meehan then puts in a provision saying we exempt from the definition of express advocacy, which would require that only hard money be used, the following kind of notification. Where it discusses a voting record, deals with more than one candidate, and it is in a context that is not clearly devoted to advocating voting for or against somebody. So if one takes a look at the bill, there is an exclusion in its construction for what is a voter guide, and there is, in addition, then an explicit exclusion for a voter guide.

My good friend and colleague, the gentleman from California (Mr. DOOLITTLE), proposes an alternative. As you just heard, I was anxious that the gentleman try to clarify his alternative further. Instead, however, we still have the draft that the gentleman presented us with which removes the language that a true independent voter guide not be coordinated with an individual candidate. So the legislative history, if the gentleman's amendment passes, will be quite clear, that preparers of a voter guide can indeed go ahead and coordinate with the candidate favored in such a guide.

That is just the first problem with this amendment. Here are the remaining problems.

The Doolittle amendment creates a loophole for "any communication in printed form, or printed on the Internet, which provides . . . commentary on . . . positions on issues taken by . . . any candidate for election for Federal office." I am going through and taking all of the "or" clauses and taking just one of the options at each "or" clause.

So, as a result, the exception supposedly for voting records now covers any communication providing any commentary on positions on issues taken by any candidate.

I submit to Members that campaign ads of the most garden variety fit this definition. Such an ad will "provide commentary," and, if it does not refer to an issue taken by the individual, it would be an amazing piece of literature: Vote against this person because we do not like the way he looks; vote against this person, because of what? All that needs to be, in order for this loophole to apply, is to be a communication offering a commentary on a candidate's position on an issue.

Now I would like to ask a hypothetical. The poor gentleman from Iowa (Mr. GANSKE), our good friend and colleague, does not deserve to have his campaign ad brought up once more, but so be it. Neal Smith was his opponent, and that voter guide said "Here is where Greg Ganske is on the issues and here is where Neal Smith is on the issues."

Suppose that the group in question, the Christian Coalition, put out a notification 1 week before the election, and all it said was, "Neal Smith is a terrible Congressman because he opposes voluntary school prayer."

I believe that would fit through your loophole, and I would yield to the gentleman from California to answer this question if he would care to. The ad I just read, "Neal Smith is a terrible Congressman because he opposes voluntary school prayer," would that fit within your supposed "voter guide" exception?

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

Mr. CAMPBELL. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Chairman, I am not satisfied with the gentleman's response to me on the voter guide, why he thinks that is permitted by Shays-Meehan. Now the gentleman is asking me to comment upon his hypothetical.

Mr. CAMPBELL. Mr. Chairman, reclaiming my time, it is my time. I yield to my friend to answer if he chooses. If he chooses not, I am also happy.

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

Mr. CAMPBELL. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, it is amazing to me that the gentleman would want to stop an American citizen from putting out anything that they wanted to have the opportunity to say, that Neal Smith is a terrible Congressman. I am not advocating defeat or anything.

Mr. CAMPBELL. Mr. Chairman, reclaiming my time, if the Whip would stay in the well, I would like to engage him; it just has to be a colloquy, not just one way.

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

(On request of Mr. DELAY, and by unanimous consent, Mr. CAMPBELL was allowed to proceed for 2 additional minutes.)

Mr. CAMPBELL. Mr. Chairman, the provision here is not that an ad shall be prohibited. The question here is whether soft money shall be allowed to pay for it. And a loophole designed for a voter guide——

Mr. DELAY. Mr. Chairman, if the gentleman will yield further on that point right there, the gentleman interrupted me, let me interrupt the gentleman on a point, because the gentleman claims it is soft money. No, it is money raised by Americans who want to participate in the political process and express themselves about positions or votes taken by Members of Congress or people wanting to be Members of Congress that the gentleman is trying to prohibit.

Mr. CAMPBELL. Mr. Chairman, reclaiming my time, I think the Whip puts it quite well. It is a debate on this issue. But let us call it that. Shall we have limits to how much money potentially can corrupt our campaign system or not?

A very legitimate different point of view from mine, but a very legitimate point of view, says no, let us not have any limits on campaign finance. That is actually the view I think espoused by the distinguished Whip.

But it is contrary to the whole idea of campaign finance reform. If we are for limiting the potentially corrupting influence of money, as we have in the law now, by a $1,000 maximum, then we should not create a loophole so huge as to permit the example that I gave to my friend from California, as I gave to my distinguished colleague and friend, the Whip from Texas. I yield back the balance of my time, unless my colleague wishes to answer my hypothetical.

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

Mr. CAMPBELL. I yield to the gentleman from California.

Mr. BILBRAY. Mr. Chairman, I think the distinguished Whip has articulated his position quite clearly. I think that, Mr. Chairman, there is a disagreement about how this process should work. I do not think money may absolutely corrupt, but it does influence, and there are those of us that feel we should limit that influence and those who feel we should not.

This, obviously, is an issue of a huge loophole and just how much resources are able to be funneled into a campaign process. I understand the gentleman who is introducing this amendment's position, because he feels that there should not be any limits, and I respect that.

But if we are going to have limits, and if we are going to enforce those limits, then we cannot have a huge loophole that allows groups to come in and circumvent the entire premise that there should be a limit on money's ability to influence elections, and maybe this amendment's whole concept is to create such a loophole, that it destroys the entire enforceability of the limit concept.

I appreciate the gentleman from California's position and the fact that we do not want to create a loophole.

Mr. THOMAS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WICKER) having assumed the chair, Mr. SHIMKUS, 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. 2183) to amend the

Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, had come to no resolution thereon.

REQUEST TO LIMIT FURTHER DEBATE AND AMENDMENTS ON THIS DAY TO SHAYS AMENDMENT IN THE NATURE OF A SUBSTITUTE DURING FURTHER CONSIDERATION OF H.R. 2183, BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2183 on this day, pursuant to H. Res. 442 and H. Res. 485, the pending amendment which we have been discussing by the gentleman from California (Mr. DOOLITTLE) to the amendment in the nature of a substitute by the gentleman from Connecticut (Mr. SHAYS) be debatable for 30 minutes, equally divided and controlled by the proponent and an opponent. No other amendment to the amendment by the gentleman from Connecticut (Mr. SHAYS) shall be in order on this day, except the amendments that have been placed at the desk, which are as follows:

The amendment by the gentleman from Mississippi (Mr. WICKER); the amendment by the gentleman from New York (Mr. FOSSELLA); the amendment by the gentleman from Florida (Mr. STEARNS); the amendment by the gentleman from Mississippi (Mr. PICKERING); and the amendment by the gentleman from Texas (Mr. DELAY).

□ 1830

On this day, each amendment may be considered only in the order listed and may be offered only by the Member designated, or his designee, shall be considered as read, and shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

Mr. MEEHAN. Mr. Speaker, reserving the right to object.

The SPEAKER pro tempore (Mr. WICKER). Is there objection to dispensing with the reading of the amendments only?

Mr. MEEHAN. Mr. Speaker, reserving the right to object, we have been talking, at least before we left for the 2-week break, we were talking about a unanimous consent agreement on campaign finance reform. We had talked about a comprehensive agreement, an agreement that would result in us being able to complete campaign finance reform by the August recess on August 7; and, to that end, many of us met today and we had talked about agreeing to a unanimous consent agreement and making part of the unanimous consent agreement the fact that we would take up in August, the week of August 3 through 7, all of the substitutes that had been made in order, have an hour of debate for each of those, and then vote up or down on those substitutes.

I think, Mr. Speaker, if we look at how long it has taken us to get to this point in time and if we consider the fact that, under the rule, we could literally have 250 to 260 amendments, that it makes sense for us to try to come to an agreement on a comprehensive unanimous consent agreement that would result in not only discussing those amendments that we need to discuss but also a definite, definitive time and date, that is August 3 through 7, where we would vote on each of the substitutes.

So that is the unanimous consent agreement that I was hoping that we could get.

I know that the gentleman from California (Mr. THOMAS) had proposed limiting to 34 different amendments before we left. Now that we have a unanimous consent agreement for just one evening, I would point out that they are all Republican amendments, and two of the amendments, the Stearns and the Fossella amendment, are nearly identical or are at least pretty similar.

So it does not seem to make any sense to agree to a unanimous consent agreement for one day when, in fact, what we need here is some kind of a commitment and some kind of an agreement in writing that we can have a vote on the substitutes that have been offered here and have that vote before the August recess. I do not think I have to tell my colleagues how long this process has been ongoing over a period of the last several years.

Mr. DELAY. Regular order, Mr. Speaker.

The SPEAKER pro tempore. Regular order would be the reading of the amendments.

Does the gentleman from Massachusetts object to the reading of the amendments?

Mr. MEEHAN. Mr. Speaker, I object to the reading of the amendments. I object to the original request.

Mr. DELAY. Mr. Speaker, reserving the right to object.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. MEEHAN. Mr. Speaker, I objected.

The SPEAKER pro tempore. Does the gentleman from Massachusetts object to the original unanimous consent request also?

Mr. MEEHAN. Yes, Mr. Speaker, I do.

The SPEAKER pro tempore. Objection is heard.

DESIGNATION OF HON. GEORGE R. NETHERCUTT, JR., TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS ON THIS DAY

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

WASHINGTON, DC,
July 14, 1998.

I hereby designate the Honorable GEORGE R. NETHERCUTT, Jr. to act as Speaker pro tempore to sign enrolled bills and joint resolutions on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the designation is agreed to.

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4104, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1999

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 105–622) on the resolution (H. Res. 498) providing for consideration of the bill (H.R. 4104) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3682, CHILD CUSTODY PROTECTION ACT

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 105–623) on the resolution (H. Res. 499) providing for consideration of the bill (H.R. 3682) to amend title 18, United States Code, to prohibit taking minors across State lines to avoid laws requiring the involvement of parents in abortion decisions, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3267, SONNY BONO MEMORIAL SALTON SEA RECLAMATION ACT

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 105–624) on the resolution (H. Res. 500) providing for the consideration of the bill (H.R. 3267) to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a feasibility

study and construct a project to reclaim the Salton Sea, which was referred to the House Calendar and ordered to be printed.

BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997

The SPEAKER pro tempore (Mr. WICKER). Pursuant to House Resolution 442 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2183.

□ 1836

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 further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, with Mr. SHIMKUS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, pending was Amendment No. 82 by the gentleman from California (Mr. DOOLITTLE) to Amendment No. 13 by the gentleman from Connecticut (Mr. SHAYS).

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

Mr. Chairman, I asked to rise into the House so that I could propound a unanimous consent request. However, a point of order was reserved and a speech was then made and then objection was heard. Unfortunately, I was not able during that monologue to explain why I offered the unanimous consent, so I am doing so now.

The majority leader has committed that the campaign finance debate will end prior to the August recess. That coincides with the gentleman from Massachusetts' specified dates of somewhere between August 3 and August 7. His complaint was that we do not have a complete agreement in which they have structured it and they have signed off on it.

What I am trying to do as the manager of a bill, if I cannot meet the entire structural agreement, I thought that it would be appropriate to move us along, to at least begin to structure it day by day. What I offered was a structure for today.

Contained within that unanimous consent was a desire to continue to debate this particular amendment by the gentleman from California (Mr. DOOLITTLE) to the substitute by the gentleman from Connecticut (Mr. SHAYS) for 30 minutes. We have consumed far more than 30 minutes prior to my unanimous consent being propounded. I am quite sure we are going to consume far more than an additional 30 minutes.

So I have some difficulty in understanding the argument from the other side in which they continue to make a point without listening.

The majority leader has said, we will finish this debate prior to the August recess. It would seem to me that it would behoove all of us who want to have an orderly process, give a fair opportunity for as many people who wish to enter into the debate as possible, to structure it. What we got was an objection from the other side because we could not structure from today until August. What I was offering was a structure for today. But, clearly, that was objected to.

So if we cannot do it day by day, we must propound something that is going to extend over a long period of time. It just baffles me that the debate that goes on is that we want to move through this in an orderly fashion, but then they object to an orderly fashion being offered for today. If the complaint is it is not everything, why would they object to today? If we can get order for today, maybe we can get order for tomorrow. If we can get order for tomorrow, maybe, working together, we can get order for the entire period.

But they seem to want to make the argument that they want to move forward; and when we try to propose an opportunity to agree to move forward, they object. That was the reason I tried to offer it, to move us forward under an orderly time frame. I am just sorry that they are more interested in the point of debate rather than the substance of moving forward.

Mr. MEEHAN. Mr. Chairman, I ask unanimous consent to speak for 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

Mr. THOMAS. Mr. Chairman, reserving the right to object. Does the gentleman now, after refusing to set a structure for orderly debate——

Mr. MEEHAN. Mr. Chairman, I withdraw my unanimous consent request.

Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. MEEHAN. Mr. Chairman, what we are looking to do here is try to find an agreement that gets us to a vote. Nobody rationally believes, given the UC agreement that we got on campaign finance reform before we left, that 25 hours of debate on this UC agreement, in order for us to have any chance at all of getting a vote by August, we would have to have at least three-fifths, four-fifths of the amendments that have been proposed withdrawn.

So I will be glad to work all evening to try to find a way to reach an agreement that results in a definite vote, a vote that would take place sometime in the week, the last week we are here, the 3rd through the 7th of August.

And I appreciate the gentleman from California's work on this. I would love to work with him further to get an agreement, but to propose four amendments for tonight, given the fact that campaign finance reform is not even scheduled for the rest of the week and is scheduled for possibly 1 day next week and there is only 2 weeks left after that. So no reasonable, rational person really thinks that we are going to get through 250 amendments by August 7.

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

Today I rise in strong opposition to the Doolittle amendment. I think, if we really ask ourselves honestly, if we are indeed committed to enacting campaign finance reform, we have to do so in a manner which addresses the greatest loophole which we are currently facing, and that loophole is the one which allows for unlimited amount of funding of issue advocacy ads.

Mr. Chairman, it is somewhat remarkable to me that we have spent a lot of time this year with congressional investigations into what have been perceived as illegal campaign violations. But the sad fact of it is is that one of the greatest problems we face is with legal problems with our campaign system. When we have a system in place that can allow for unlimited sums of money to come in to influence an outcome of an election, unlimited sums of money that can come in without any requirement that the people that are contributing that money be identified, we have a serious problem.

What Shays-Meehan does, it clearly ensures that everybody that contributes to a campaign or to an effort in order to influence the outcome is that we ask them to be identified. We are not saying that we are going to restrict anybody's right of speech. We are saying that everyone has the right to participate; everyone has the right to express their feelings and their concerns about an issue and about a candidate.

But what we are saying also is that the voters of any district, the voters of this country also have a right to know who is trying to influence those elections. And what the Doolittle amendment clearly does, it would undermine that. It would once again allow this loophole to continue, because it would allow printed material and campaign fliers to be mailed out to every household with what could be misleading information about a candidate's position.

And those could be funded by anyone. They could be funded by foreign interests. They could be funded by a criminal interest, and there is no way for the voters of that district and the family in the household in which that

mailer went into to know who was behind those and who was trying to influence the outcome. That is the problem.

That is why, in order for us to have any legitimate campaign finance reform, we have to continue to be strong and vigilant in ensuring that people who try to influence the outcome have to disclose who the contributors are.

I would identify just this one chart that I have here. It is somewhat, it seems to me, just inequitable that a person who makes a contribution to my campaign or anyone else's, who contributes in excess of $200, has to include their name, their address, their employer, their occupation, the date of the contribution, the aggregate amount of the contributions that I have received.

□ 1845

But someone who contributes up to $250,000, maybe $1 million, and funnels that through an issue advocacy campaign effort, they are not required to identify themselves. They are not required to identify their address or their employer, even the country they might be coming from.

Mr. Chairman, the American people understand that they want control of their elections. That is what we are trying to achieve here. The only way we will be able to achieve that is by closing the issue advocacy loophole. Doolittle tries to open the barn doors wide open once again, and that clearly is not in the interests of the American people and the interests of having fair elections.

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

Mr. DOOLEY of California. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, I appreciate the gentleman's point, but what we are doing is here is debating the Doolittle amendment.

I would ask the gentleman, is he for or against the Christian Coalition, the NAACP, or others to be able to offer those kinds of voter guides we have put up as examples?

Mr. DOOLEY of California. Mr. Chairman, I clearly support that right, and the Shays-Meehan legislation is carefully crafted to ensure that voter guides will be able to continue to be published.

Mr. DELAY. If the gentleman will yield further, what about the language in Shays-Meehan that says or offers the opportunity to regulate voter guides when it says that, in context, it can have no reasonable meaning other than to urge the election or defeat of one or more clearly-identified candidates? Is that not a huge loophole that would prohibit the Christian Coalition from offering those kinds of voter guides, say in the gentleman's church?

Mr. DOOLEY of California. Mr. Chairman, as the authors of this legislation have clearly stated, the clear intention of the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) was not to infringe in any way on the ability of the Christian Coalition, the Sierra Club, or anyone else who wants to provide information to the voters which is clearly designed to identify the source.

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

Mr. DOOLEY of California. I yield to the gentleman from Massachusetts.

Mr. MEEHAN. Mr. Chairman, interestingly enough, the language in here that is the appropriate language is "expressly unmistakable and unambiguous support for or opposition to one or more clearly identified candidates when taken as a whole and with limited reference to the external events, such as proximity to an election."

So this is not something that is a reasonable person's standard at all. In fact this is "expressly, unmistakable, unambiguous."

Mr. DOOLEY of California. Reclaiming my time, the issue here is very simple: Do we think that the voters of this country have the right to know who is trying to influence them?

The CHAIRMAN pro tempore. The time of the gentleman from California (Mr. DOOLEY) has expired.

(On request of Mr. MEEHAN, and by unanimous consent, Mr. DOOLEY of California was allowed to proceed for 1 additional minute.)

Mr. DOOLEY of California. Mr. Chairman, the issue is clear, do we believe as a Congress that the voters of the United States have the right to know who is trying to influence the outcome of an election? Unless we close the issue advocacy loophole, we are not giving the voters that right. We would certainly be doing an injustice to the American people in our efforts to reform campaign law if we do not close the issue advocacy loophole.

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

Mr. DOOLEY of California. I yield to the gentleman from Kentucky.

Mr. WHITFIELD. Mr. Chairman, the gentleman has been discussing our right to know, and on any ad run on television or on the radio there is a disclaimer required, so the gentleman knows the organization that is paying for the ad.

Mr. DOOLEY of California. Let me give the gentleman a real, live example, if I could respond, with an independent expenditure that was issue advocacy on the Coalition for our Children's Future.

They have a board of directors that was in place, and had an executive director that was approached by a party who asked them whether or not they would agree to give blank checks that were signed to a third party, and would also sign an oath of secrecy that they would not disclose the identity of the person that was trying to influence the outcome.

The CHAIRMAN pro tempore. The time of the gentleman from California (Mr. DOOLEY) has again expired.

(On request of Mr. WHITFIELD, and by unanimous consent, Mr. DOOLEY of California was allowed to proceed for 1 additional minute.)

Mr. DOOLEY of California. Mr. Chairman, the point I am making is the disclosure was on the bottom of the ad, Coalition for our Children's Future. But the board of directors of Coalition for our Children's Future did not know who was funneling the money through them.

They also have an executive director that signed basically an oath of secrecy that he would not disclose who was funneling this money in. They also had an executive director that signed blank checks given to this entity that they had signed a nondisclosure agreement with so that they could keep that secret.

This third party entity that was using Coalition for our Children's Future could have been a foreign entity, foreign sources, it could have been criminal sources.

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

Mr. DOOLEY of California. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, if it is not a campaign ad, there is no disclosure. You have to have it be a campaign ad in order to require disclosure.

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

Mr. DOOLEY of California. I yield to the gentleman from Massachusetts.

Mr. MEEHAN. Mr. Chairman, I think we are ready for a vote on this. Maybe we could move and get a vote.

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

Mr. Chairman, I do not think that we have yet made the point of what happens with these voter guides. I think the problem is that, once again, we come into that problem of jeopardizing freedom of speech whenever we try to achieve some kind of change in the campaign finance system.

Who is going to decide, in context, what is reasonable and what is not reasonable? At what point are they going to decide that? What is the timing going to be in which they decide that? Do they decide that after the organization has had these voter guides printed? Do they decide that after they have been distributed? Do they decide that the day before they are distributed, on the weekend before the election, when it is too late to replace them with whatever the objection was?

Once again, we get right into the whole question of whether or not we want to limit the ability of people to make their points, their freedom of speech points that can be made.

The groups that support the Doolittle amendment and the groups that consider the Shays-Meehan exception for scorecards bogus is a list that just goes on and on and on. Seldom do we see the same groups in agreement that we see in agreement supporting the Doolittle amendment. The ACLU, the National Rifle Association, the Christian Coalition, the National Right-To-Life Committee, all agree that the Doolittle amendment protects their right to express their view of how candidates have voted on issues.

Who is going to decide? I know we are probably tired of seeing this voter guide of our colleague, the gentleman from Iowa (Mr. GREG GANSKE), but the voter guide itself that was handed out said clearly at the bottom that this is a pro-family citizen action organization.

Then if we look at the things they are reporting on, a reasonable person might very well decide that this advocates one of these candidates over another. Because they are pro-family, they are Christian, discussing taxpayer funding of abortion, homosexuals in the military, and we have one question here, promoting homosexuality to schoolchildren, and one candidate is seen as opposing that, and another supports that, I think it is pretty clear with this piece of literature that this group is likely to come down on the side of one of these candidates, even though they do not say that on this literature.

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

Mr. BLUNT. I yield to the gentleman from Kentucky.

Mr. WHITFIELD. I want to just read from the Shays-Meehan language. Their language says, ". . . words that, in context, have no reasonable meaning other than to urge the election or defeat of one or more clearly identified candidates." Those are two clearly identified candidates.

I think reasonable men and women could have a difference of opinion as to whether or not this is urging the election or defeat of a candidate. Many of these scorecards can. I think the gentleman would agree with me that that could be interpreted to mean you cannot issue these during campaigns. Would the gentleman agree with that?

Mr. BLUNT. Reclaiming my time, Mr. Chairman, I would say that I agree totally. I say that the greater point here is that who is giving the authority to ultimately decide that the FEC or some other location can decide that, in a manner that is very, very disruptive to people trying to freely express their view of the public debate in the country?

If we decide that, are we going to have to get pre-clearance from the FEC? Do we expect the ACLU, the Christian Coalition, the National Right-To-Life Committee, to send in these things in advance? How long does that take? How many things happen after the time they sent their proposed literature in and the time that we would actually want to distribute it that we would in a normal context just simply add before it went to the printer?

We cannot do that because we put this clearance idea in, that somebody has to decide what is reasonable and what is not reasonable. So we have this group of people who are supporting the Doolittle amendment. We have a group of people who consider the exemption we are talking about for scorecards bogus. That includes the American Civil Liberties Union, the American Conservative Union, two groups that do not agree very often on issues; the American Council for Immigration Reform; the Association of Concerned Taxpayers; the Abraham Lincoln Foundation, and the list goes on and on and on.

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

Mr. BLUNT. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, I appreciate the gentleman being from Missouri, because Missouri just cuts through all the lawyerspeak and gets right to the bottom line.

That is exactly what we have, what we find here. We find a bunch of lawyer language, and that is what we are trying to point out here. It is lawyer language that you can drive a truck through to stop these kinds of voter guides put out by these organizations that every Member that has stood up and opposed the Doolittle amendment has said they do not want to stop.

They claim that because Shays-Meehan has some sort of exemption for voter guides, that that makes it all all right.

The CHAIRMAN pro tempore. The time of the gentleman from Missouri (Mr. BLUNT) has expired.

(On request of Mr. DELAY, and by unanimous consent, Mr. BLUNT was allowed to proceed for 2 additional minutes.)

Mr. DELAY. Mr. Chairman, it is the same organizations that the opponents to the Doolittle amendment say they are trying to save that are supporting the Doolittle amendment.

The whole point here is how in the world, other than taking the Christian Coalition or NAACP or others to court and penalizing them, how in the world are we going to decide what does "reasonable" mean, other than going to court and getting a bunch of lawyers together, costing a lot of money, and restricting people's rights to stand up and say, this Congressman's voter record says this, this challenger's voter record says this, you can compare it for yourself and make a decision. It does not advocate the election or defeat of any one candidate.

What it does say, and I think we are just clearing it up, in Shays-Meehan they make an exception for voter guides. We are just saying, fine, but we want to stop the loopholes that you have written in here, and we want to make sure that we are protected in being able to put out voter guides.

Mr. BLUNT. I thank the gentleman from Texas. I would also say that when we put the word "reasonable" in the law itself, we really create a barrier to groups who do not want to throw their money away; to groups who clearly cannot spend all their time in court, and who see "reasonable" in the law, do not know what that means, decide they really cannot in all likelihood get their message across, so they just believe that their first amendment rights are gone, whether they are truly gone or not.

Who knows what "reasonable" means? How is that defined in the law? Are we going to leave that up to the FEC to decide how that is defined in the law?

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

Mr. BLUNT. I yield to the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, I thank the nonlawyer from Missouri for yielding to me.

Mr. Chairman, I would be interested in my colleague's point of view. Would a campaign piece of literature that simply says nothing more than "Neal Smith is a terrible congressman because he opposed voluntary school prayer," is that a voter guide, in the gentleman's opinion?

Mr. BLUNT. The gentleman's opinion may or may not be reasonable.

The CHAIRMAN pro tempore. The time of the gentleman from Missouri (Mr. BLUNT) has expired.

(On request of Mr. DELAY, and by unanimous consent, Mr. BLUNT was allowed to proceed for 2 additional minutes.)

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

Mr. BLUNT. I yield to the gentleman from California.

Mr. DELAY. Mr. Chairman, I would like to answer this. That is one of the reasons I have a problem with the Shays-Meehan language. They say it exempts voter guides, as long as they present information in an educational manner solely about the voting record on the campaign issue of two or more candidates.

The gentleman is absolutely right. If an organization wants to take on one Congressman and talk about his voting record and send out a voting guide, even if he is unopposed, even if he is unopposed, Shays-Meehan prohibits that from happening.

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

Mr. BLUNT. I yield to the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, my point was simple. If it is a voter guide exemption, make sure it is a voter guide.

The example I have given to the gentleman from California (Mr. DOOLITTLE), the gentleman from Missouri (Mr. BLUNT), and to the gentleman from Texas (Mr. DELAY) is not a voter guide. It says, this candidate is terrible because of his view on this issue. That is a campaign ad. I thank the gentleman for his courtesy in yielding to me.

Mr. BLUNT. In response to my friend, the gentleman from California, the voter guides that include multiple candidates clearly do show the voting record. Those are the traditional voting guides under the law now. I think it is unlikely that that process would continue. I think it is unlikely that those organizations would be able to distribute those guides.

I think the mechanics of putting the guidelines in place as to what was reasonable and what was not reasonable would be so prohibitive that what we are really saying here is that this is not going to happen, because anybody can take a voter guide and decide who that group was most likely for, whether it is the AFL-CIO or the Christian Coalition.

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

Mr. BLUNT. I yield to the gentleman from North Carolina.

□ 1900

Mr. HEFNER. I have heard a lot about free speech, but I have not heard anything that talked about, when you send mailers or what have you, truthfulness. When you talk about somebody's voting record, you take just partial voting records or amendments that were in the committee or what have you and distort them, then do not identify who sent it out, this is absolutely not free speech. You do not stand up in a theater and holler fire.

The whole thing, the Doolittle, in my view, the Doolittle amendment opens it up. If some group wants to get together and say, like happened in my district, we had a mailer that said BILL HEFNER and Mike Dukakis, if you want to kill babies, vote for Mike Dukakis and BILL HEFNER. This is not a voter guide.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The time of the gentleman from Missouri (Mr. BLUNT) has again expired.

(On request of Mr. WHITFIELD, and by unanimous consent, Mr. BLUNT was allowed to proceed for 2 additional minutes.)

Mr. BLUNT. I think there are viable laws that do come into effect here. The Doolittle amendment specifically talks about voter guides. If the voter guide that some group sends out is untruthful, there is recourse in that. I think for the Congress to decide what organizations can say, that is the job of the courts, not the job of the Congress. The first amendment did not give to the Congress the right to determine what was truthful language and what could be said in a free society.

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

Mr. BLUNT. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, the gentleman from Missouri goes right to the point of the gentleman from North Carolina. The Shays-Meehan bill is an attempt by incumbents, incumbents, to decide what you say is the truth, not the courts. They want this Congress to decide and set up regulations to regulate people's participation in the process.

We want to get rid of all these uncomfortable ads that are being run against us because I do not like them and they make me uncomfortable. We want to get rid of the opportunities of people to stand up and say, I voted this way or I voted that way and they either like the way I voted or they dislike the way I voted. We want to get rid of all that so that we could be a little more comfortable and limit people's ability to participate in the process. That is what this is all about. The gentleman from North Carolina pointed that out very well.

Mr. BLUNT. Mr. Chairman, I think it is clear that the job of the Congress is not to be comfortable. The job of a Member of Congress is to represent the people of their district and for that, the way they do that, to be an item of public debate.

Certainly, if people make up untruthful things and distribute them, there are laws that govern that, but the Congress of the United States is not in a position to enforce those laws. We are in a position to encourage that some of those laws be passed, though generally those are going to be State laws. We are not in a position to enforce those laws. That is for somebody else.

What we are trying to do here is decide what is reasonable or not. What we are trying to do here is decide what is comfortable or not.

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

Mr. Chairman, the gentleman said you have recourse for suing someone for sending out information that is untrue. But that is really not, an elected official is pretty much immune from being able to sue anybody.

What makes it so bad is in the closing parts of a campaign where the incumbent or the challenger has no way to respond to a negative mailing or, what we have done in broadcasting, we have done away with the fairness doctrine. There is no fairness doctrine anymore. So in my view the Doolittle amendment absolutely opens up a floodgate to let people do dishonest things for their own personal and for their own special interests with no regard for the truth or the consequences of it.

To me, I just think that the Meehan bill, I do not think that we need the Doolittle amendment. I think it does great harm to the work that these men have done over the years.

I think that there is a move to delay this and draw it out until, hopefully, it will die of old age.

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

Mr. HEFNER. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, the bottom line to this debate is quite simple. Meehan-Shays does not in any way prevent voter guides from happening. But to assure that there was no question in this Chamber, we made sure that we added a section to make it unambiguous that you can provide for voter guides. The gentleman from California deletes our section which protects voter guides.

The bottom line to this issue is, where you have a campaign ad, including those sham "issue ads", then an individual can advertise under the campaign laws. It is bogus, it is wrong, it is totally incorrect to suggest that people do not have a voice. They have a voice outside the campaign law through using voter guides and other non-campaign activity. And they have a voice inside the campaign law by abiding by the same rules as everyone else. They have freedom of speech. We limit what people can raise. We do not limit what they can spend.

And any individual who wants to run an ad on their own can do so as long as it is not coordinated. Coordinated expenditures become campaign ads. But our Supreme Court has made it very clear that individuals cannot be limited on what they spend.

What you are hearing tonight is a bogus debate on the part, in my judgment, of the gentleman from California (Mr. DOOLITTLE) to suggest, one, that we do not allow these. We do allow them. We make it clear. First, we do not forbid them; and, secondly, we make it clear that they are allowed.

Secondly, I would like to take this time, if the gentleman would allow me to proceed, to say that Republicans who received the House Republican conference floor prep were given a very misleading statement about what the Doolittle proposal does and what Meehan-Shays does. I urge my colleagues to totally discount this very inaccurate statement put out by my own Republican Conference.

I thank the gentleman for yielding to me.

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

The SPEAKER pro tempore. Without objection, the gentleman from Kentucky (Mr. WHITFIELD) is recognized for 5 minutes.

There was no objection.

PARLIAMENTARY INQUIRY

Mr. WHITFIELD. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. WHITFIELD. Mr. Chairman, if I have not spoken before and I move to strike the last word, can Members object to that?

The CHAIRMAN pro tempore. The fact that the gentleman offered a pro forma amendment, the Doolittle amendment on the 19th on his own time requires him to ask unanimous consent.

Mr. WHITFIELD. I thank the Chair.

Mr. Chairman, I think the real concern that we have today, the crux of this issue of the debate that we are really talking about today, gets down to this definition of express advocacy. The Supreme Court has consistently and very clearly said that express advocacy is language that explicitly requests the defeat or the election of a candidate. And if it says that, if the ad says that, you must use hard money. And that is money regulated by the Federal Election Commission.

The gentleman was correct. Any wealthy individual, a multimillionaire can go out any time they want to and buy an ad, and that is an independent expenditure. They can expressly advocate the defeat or the election of a candidate.

What we are talking about today is issue advocacy; and these are the many organizations around our country, the thousands of organizations that may want to participate in the political system. The Supreme Court has made it very clear that that is, goes to the very core of a democracy, of the right to speak about issues in an election.

What this bill does is it makes it unclear about what can and cannot be done. That is a chilling of the first amendment right of political free speech.

Now, the gentleman from Massachusetts, one of the cosponsors of this bill, read from paragraph 3 of express advocacy; and he said:

> Expressing unmistakable and unambiguous support for or opposition to one or more clearly identified candidates when taken as a whole and with limited reference to external events such as proximity to an election.

Now, reasonable people can have different views about what is and what is not, taken as a whole means this or means that. But the point that I would make, the Supreme Court has already ruled half of that language as unconstitutional in the FEC versus Maine Right to Life case. It has already been ruled unconstitutional, this language that is in this bill. Yet they still want to proceed with it.

In addition to that, they go on and further complicate it by saying that if one of these voter guides urges the election, if words that are in context can have no reasonable meaning other than to urge the election or defeat of a candidate, then it cannot, it is not covered under this exception. And these voting guides have, different men and women have differences of opinion about what they are urging and what they are not urging.

The thing that is so disturbing about the Shays-Meehan bill is that it does nothing about the election money spent by candidates. It does nothing about independent expenditures spent by wealthy individuals, but it shuts the door to all sorts of organizations, if they violate the definition of express advocacy as determined in this bill.

Any ad run 60 days within an election is express advocacy. It has to be hard money. So, in essence, what we do with this language is that we allow the Federal Election Commission to determine who can speak, what they can say and when they can say it.

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

Mr. WHITFIELD. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, when the gentleman says shut the door, I wish the gentleman would clarify what he is saying. If it is, in fact, a campaign ad, it is true it comes under the campaign law. It means that people can raise money and advertise. They still have a right to advertise, they just come under disclosure rules and contributions limits. But they can spend as much as they raise.

Certainly the gentleman would not suggest that the Christian Coalition National Right to Life Committee, the National Rifle Association or any other group would have any trouble raising money and spending. They simply would, for the first time, have to disclose campaign ads.

Mr. WHITFIELD. They would have to go through all the process, the complicated process, the legal process of filing a political action committee, setting up a political action committee, forming all kinds of reports. And that is a chilling effect. We live in a democracy where groups and individuals can talk about elections whenever they want to. And the Supreme Court has consistently said that the only thing that is express advocacy is if you expressly urge the defeat or the election of a candidate. And you all are broadening this so broad that, as the gentleman from Missouri said, you would almost have to go to the FEC in advance and get their permission for running the ad.

I think that is the part of this that disturbs us and the reason that we are supporting the gentleman.

The CHAIRMAN pro tempore. The time of the gentleman from Kentucky (Mr. WHITFIELD) has expired.

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

Mr. WHITFIELD. Mr. Chairman, the reason that we are endorsing the gentleman from California's amendment is that he, in essence, returns to the original Supreme Court language here. Basically, there will not be any question about it. That is really what this is all about.

I realize that Shays-Meehan is a good-intentioned bill with all the best ideas that they can come up with. But the fact is it places so many things to interpretation, and the ultimate interpretation is going to be made by a group of commissioners at the FEC who are appointed by a President, and they have their political views.

And so everybody else in America may be, the door may be closed unless they want to go through all this complicated procedure of filing reports and establishing political action committees and hiring election lawyers and doing that.

Ms. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. WHITFIELD. I yield to the gentlewoman from Michigan.

Ms. RIVERS. Mr. Chairman, when the gentleman from North Carolina (Mr. HEFNER) a few minutes ago raised the issue of honesty in ads, there was quite a lot of discussion about that. The argument was that courts could determine the honesty of particular ads and the appropriateness of particular ads relative to libel. Who appoints Federal judges?

Mr. WHITFIELD. Well, Mr. Chairman, I did not make that argument. The President, I think, still appoints them.

I might also add, if the gentlewoman wants to come up with an amendment on truth in advertising for political ads, I would be the first to support it.

Ms. RIVERS. Mr. Chairman, if the gentleman will continue to yield, I am responding to the comments from that side of the aisle a few minutes ago that certainly presidential appointees were capable of making decisions in an electioneering context, and so I do not think it is reasonable to argue on one hand that presidential appointees are inadequate and on the other that they are perfectly adequate. One cannot have it both ways.

Mr. WHITFIELD. Mr. Chairman, my point is that this is the core of our democracy, being involved in political elections. And who can speak and who cannot speak and who determines what they can say and what they can spend, that is okay for candidates. I understand that. That is okay for individuals who are wealthy.

□ 1915

The CHAIRMAN pro tempore (Mr. SHIMKUS). The time of the gentleman from Kentucky (Mr. WHITFIELD) has again expired.

(On request of Mr. DOOLITTLE, and by unanimous consent, Mr. WHITFIELD was

allowed to proceed for 2 additional minutes.)

Ms. RIVERS. If the gentleman will continue to yield, I wish to ask him about the current system, because right now we have a series of categories that activities fall within. If we are engaged in an independent expenditure, for example, we must meet the criteria and we cannot step out of that.

Mr. WHITFIELD. We do not have to abide by any FEC law.

Ms. RIVERS. To do an independent expenditure? If we work with the campaign of the individual.

Mr. WHITFIELD. The gentlewoman did not say coordinate it.

Ms. RIVERS. That is what I was trying to say, is if we step outside of the law as it exists regarding independent expenditures, it is the FEC who enforces that; is it not?

Mr. WHITFIELD. Of course, if it is coordinated. But a wealthy individual can go out and run an ad.

Ms. RIVERS. The point I am making is that there are laws that currently exist that regulate the behavior we are discussing here. And if one steps outside of that behavior it is the FEC who enforces those laws. They have done it for years and years and years.

Mr. WHITFIELD. Mr. Chairman, I will reclaim my time.

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

Mr. WHITFIELD. I yield to the gentleman from California.

Mr. DOOLITTLE. The gentleman from Connecticut (Mr. SHAYS) indicated my amendment was bogus, but I thought it was interesting that these organizations all consider his so-called exemption for scorecards bogus: The American Civil Liberties Union, the American Conservative Union, the National Right to Life Committee, the National Rifle Association, the National Defense Foundation, amongst many others, the National Legal Policy Center.

Would the gentleman agree that their wording actually makes ambiguous what is now clear and unambiguous in the present law?

Mr. WHITFIELD. Yes, it does. It makes it ambiguous. And reasonable men and women can differ as to what is and what is not allowed.

Mr. DOOLITTLE. Whereas now that is clear. If we do not use certain words, it is clearly beyond the purview of Federal regulation. Now everything is arguably within the purview.

Mr. WHITFIELD. The Supreme Court has made it explicitly clear time and time again. And now we are going to, in my view, make the system much more complicated, much more difficult, and I think we will see less political participation than we would without this legislation.

Mr. DOOLITTLE. And that is the design.

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

I rise as author of one of the major campaign finance reform bills, a comprehensive cleanup bill, and it contains the same measure in it that Shays-Meehan does. Therefore, I rise to oppose the amendment that is being offered.

This amendment really does not make any reform. It does not clean up anything. It takes the law back to what it is today, and that is not progress. So this amendment is really not about voter guides, it is really about special interest money remaining in politics. The Doolittle amendment, by removing the express advocacy language, maintains the status quo, it means that multi-mega-million dollar campaigns are not run by politicians nor by political parties but can be run by very special interests.

So where in this amendment is the reform? How does maintaining the status quo get us further ahead? In this whole debate, of all the 11 bills that have been brought to the floor by the Committee on Rules and these series of amendments, are all supposed to end up with the law in better shape after we have addressed it than it is today. This amendment does not do that. If adopted, it offers no change.

I think that sometimes these amendments can be classified as red herrings, to really divert our attention from the real issue here, which is how do we stop the money madness that is in campaigns? How do we bring money out of campaigns and really get down to where people are talking to people, not just buying words and buying fancy television ads? Certainly this amendment is not the answer.

Mr. Chairman, I support reform and I am urging strong defeat of the Doolittle amendment. And if there are no other speakers, Mr. Chairman, maybe we ought to move on.

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

Mr. Chairman, I wanted to clear up one point. A previous Speaker stated that there are laws to prevent falsehoods used in ads or campaigns. I have had a lot of experience in campaigns, and to set the record straight, there are no enforceable laws to prevent untruth or even blatant falsehoods in campaigns.

Today, it is not really legal to lie about an opponent in a campaign, but there is no enforcement and, though illegal, no punishment possible. So it happens frequently in political campaigns and I wanted to just clear up that point.

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

Mr. Chairman, I am really excited about this debate. I think the American people are really starting to understand what this is all about. This is incumbent protection. This is incumbent comfort. This is making sure that incumbents do not have people out there running around talking about their voting records, making them uncomfortable. This is basically about people's freedom of speech.

I rise in support of the Doolittle amendment because I am not afraid of someone talking about my voting record. I am not even afraid about people going out and running voter guides that distort my voting record. I think that is part of the process. Unfortunately, it is the dirty part of the process. It is a part that makes people very cynical about the process, but it is part of the process.

I feel very strongly that a vote for the Doolittle amendment is a vote for the first amendment. This is very critical. A vote against the Doolittle amendment is a vote to ban voter guides distributed by citizens' organizations, whether they be in union halls or churches or on the internet. I really believe that. Because they have written in lawyerese that creates loopholes that we can drive a truck through and stop voter guides.

Every year thousands of national, State and local organizations, like the Christian Coalition or the NAACP or, as we show here, the ACLU, they publish voter guides comparing elected officeholders on issues of interest to these organizations' memberships. Now, I doubt if there are many in this body who would openly question the right of these groups to make those comparisons, but without this amendment, the Doolittle amendment, Shays-Meehan would threaten, I believe, the ability of these groups to publish and distribute these kinds of voter guides.

Supporters of Shays-Meehan claim that there is a voter guide exemption in their bill. But if we take a closer look at it, at this so-called exemption, it shows that voter guides, such as the NAACP's voter guide, in my opinion, would be banned or, at the very least, regulated by bureaucrats in the Federal Government. The so-called exemption in Shays-Meehan requires a voter guide that talks about the position of one candidate being banned or regulated by the Federal Government. Under Shays-Meehan, a voter guide characterizing a candidate as pro life or pro choice or any other commentary describing a candidate as a civil rights hero, as the NAACP does, would be banned or regulated, in my opinion.

Under the Shays-Meehan exemption, groups could be punished, punished, if after the fact bureaucrats decide that their voter guides or their scorecards were not written in an "educational manner." Decided by "educational police"? I do not know. Under the Shays-Meehan exemption, a scorecard cannot contain words, "that in context can have no reasonable meaning other than to urge the election or defeat of one or more clearly identified candidates."

Now, this language would prevent the ACLU from distributing a voter guide that highlights Members of Congress who have a 100 percent ACLU voting record as members of an "ACLU honor role." They cannot say things like that because that is advocating defeat or election of a candidate, or it could be construed as such under the Shays-Meehan language.

It also prevents the NAACP from calling a Member of Congress a civil rights hero. For example, last month, the NAACP president Kweisi Mfume, former member of this body, released the organization's annual legislative report card on the 105th Congress at a news conference on Capitol Hill. He said, "As the report card circulates through our branches, it will be used in a nonpartisan fashion to punish those with failing grades and reward our heroes." Guess what? Under Shays-Meehan, they could not circulate that kind of report for that kind of purpose.

The Doolittle amendment, I think, would allow groups that post their voter guides and scorecards on the internet to continue to do so, groups like the Americans for Democratic Action, not exactly friends of mine; the ACLU. How about the National Organization of Women? Not exactly my best supporters. They all carry scorecards on their web sites.

The CHAIRMAN. The time of the gentleman from Texas (Mr. DELAY) has expired.

Mr. DELAY. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

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

Mr. CAMPBELL. Reserving the right to object, Mr. Chairman, would the gentleman at some point yield to me during those 2 minutes?

Mr. DELAY. If the gentleman will yield, I said I would, and I would be glad to.

Mr. CAMPBELL. I am looking forward to it.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mr. DELAY. Mr. Chairman, without the Doolittle amendment, the scorecards will have to be removed from the web sites.

Now, make no mistake about it. A vote against the Doolittle amendment is a vote for banning voter guides and scorecards and the Shays-Meehan voting guide exemption is no exemption at all. They may think it exempts, but if we read the language, we can see, and I am not even a lawyer, but I know how I can get through this language and stop a voter guide in a very easy fashion.

The Shays-Meehan bill would impose a chilling effect on the distribution of material that reports on our votes and where we stand on the issues, and the Doolittle amendment protects these voter guides. Nothing in the Shays-Meehan exemption, in my opinion, does. And I just urge my colleagues to vote for the first amendment by voting for the Doolittle amendment.

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

Mr. DELAY. I yield to the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, I thank the distinguished whip. I really have two brief points and I would appreciate his response to them.

First, does the distinguished gentleman have an objection to requiring that a group that puts out a guide, such as the one by his side, that we know who contributed the money that paid for it?

Mr. DELAY. Yes, I have an objection.

Mr. CAMPBELL. Let me understand the gentleman. He does not believe the citizens of this country have the right to know who pays for an advertisement in a campaign of that nature?

Mr. DELAY. No, because we have experienced—if we believe in the Constitution and the right of people to petition their government, whether it be by writing a petition or talking about my voting record or however they do it, the point is that if we believe in the Constitution and the people having a right to petition their government, then we do not want the government to be able to go and punish these people.

And we have seen time and time again, whether it be the NRA or NOW or others, people that belong to these organizations that want to express themselves are persecuted, in some cases oppressed by their enemies by being able to reveal their names. I do not know why we would want to get at them. Why does the gentleman want to get at them?

Mr. CAMPBELL. If the gentleman will continue to yield. As I understand the logic of the gentleman's position, then, he would never require any disclosure of who is behind funding campaigns?

Mr. DELAY. Not at all.

Mr. CAMPBELL. Not at all?

Mr. DELAY. Absolutely not. Not at all. I am all for the Doolittle substitute that brings full disclosure, full disclosure of people participating in campaigns. Not talking about issues.

The CHAIRMAN. The time of the gentleman from Texas (Mr. DELAY) has again expired.

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

Mr. DELAY. Mr. Chairman, I am not advocating issues. Yes, I want my constituents to know who is giving me money to be used in my campaign and how I am spending it. Absolutely. They have the right to know, not some Federal bureaucrat in Washington, D.C.

Mr. CAMPBELL. In a previous colloquy, I believe the gentleman granted that the loophole that is being proposed by the gentleman from California (Mr. DOOLITTLE) would allow an ad that says, "Neil Smith is a terrible Congressman because he opposed voluntary school prayer."

Mr. DELAY. No, no, no. I want to correct the gentleman's premise. It would allow a voter guide, a piece of paper or on the internet, a voter guide that lists the votes and the issues and positions that a Congressman has taken.

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If they happen to say that he is a bad congressman because he took a position against their position, I know that is uncomfortable, but they have every right to say that.

Mr. CAMPBELL. Mr. Chairman, I appreciate the courtesy of the gentleman. He has been very kind in yielding to me.

I will only conclude by saying that it is a remarkable position that the gentleman would not want to have disclosed for the light of day who is behind ads that in every respect are the same as campaign ads, listing the name of a candidate, and providing a commentary regarding that person's performance in office. Such an ad that does not even mention another candidate, just that one candidate, is exempt from disclosure.

I repeat. I appreciate the gentleman's candor. It is his position. I just disagree with it.

Mr. DELAY. Mr. Chairman, reclaiming my time, the gentleman is absolutely right. And that is the debate over Shays-Meehan. Shays-Meehan and the gentleman from California want to shut down people's right to talk about issues and positions of people that are participating in the process. That is one issue.

The other issue that the gentleman is talking about is campaigns. Campaigns, they do not have hidden agendas running around in campaigns. They are giving money to me to participate in a campaign. The two are not supposed to cross. In fact, even in Shays-Meehan they talk about the two are not supposed to cross.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The time of the gentleman from Texas (Mr. DELAY) has again expired.

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

Mr. DELAY. We have the opportunity to make sure that they do not cross, and it is against the law to do so. The Supreme Court has upheld our position. That is why the Doolittle Amendment reflects and almost quotes the Supreme Court decision.

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

Mr. DELAY. I yield to the gentleman from Kentucky.

Mr. WHITFIELD. Mr. Chairman, there are two sides of this. Do the American people have the right to know about these issue advocacy ads and who pays for them? But second of all, on the other side, my colleague mentioned the point, the person who makes the contribution. And the Supreme Court has already declared that individuals have a right to privacy.

In the NAACP versus Alabama case in 1958, they say that privacy and group association is indispensable to the preservation of our system of government; and so what this bill is trying to do is making these people also tell who is giving money and so forth.

Mr. DELAY. Mr. Chairman, reclaiming my time, would it not be interesting that the NAACP would have to disclose who belongs to the NAACP and who is supporting the NAACP to the exposure to whom? Would it not be interesting some of the hate groups out there that would love to know who supports the NAACP and would like to? But the gentleman from California, Shays-Meehan, wants everybody to know it and wants to lay it out there for everybody.

I just find that just really frightening that they not only want to step on our right and freedom of speech, but now they want to step on our right of privacy. I think this is what this is all about is those kinds of freedoms.

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

Mr. DELAY. I yield to the gentleman from Michigan.

Mr. LEVIN. My colleague heard us read the ad that was used in the campaign against the gentleman from Iowa (Mr. GANSKE) in 1996. Was that a campaign ad?

Mr. DELAY. Reclaiming my time, I am not sure exactly the one the gentleman is referring to. The voter guide?

Mr. LEVIN. Mr. Chairman, if the gentleman would continue to yield, the Doolittle Amendment goes way beyond voter guides.

Mr. DELAY. No, it does not. The gentleman is wrong.

The CHAIRMAN pro tempore. The time of the gentleman from Texas (Mr. DELAY) has again expired.

Mr. LEVIN. Mr. Chairman, I ask unanimous consent that the gentleman from Texas (Mr. DELAY) have 2 additional minutes.

Mr. SHAYS. Mr. Chairman, I object. The gentleman has had 11 minutes, and I object.

The CHAIRMAN pro tempore. Objection is heard.

Mrs. LINDA SMITH of Washington. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have had the pleasure to work with many Members who are legitimately concerned about campaign reform. I especially want to commend the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) because they worked on it before I arrived and they are still working on it. And that is very important that I state that because I think what they have done is come a long ways to finally have this debate on the floor.

I support the base purpose of the Shays-Meehan bill, and very likely should we deal with the voter guide issue to support the final bill. The base issue is to stop laundering money from one source to another and eliminate soft money and undisclosed contributions.

So what we have is a base bill that says, and it offends some of the groups, liberal and conservative, that no longer can this tobacco company or group give $5 million to one of the parties and have it divided up and be given to one of these conservative groups in most cases as last year, could have been liberal the year before, and then it comes out with a new voter guide because that tobacco company is really after somebody and they cannot come through the front door.

That is what this bill does. Soft money, which is hiding money, laundering money, is a corrupting force. I know there are many of the same groups that will fight it on the voter guide issue, but really they have started getting other sources of money through the two parties as soft money and large amounts of soft money.

But today, if we want to move this forward, we have to think about how to get it through the Senate, too. One of the biggest oppositions that we have is voter guides. Now, the amendment to Doolittle, it does not go far enough for me. I think that we could have done better; and, as always, we always think we can individually on this floor. But the reality is it did something that makes sense.

Now, is it perfect? No. But it said we are not going to focus on people and their voter guides, which by the way has to go, passed out, read, digested, they take some work, they are true grassroots politics. We are going to focus on the big batches of big money, TV and radio. That is still in here. When he amended the Doolittle Amendment, when he amended it, he brought it to voter guides only.

Now, yes, I have heard the debate. I have been listening to it for some time. And is it perfect? No. I would have a tendency to agree with some of the concerns that the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS) have and the gentleman from California (Mr. CAMPBELL). But, on the other hand, do we want to pass a bill in the Senate or do we want a debate?

Unfortunately, a lot of posturing is because we all kind of like a debate but we really do not want to change behavior. Soft money being eliminated, this bill passed will eliminate the ability to launder money.

So I am standing here saying that it is not perfect, but eliminating micromanaging of the voter guides is something that, if we do that and we still have the rest of the bill, that we have taken away a lot of the complaints. And then they are just going to have to go back and say, really, we did not like the bill because we wanted to launder money. We liked the soft money being laundered to our groups, and we never had so much money before we found this loophole coming to our groups to fund our staff here in Washington, D.C., and our other activities. And all of a sudden we can fund voter guides through soft money because we got a million, 4 million, whatever, through soft money.

This removes the smoke and gets to the base issues of the most important and most corrupting. And I would advise that we vote for this amendment as amended even if it is not perfect, because then we can get to the real problems, and that is the huge TV buys, the huge radio buys, the laundering of money. And we can get about cleaning up the Senate and have something we can give to the Senate that also removes their objections and gives to them something and not just say, no, we do not want to clean up the system. We just want to have the debate.

Please vote yes for the Doolittle Amendment.

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

Mr. Chairman, I yield to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Chairman, it has been a long night. We debated this for a couple hours before we left on the break, and we also have debated it another couple of hours.

There are a lot of Members here, Republican and Democrat, both sides of the aisle, who have worked diligently over a period of years to try to get this bill to the floor. We have before us an amendment that claims to want to do something about voter guides. I have worked on this legislation for years with the gentleman from Connecticut (Mr. SHAYS) and others who are in this Chamber.

We carved an exemption for voter guides. We do not need this particular amendment. We have an exemption in the amendment. There are times this debate has been an outstanding debate. The gentleman from California (Mr. CAMPBELL) in particular I would cite for his lawyerly and scholarly articulation of what the Shays-Meehan bill does with regard to voter guides.

But this is not about voter guides. This is about whether or not the other side is going to try to defeat this bill. So let us have an up or down vote now. And I urge my colleagues, if they are for campaign finance reform, vote no on the DeLay-Doolittle Amendment.

The amendment is not needed, and all it serves to do is to defeat ultimately campaign finance reform.

So I would urge Members to vote no on the DeLay-Doolittle Amendment. I would urge us to move forward on this debate and have a vote.

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

Mr. Chairman, I yield to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, there is clearly a major difference of opinion about the Shays-Meehan bill and what it does. And those of us who have taken the floor in opposition have opposition for very principled reasons. They support it for principled reasons. But I think one thing is clear that they basically, by the wording of their bill, are going to wipe out the voter guides.

That is why we have got about four dozen organizations spanning the whole ideological spectrum, from the American Civil Liberties Union to the American Conservative Union and everything in between, claiming that this so-called exemption for voter guides in Shays-Meehan is "bogus." And it is bogus. It is bogus because it deliberately blurs the bright line that the Supreme Court handed down in the famous Buckley case in which it has been repeatedly reaffirmed.

When we read that case we see why they gave us a bright line, because it is very difficult to separate issue discussion from advocacy of election or defeat of a candidate. They did not want to chill free speech. That is why they gave us the bright line. That is why they said we had to be clear and unambiguous in urging the election or defeat of a candidate, using words such as "elect" or "defeat" or "support" or "oppose", et cetera. Shays-Meehan, basically in the name of good government, subverts the first amendment.

What could be more clear than the first amendment, which says Congress shall make no law abridging the freedom of speech? They abridge the freedom of speech, and they do it and justify it in their own minds because they think speech needs regulation.

The Founders thought it was too important to be regulated. That is why we fought the American Revolution, and that is why we have a written Constitution with that express provision in it. That is why all of these groups that do voter guides, which is the most grassroots form of activity there is, are urging my colleagues to support my amendment to this bill.

I think it is a bad bill, and I will oppose the bill with or without the amendment. But at least the amendment preserves the integrity of the voter guide system and allows these groups, which many Americans are members of, to go ahead and disseminate the information and not be called into question. Which one of my colleagues would want to have the threat of hiring attorneys, being subjected to months of publicity and spending $400,000 or $500,000 to defend what their own constitutional rights already are?

That is what this amendment is about, to make it clear and unambiguous, and that is why I urge my colleagues to support my amendment.

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

Mr. Chairman, as I listened tonight, the debate went back and forth, and I kind of had this feeling of being familiar with the debate but not know knowing what it reminded me of. And as I was sitting here thinking, I realized it reminded me of some of the children's stories that I used to read to my kids when they were little and it really had a Dr. Seuss-like quality to it. So as I was listening to the debate, I wrote down a few little comments. It goes like this:

The cat in the hat caused trouble, it is clear. But nothing compared to the trouble right here. The cat was persuasive, as smooth as they come. He convinced those two kids to do things that were dumb. He urged them. He spun them. He did his best to distract. Sort of like this amendment we are told to enact. It is easy to think that the Constitution is on trial. This argument would surely make the cat smile.

Like the cat in the hat, with good tricks at his command, this amendment is all about slight of hand. A loophole exists, it is known far and wide. But the cat in the hat is laughing inside. He laughs at the law. He does not like rules. As a matter of fact, he thinks rules are for fools. It is time to say no, to send the cat on his way, to close off the loopholes and start a new day.

No cards are at stake, no genuine guide. It is only the cheaters who are trying to hide. Vote no on this choice, or surely you will find the same sort of mess that old cat left behind. Say no, say it clear. And with some good luck, we will label what waddles and quacks a duck.

Mrs. ROUKEMA. Mr. Chairman, I rise in opposition to the Doolittle amendment and in strong support of the language in the Shays-Meehan substitute that protects voter guides.

Let's look at current law. Under current law, any group can pay for a printed voter guide with unrestricted funds as long as that voter guide does not contain "express advocacy"—that is, that the voter guide does not urge the defeat or election of a particular candidate.

The Shays-Meehan substitute does not change this.

What it does do is clarify that "express advocacy" is not limited to the use of the so-called "magic words" such as "vote for" or "vote against" or "defeat" or "elect". Express advocacy would also include phrases that indicate "unmistakable and unambiguous" support for or opposition to a candidate.

What does all this mean? It means that under Shays-Meehan, any organization may continue to use unrestricted funds for any voter guide or voting record at any time during the election cycle as long as it does not contain express advocacy and as long as it is not prepared in coordination with a candidate or a party committee.

Let me repeat that.

Under Shays-Meehan any organization may produce any voter guide at any time as long as it is not coordinated with a candidate or a party and contain express advocacy.

Why is this important? Because it makes it very clear that voter guides are already protected and that veil of protection will not be changed by Shays-Meehan.

What would Shays-Meehan change? It would change the way sham, secretly-funded campaign ads have come to dominate our electoral process.

Let me draw your attention to a recent U.S. Senate race in the State of New Jersey. Two of my State's more famous public servants were seeking election and our airwaves were jammed with so-called "educational" issue ads. The subjects of this avalanche of ads were crime, and Medicare, and Social Security, etc. And they tracked nearly identically with the platforms of the two candidates.

But you know what? They were so-called independent ads run by so-called independent groups and developed totally independent of a campaign or a party.

In some cases, they were paid for by soft money. In some cases, they were paid for by secret donors. In every case, they were undeniably campaign ads. (I would also add that in most cases they made the voters of New Jersey even more cynical and disheartened by the political process.)

Mr. Chairman, in Shays-Meehan, we are trying to end this disgraceful trend toward sham campaign ads—the kind of campaign ads that make the American people even more cynical.

My colleagues from Texas and California (Messrs. DELAY and DOOLITTLE) say their amendment creates a "carve-out" for printed voter guides.

This carve out is not necessary.

The Shays-Meehan amendment already protects voter guides. The Doolittle-DeLay amendment would go much farther. It guts the issue advocacy provisions of Shays-Meehan that will reign in sham campaign ads that masquerade as "educational" or issue-oriented.

I thank Messrs. DOOLITTLE and DELAY for adding to this debate. But I submit that their amendment is not necessary. Shays-Meehan protects voter guides. Shays-Meehan attacks secret, sham campaign ads.

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Mr. CAMPBELL. Mr. Chairman, I ask unanimous consent that the debate on the amendment, as modified, offered by the gentleman from California (Mr. DOOLITTLE) to the amendment in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS) be limited to the time already expended.

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

There was no objection.

The CHAIRMAN pro tempore. The question is on the amendment, as modified, offered by the gentleman from California (Mr. DOOLITTLE) to the amendment in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 219, not voting 15, as follows:

[Roll No. 275]

AYES—201

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bateman
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fossella
Gekas
Gibbons
Gingrich
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kim
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Pappas
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Rahall
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Stupak
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NOES—219

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Klug
Kucinich
LaFalce
Lampson
Lantos
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran (VA)
Morella
Nadler
Neal
Obey
Owens
Pallone
Parker
Pascrell
Pastor
Pelosi
Pickett
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schumer
Serrano
Shays
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stenholm
Stokes
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Upton
Velázquez
Vento
Visclosky
Walsh
Wamp
Waters
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—15

Baesler
Deal
Engel
Fowler
Gonzalez
Hilleary
John
McDade
McNulty
Olver
Payne
Rush
Stark
Yates
Young (AK)

□ 2007

Mr. GALLEGLY and Mr. LAZIO of New York changed their vote from "aye" to "no."

Messrs. GUTKNECHT, EWING, CHAMBLISS, WATT of North Carolina, MURTHA, COSTELLO, COBURN and BACHUS changed their vote from "no" to "aye."

So the amendment, as modified, to the amendment in the nature of a substitute, was rejected.

Mr. THOMAS. Mr. Chairman, I know that certainty is valued highly by this body, and in an attempt to provide a degree of certainty, I move that debate on the amendment offered by the gentleman from Connecticut (Mr. SHAYS) and the following six amendments thereto, if offered by the following Members: First the gentleman from New York (Mr. FOSSELLA); second, the gentleman from Mississippi (Mr. WICKER); third, the gentleman from Florida (Mr. STEARNS); fourth, the gentleman from Mississippi (Mr. PICKERING); and, fifth, the gentleman from Texas (Mr. DELAY), be limited such that no amendment may be debated for longer than 40 minutes.

The CHAIRMAN pro tempore. The motion is not debatable.

The question is on the motion offered by the gentleman from California (Mr. THOMAS).

The motion was agreed to.

Mr. MEEHAN. Mr. Chairman, I demand a recorded vote and, pending that, make a point of order that a quorum is not present.

The CHAIRMAN pro tempore. The gentleman was on his feet and is entitled to be recognized.

Mr. MEEHAN. Mr. Chairman, I ask unanimous consent to speak out of turn for 30 seconds.

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

There was no objection.

Mr. MEEHAN. Mr. Chairman, it would be my hope that in order to expedite things here, we would be able to come to an agreement on limiting debate, but at this point, that we could roll votes until tomorrow on any amendments that we take up, and I would ask that we amend the gentleman's unanimous consent request so that votes will be rolled until tomorrow.

Mr. THOMAS. Mr. Chairman, if the gentleman will yield, I would tell the gentleman that it was not a unanimous consent request, because the gentleman objected to a unanimous consent request.

Mr. MEEHAN. Mr. Chairman, I am asking for unanimous consent.

Mr. THOMAS. Mr. Chairman, we moved this measure. It seems to me, given the time, it would be appropriate, since it is only 40 minutes, that we debate and vote on the motion that the Chair was going to recognize, the Fossella amendment, and, if we moved to any others, we would roll the other votes.

Mr. MEEHAN. Reclaiming my time, what my request of the leadership would be is that I am suggesting we would agree to limit debate, but let us make the last vote the last vote of the night, and then come back tomorrow.

It is a reasonable request. It is 8:50 at night.

PARLIAMENTARY INQUIRY

Mr. THOMAS. Mr. Chairman, I have a parliamentary inquiry. Is the gentleman from Massachusetts (Mr. MEEHAN) propounding a unanimous consent request?

Mr. MEEHAN. Yes.

Mr. THOMAS. Mr. Chairman, I did not understand that to be a unanimous consent request.

Mr. MEEHAN. I make a unanimous consent request.

The CHAIRMAN pro tempore. The Chair has the authority to postpone all requests for recorded votes on amendments. The Chair will take under advisement the question of whether to postpone votes.

Mr. THOMAS. Mr. Chairman, my understanding was the gentleman from Massachusetts offered a unanimous consent request, is that correct?

Mr. MEEHAN. Yes, the gentleman is correct.

Mr. THOMAS. Does the Chair understand that the gentleman from Massachusetts (Mr. MEEHAN) offered a unanimous consent request, the content being there be no more votes on any amendments tonight? Is that my understanding of the unanimous consent request?

□ 2015

The CHAIRMAN pro tempore (Mr. SHIMKUS). The Chair has not entertained that request because the Chair has the authority to postpone recorded votes under the rule adopted by the House.

PARLIAMENTARY INQUIRY

Mr. LEVIN. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state his parliamentary inquiry.

Mr. LEVIN. Mr. Chairman, I would say to the gentleman from California (Mr. THOMAS), it is my understanding, and tell me if I am correct or not, that the Chair has the authority, and the gentleman from Massachusetts (Mr. MEEHAN) has the right to request that there be unanimous consent that there be no more votes tonight, and the gentleman from California (Mr. THOMAS) has the right to reserve and comment on whether that would be agreeable, in which case I think we could avoid another vote on the gentleman's motion and finish the vote for tonight and go on with the debate.

Does not the gentleman from Massachusetts (Mr. MEEHAN) have the right to move that, even though the Chair has the right to postpone votes at his discretion?

The CHAIRMAN pro tempore. There is no right to move to postpone a vote in Committee of the Whole, and the Committee of the Whole cannot alter an authority conferred by the House.

AMENDMENT OFFERED BY MR. FOSSELLA TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. FOSSELLA. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment Offered by Mr. FOSSELLA to Amendment No. 13 in the nature of a substitute offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. PROHIBITING NON-CITIZEN INDIVIDUALS FROM MAKING CONTRIBUTIONS IN CONNECTION WITH FEDERAL ELECTIONS.

(a) PROHIBITION APPLICABLE TO ALL INDIVIDUALS WHO ARE NOT CITIZENS OR NATIONALS OF THE UNITED STATES.—Section 319(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(b)(2)) is amended by striking "and who is not lawfully admitted" and all that follows and inserting the following: "or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act).".

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

The CHAIRMAN pro tempore. The Chair will recognize 40 minutes of debate evenly divided by the gentleman from New York (Mr. FOSSELLA) and a Member opposed.

Mr. MEEHAN. Mr. Chairman, I ask unanimous consent to speak out of turn for 30 seconds to clarify the schedule.

The CHAIRMAN pro tempore. The gentleman already has 20 minutes in opposition to the amendment.

Mr. MEEHAN. But I want to know if this is the last vote and if we are going to roll it until tomorrow like I asked, so Members will know.

PARLIAMENTARY INQUIRY

Mr. MEEHAN. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MEEHAN. Will the Chairman be rolling votes per my unanimous consent request earlier?

The CHAIRMAN pro tempore. The Chair has been requested to put to the Committee the debate and the vote on this amendment and then postpone recorded votes on subsequent amendments debated tonight.

PARLIAMENTARY INQUIRY

Mr. THOMAS. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. THOMAS. Mr. Chairman, my understanding was there was a motion presented to the House for 6 amendments, not more than 40 minutes. That amendment was adopted.

On what basis does the Chair now propound a procedure for dealing with that which has not either been a unanimous consent or an offering on the floor?

The CHAIRMAN pro tempore. The Chair is only proposing putting the question for a vote after the pending amendment is debated.

Mr. THOMAS. In other words, the Chair is now exercising the Chair's right to explain to a Member what may be the parliamentary procedure and the order of business on the floor as determined by the Chair?

The CHAIRMAN pro tempore. That is correct.

Mr. THOMAS. I thank the Chair.

The CHAIRMAN. The gentleman from New York (Mr. FOSSELLA) is recognized.

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

Mr. Chairman, I offer a very simple, straightforward, and I think a common sense amendment. Under current law, one does not have to be a United States citizen to make a campaign contribution to a candidate for Federal office. My amendment would establish that only United States citizens or United States nationals would be permitted to make an individual contribution to any candidate running for Federal office. Indeed, earlier this year following up on introductions by the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from California (Mr. THOMAS) this House, by an overwhelming margin, sought to ban contributions to Federal elections by noncitizens.

My amendment would also allow the request of the gentleman from the territory of American Samoa (Mr. FALEOMAVAEGA), that would allow noncitizens and U.S. nationals, many of whom reside in the territory of American Samoa, to contribute to Federal campaigns.

I believe fundamentally that American citizens should determine the outcome of American Federal elections.

Mr. Chairman, again, let me just reiterate what this amendment does. Essentially it allows United States citizens, including United States nationals, to determine the outcome of Federal elections.

Currently, noncitizens can contribute to Federal elections. I think that is bad policy; I think that we have seen in the last couple of years how noncitizens have played a major role in funneling illegal money to Federal elections. Indeed, just in today's paper we see how a Thailand firm lobbyist was indicted as a conduit of campaign cash. The indictment brings to total the number 11 of persons charged so far in the Justice Department's campaign finance investigation which began in November of 1996, and all of them have a very similar trait in that they funnel money through people who are residents of the United States, but are noncitizens.

Mr. Chairman, I think that is why we have before us an amendment that just a couple of months ago by a vote of 369-to-43, this House overwhelmingly

banned the contributions to Federal elections for noncitizens. As I stated earlier, I think this would go a long way to bring integrity back into the system we have before us, and essentially and in effect, allow foreign influence of the United States political process to be kept to a minimum.

Mr. Chairman, 369 votes to me is a strong indication of the bipartisan support that this legislation shares in this House, and I would think that every American who is watching this or every American who believes there should be integrity in the system, that American citizens should control the electoral process, particularly those at the Federal level, and would support such an amendment, and I think this would go a long way to clarify the underlying legislation.

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

Mr. MEEHAN. Mr. Chairman, I ask unanimous consent that the 20 minutes of time allotted to me be controlled by the gentlewoman from Hawaii (Mrs. MINK).

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

There was no objection.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Chairman, in our efforts, our bipartisan efforts over a period of the last several years to forge a partnership between Republicans and Democrats and find an agreement to comprehensive campaign finance reform, we have made a number of agreements and concessions along the way. We have a majority of the Members of this body who I believe and many of us believe now favor the McCain-Feingold, Shays-Meehan legislation.

The only thing that can defeat the Shays-Meehan legislation is an effort to have an amendment that is harmful to our ability to get it passed. I believe strongly that we should vote on this amendment. If Members are concerned about the specifics of this amendment, we voted and sent the bill over to the United States Senate, we can deal with it that way, or we can deal with it through the Commission as part of the bill that this House passed. We sent a Commission bill, gave them the responsibility to look at what changes there ought to be, other changes, in the campaign finance law.

□ 2030

I would suggest that this would be a change that the Commission could make a judgment on. This may well be an unconstitutional provision. The Commission would have an opportunity to talk to constitutional scholars and determine whether or not this should be part of some other amendment at some other time.

What we need to do at this point is to move forward, to get through this very cumbersome, difficult process, and have a vote up-or-down on the Shays-Meehan bill. I would urge my colleagues to vote against this amendment.

Mrs. MINK of Hawaii. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a very, very harmful amendment to add to this legislation. I ask this body to take a look at me as a person. I ask this body to examine this amendment and the impact it would create in a large percentage of the population of this country.

Just take a good look at me. If I were to hand over a campaign contribution to a Federal candidate, what would be the first thing that the recipient would do? It would be to ask me whether I was a citizen of the United States. I am a third generation American, but they would be forced to ask me that question because of my appearance, whereas the gentleman from New York, the gentleman from Massachusetts, tendering a contribution, would never have to be offended by such a request.

That is the cardinal offense that comes with the acceptance of this kind of provision, because it is implicitly discriminatory upon a large segment of our society that looks different than the basic majority.

There is nothing in this Constitution that says that the protections of the Bill of Rights extend only to United States citizens. Throughout it there is reference to people, to persons. There have been court decisions time and again that have extended the protections of the Constitution to all persons living within the United States.

We have had a great problem in the Congress making a distinction between illegal residents and legal permanent residents. Legal permanent residents have gone through all the processes. They have spent years to even come to the United States. They have come here with the purpose of being lawful, participating people in this great democracy. What are we afraid of, of these legal residents? We should not be. We should be welcoming them as participants in this democracy.

This Congress first took away their food, threatened to take away their health care, refused to give them disability protections, injured the elderly and the children and the sick among this category of so-called legal permanent residents.

Let us not make a mockery of the openness of this society, of the fierceness with which we defend the Constitution, and tonight adopt an amendment that says, yes, we welcome you into the country, but we will not allow you to be participants. We forbid you to make contributions to candidates. To me that really offends not only the core symbol of this democracy, but it is absolutely unconstitutional.

Pass this amendment and I am sure it would be taken to the courts and it will be stricken from the bill. Do not disgrace the Constitution by supporting this kind of amendment.

Mr. FAZIO of California. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK of Hawaii. I yield to the gentleman from California.

Mr. FAZIO of California. Mr. Chairman, I want to congratulate the gentlewoman on an outstanding presentation to her colleagues. I think many of us who, as the gentlewoman said, look like the majority in this country would not have thought of the implicit distinction that people would have to make in order to make clear that a contributor was a citizen or legal resident of this country who had not attained nor sought citizenship.

There are thousands and thousands and thousands of people who, since the Federal election law has been in place, have contributed to candidates of both parties and to third and fourth parties all across the country, raising no issue, no scandal, no problem. They simply have attested to the fact that they care about the country they live in; that as people who go to work every day and invest in it and create jobs for others, they want to have some say about the atmosphere in which they go about living their life.

Mrs. MINK of Hawaii. Mr. Chairman, I make the assumption in my district that everyone who wants to participate in my campaign is welcome. If they want to make a contribution to my campaign, they are welcome. I am not going to ask them to prove to me that they are a citizen of the United States. I do not carry around anything in my pockets or anywhere in my possession that I know of that proves that I am an American citizen.

I pay taxes, I was born in America, my parents were born here. Why do Members want to impose this kind of incriminating disability on tens of thousands of honest, hard-working people in districts like mine? But that is what Members are going to force me to do. They are going to put me in jail and make me a criminal because I have taken a contribution from someone in my constituency that I love and I respect, because I did not have the whatever it was to insult him by saying, are you a citizen?

That is really what we are doing tonight, we are absolutely tearing away the very shreds of this democracy which says that people who come to this country and love this country ought to be able to participate in it. I ask this House to please defeat this amendment.

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

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

I would just note for the RECORD, Mr. Chairman, I noticed, respectfully, of course, that my colleague, the gentleman from Massachusetts (Mr. MEEHAN), objects to this amendment, but

earlier this year he, along with 369 of our colleagues, voted to support almost identical legislation. Indeed, this is broader than the piece of legislation we voted on earlier.

Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska (Mr. BEREUTER).

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

Mr. Chairman, I would like to say to the gentleman from Massachusetts (Mr. MEEHAN), if he is here, that the Meehan-Shays bill is not a perfect bill. If the gentleman expects to have support from Members of this body, do not tell us to take it the way it is and do not try to amend it. That is not acceptable in this body.

I have great respect for the gentlewoman from Hawaii, but I am amazed and surprised at her comments here tonight. It is patently absurd to suggest that the gentleman's amendment is unconstitutional. It is discriminatory in only one way, only one way. It differentiates between citizens and noncitizens. It also takes into account the fact that we have U.S. nationals in places like American Samoa, to the credit of the author of the amendment. The House has voted on this very type of amendment and approved it before by a very large vote.

To this Member, it is very simple. If you want to be fully involved in our political process, then you must become a citizen of the United States. If you do not make the full commitment to our country by becoming a U.S. citizen, then you should not have the right to participate in our political system in the ultimate fashion, by making a campaign contribution and affecting the lives of American citizens. You should not have a role in electing American officials.

Most Americans believe this is the law already, but in fact, as we learned last year, you can simply be a permanent resident of the United States, and in fact be a resident, and then it is not illegal to make a political contribution.

There is no requirement on the gentlewoman, for example, to do a citizenship test of the people that might make contributions to her campaign. All she would have to do is simply say, "Are you a citizen?" And when you fill out a contributor's form you would have to attest that you are a citizen.

We have had problems in the recent presidential campaign which have cast a cloud on Asian Americans. That is deeply, deeply regretful, because that is an inappropriate cloud. But there is no reason why there is any additional discriminatory scrutiny given to a Caucasian from another country or a Hispanic from South America than there is an Asian American who is a citizen or a U.S. national.

I think it is a very obvious conclusion that the process of electing our officials should be a right reserved for citizens. It is wrong and dangerous to allow even the potential to exist for undue foreign influence in electing our government. That is what the American people expect. That is what they want. That is what the gentleman's amendment does.

I urge Members to support the gentleman's amendment.

Mr. Chairman, this Member rises today in support of the amendment offered by the distinguished gentleman from New York [Mr. FOSSELLA], which would prohibit foreign individual campaign contributions or expenditures and allow such contributions or expenditures only from United States citizens or United States Nationals. The Fossella amendment is almost identical to H.R. 34, which this Member sponsored as one aspect of necessary campaign finance reform legislation, and which was previously passed by the House by a vote of 369 to 43 (with 1 Member voting present) on March 30, 1998. The only difference between the Fossella amendment and this Member's original legislation (H.R. 34) is that the Fossella amendment would appropriately allow United States nationals (as defined by the Immigration and Nationality Act) to make individual campaign contributions or expenditures to Federal candidates.

However, it is apparent that a serious problem really for the first time came to the attention of the American public during the 1996 presidential election season—campaign contributions from foreign sources. The abuse that allegedly resulted from foreign campaign contributions in the recent presidential campaign is a terrible indictment of our current campaign finance system.

Many Americans believe that it is already illegal for foreigners to make Federal campaign contributions. The problem is that they are both right and wrong under our current Federal election laws. The fact of the matter is that under our current Federal election laws, you do not have to be a U.S. citizen to make campaign contributions to Federal candidates. Under our current Federal election laws, you can make a campaign contribution to a candidate running for Federal office if you are a permanent legal resident alien—a permanent legal resident alien and you, in fact, reside in the United States.

This Member believes that this situation is wrong, this Member believes that most Americans would agree it is wrong, and this Member believes that it is a problem begging for correction. Therefore, this Member introduced H.R. 34 on the first day of the 105th Congress to change our current Federal election laws so that only U.S. citizens are permitted to make an individual contribution to a candidate running for Federal office.

An overwhelming number of this Member's colleagues agreed with the purpose of H.R. 34; as of March 30, 1998, the House passed H.R. 34 by a vote of 369 to 43 (with 1 Member voting present).

Indeed, the Congress must be concerned about the issue of legal and illegal foreign campaign contributions. Everyone here today should be concerned about this recent insidious development in our presidential election process, and should understand that these statutory and procedural changes like the passage of the Fossella amendment are necessary to protect the integrity of the American electoral process. We must insure that it is Americans who choose our President and Congress.

We simply cannot allow foreign corporations and foreign individuals to decide who is elected to public office at any level of our government. Therefore, the Fossella amendment, which would require that only U.S. citizens and U.S. nationals be allowed to make individual contributions to candidates for Federal office (and which is virtually identical to this Member's bill—H.R. 34), must be a priority for the 105th Congress. This issue must be addressed and this Member intends to push for this change until successful.

In conclusion, this Member would ask his colleagues to strongly support the Fossella amendment—the essentially identical text of this Member's bill, H.R. 34, which previously passed the House by an overwhelming majority—as an important step forward campaign finance reform.

Mr. FOSSELLA. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. PAXON).

Mr. PAXON. Mr. Chairman, there are many controversial amendments that are being offered and have been offered, but not this one. On this one there is near unanimity in this body, whether we are on this side of the aisle, Republicans, or that side of the aisle, Democrats, liberals or conservatives, from whatever region of the country, there is agreement that this amendment needs to be part of this legislation.

As a matter of fact, in March when we voted on a similar amendment, a similar piece of legislation, H.R. 34, the Illegal Foreign Contributions Act, it passed with 369 votes. There are few things in this body that have enjoyed the depth and breadth of support that this idea did in the form of the legislation then, H.R. 34, and today in the form of the amendment offered by the gentleman from New York (Mr. FOSSELLA).

Why should there be such unanimity? It is just common sense, for two reasons. First, only U.S. citizens and U.S. nationals should be allowed to contribute to Federal campaigns. Back at home this is not rocket science. People would assume this should be the case. We should not even be talking about this, because they would have assumed long ago we would have made sure this was the case.

Of course, number two, common sense is a result of this amendment in the action of the gentleman from New York, no foreign dollars would be allowed to be part of our system. We know what has happened in recent months, and we have been witnessing in the papers even today about the influence, the attempted influence, of our system by foreign dollars.

I am very pleased that the gentleman from New York is taking this step so we can be certain that whatever reform

legislation passes this House, that this idea, this important step to ensure the integrity of our American political system, is part of it.

I tip my hat to the gentleman from New York, and most importantly, to the Members of this Chamber who I know will be voting overwhelmingly, as we did last March, to make this important part of this reform move forward.

Mrs. MINK of Hawaii. Mr. Chairman I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I want to support the gentlewoman from Hawaii, and say that I was one of those, part of that overwhelming 300 or so, who voted when we had this amendment on suspension a couple of months ago, who voted in favor of eliminating the right for permanent residents to be able to contribute.

After that time I was overwhelmed, if you will, by so many constituents in my district, which is a very multi-ethnic district. A lot of Asian Americans live in my district. They explained to me how insulting this was, if you will, that to say that people who are here, who become permanent residents, who would like and in most cases are trying to become citizens of the United States, that this is the one opportunity they have, really, or one of the few opportunities they have to express their will and get involved in the political process.

I think it is a mistake for us to deny them that. I think that I understand the point of view that says, well, you should be a citizen to fully participate in our democracy, but this is not—this is a form of participation, a very small form of participation, that I think we should allow permanent residents to be able to contribute and participate in this way.

□ 2045

Mr. FOSSELLA. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I rise today in strong support of the Fossella amendment. It seems like deja vu. We have been here before.

Just a reminder about 1996, during the election cycle, the Democratic National Committee was forced to return over $2.8 million in illegal or improper donations. I was surprised and dismayed by that. The American people were dismayed and, frankly, frustrated over the ability of foreign nationals to wield such influence over our election process without casting a single vote.

It is why I introduced H.R. 767, which was the Common Sense Campaign Reform Act. That bill provided a common-sense, three-step approach to address the problems inherent in the current system. One step of the three would prohibit individuals who are not eligible to vote from contributing to candidates for Federal office or political parties.

I commend my colleague, Mr. FOSSELLA, for incorporating into his amendment the spirit of H.R. 767. Banning contributions from non-U.S. citizens reinforces the important message that American citizens and only American citizens elect their representatives in government, not foreigners.

Now, contrary to what I have heard over here, this is not harmful. It does not need a commission. It simply needs a vote, just like the last time.

By the way, this bill is more inclusive than the last bill. It is a better bill in response to the comments over here.

Mr. Chairman, foreign influence in our elections has eroded the American people's confidence in our democratic process and left far too many voters feeling demoralized and disenfranchised. While this bill is no sweeping reform effort, it does address one of the system's most glaring problems, the influx of foreign money in our political process.

I urge my colleagues to support this vital, common-sense piece of legislation.

Mr. FOSSELLA. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Chairman, I thank the gentleman from New York for bringing this amendment to the floor. I think it clearly does what most Americans think is already the case.

Some of my colleagues tonight have even said, I thought that is what the law already said, wondered why we passed this with such an overwhelming vote just a couple of months ago. Even the Shays-Meehan language tries to address this issue but I think does not adequately address the issue of expenditures.

This amendment clearly takes foreign citizens out of our election process as contributors. We have seen that ability of foreign citizens living in the United States to use our system in a negative way in just the last cycle of elections. We have heard example after example after example of citizens of other countries living in the United States who gave money, a lot of questions as to where that money came from, some apparent proof that that money was funneled into our politics through these people living in the United States from other governments. But if this law was on the books, that would not be allowed.

The House overwhelmingly voted to make this common-sense reform. This clarifies not only that people cannot give money to campaigns, they cannot independently spend money to affect campaigns, something that virtually all Americans believe to be the case today.

This amendment avoids the problem simply by banning all expenditures by noncitizens. H.R. 34 amended the law by banning contributions from foreign nationals. This clarifies that.

I urge my colleagues not to change their vote, not to have to explain why their vote 2 months ago is different than the vote they cast tonight but to be consistent on understanding this problem that has already seen abuses in the most recent series of campaigns, to change our laws so that those abuses cannot occur in the future, to make that part of any changes we make in campaign finance reform so that the laws are enforced, the laws are enforceable, and we do not continue to have the same kinds of problems that everybody understands were part of the last cycle of elections.

I urge my colleagues to vote for this. Actually, I would be delighted just to see my colleagues who voted for it the last time to vote for it this time or to come up with a pretty good explanation when they go back and talk about this topic, to talk about why that vote was one way 60 days ago and another way today.

I urge my colleagues to pass this. I think it will pass. I am grateful to the gentleman from New York for offering this amendment tonight.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Chairman, this is a bad amendment. Like a lot of other Members, in the enthusiasm of the early days following the last election I supported the idea that we should constrain the rights of new Americans and permanent residents to participate to the fullest in our election process. That was a mistake. It was wrong.

These are not citizens but they are people who have been permitted to come here. They will become citizens almost without exception in the orderly passage of time. They serve in our Armed Services. Indeed, there are better than 20,000 of these permanent residents who now serve the United States in our Armed Services. I would say that we ought to permit them to have full participation.

After all, it is the main thesis of my good colleagues and friends on the Republican side of the aisle that the giving of campaign contributions is an exercise of the right of free speech. Indeed, the Valeo case says so. Why then is it that we should deny these people who have come here, who have entered the country legally and who are for all intents and purposes, from tax paying to serving in the defense of this Nation, acting almost completely as American citizens?

Almost without exception, they intend to become American citizens. Almost without exception, they have a great reverence and love for this country. I think there is nothing wrong with permitting them to have that additional right of participating in our election process by making campaign

contributions under the same basis that any other person who resides legally and permanently here.

I would urge my colleagues to reject the amendment offered by my friend and colleague on the Republican side. I would urge them to err in this matter, if we do err, and I do not believe so, on the side of seeing to it that the fullest of participation of citizenship in this important aspect is extended to those who are permanent residents of the United States.

With regret, I say this is a bad amendment. With regret, I say let us vote it down. And let us then proceed towards the enactment of the Shays-Meehan bill, which is a good piece of legislation in the public interest, and let us allow permanent residents, legally entered into the United States, to participate in the full exercise of free speech, looking to the day when they can become citizens and can actually have the right to vote.

Mr. FOSSELLA. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Chairman, it is certainly a pleasure this evening to join the gentleman from New York in support of the Fossella amendment.

I have found it amazing to hear the discussion on this amendment, an amendment that says you must be a citizen of the United States to contribute to and influence elections. You must be a citizen of the United States to participate in elections. But it seems for some to be all right to give thousands of dollars that might change thousands of votes when you are not a citizen.

I find it incredible. Some have said it is unconstitutional. We know that is a joke. Someone said it was harmful to the bill if it passed. But they did not explain how it was harmful.

Maybe if it is not right, they said, we can fix it in the Senate or maybe in a conference committee. And then the one that amazed me, because bureaucrats always scare me, it was said, we can deal with it over at the commission if it is not right, telling the commission that they must determine whether it is appropriate for people that are not citizens to give to campaign contributions.

I also found it amazing that someone called it a cardinal sin and very offensive to be asked if you are a citizen. My grandparents came from Sweden. If someone asked me if I am a citizen, I will say, you bet I am and proud of it. Most of the newest citizens that I know, when asked if they are a citizen, they beam. They are so proud to be an American. It is not offensive to be asked. It is not an insult to be asked if you are a citizen.

What will be the impact if we do not do this? If we do not do this, it will be easy for those who are seeking the White House to continue to funnel foreign money into their coffers. That is what it will do.

Do my colleagues like what happened in 1996? I do not. Future Congress races, future Senate races will be easier to get foreign money and use it to win elections, which is wrong in this country.

Mr. Chairman, this is a clean, simple amendment. The law says you must be a citizen to vote. Why should you be able to influence elections with cash if you are not a citizen? You may influence thousands of votes.

This is the simplest, cleanest amendment we will face on campaign finance reform. I urge all of my colleagues on both sides of the aisle, let us stand for the Constitution. Let us stand for citizenship. Then if we are going to participate in elections in this country, you need to be a citizen, to vote and to contribute.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I voted in favor of this amendment when it stood separately. I now will vote against it. Why?

Since it passed before, we do not need it to be attached to this bill for its substance. The only reason it is being attached to this bill now is to defeat Shays-Meehan. Why? Because Shays-Meehan has to stay as close to identical to what passed or came close to passing with 57 votes in the Senate for cloture. Do not support this amendment if you are committed honestly to campaign finance reform. The further Shays-Meehan departs from what could pass in the Senate, the less our chance.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 30 seconds to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, the gentleman from New York (Mr. FOSSELLA) pointed out that his amendment has already passed this body as a stand-alone bill. So why are we debating it now? We are debating it because, I would venture to say, many Members who support this amendment and who are trying to add amendments to Shays-Meehan are trying to defeat the bill, which has 218 votes to pass this body if we keep it in the form that it is in that is like the McCain-Feingold bill that has the majority of votes in the Senate.

I call on my colleagues, if they are for reform, vote against this amendment.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 2 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Chairman, I thank the gentlewoman for allowing me to say a few remarks with reference to the amendment now at hand.

I would like to ask my good friend from New York for a dialogue concerning his amendment because there does seem to be a lot of misinformation going around here concerning the gentleman's amendment. I do want to thank him for his understanding of the uniqueness of the situation.

I know my colleagues probably are not aware I am the only representative that represents U.S. nationals in the great United States of America. By definition of the U.S. immigration law, a U.S. national is any person who is born in the confines of American Samoa, who is a permanent resident, not permanent resident, born and raised in American Samoa who owes permanent allegiance to the United States but he is neither a citizen nor an alien.

You tell me what that means? But I would like to ask the gentleman from New York if his understanding of a U.S. national is in that category and the reason for his amendment is that U.S. nationals can contribute to Federal elections?

□ 2100

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

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

Mr. FOSSELLA. To my colleague from American Samoa, Mr. Chairman, it was in a conversation that my office had with his office, in an effort to address this issue and his concern, and particularly with the letter dated May 12 of 1998, that we sought to allow U.S. nationals to contribute to Federal elections.

Mr. FALEOMAVAEGA. Reclaiming my time to just ask, because I was hoping that maybe the issue of permanent resident aliens and green card holders would be addressed at another time, but this is very key and important, and I want to ask my friend does his proposed amendment exclude permanent resident aliens from participating and contributing to U.S. elections?

Mr. FOSSELLA. If the gentleman will continue to yield, this amendment simply allows for United States' citizens and United States' nationals to contribute to Federal elections.

Mr. FALEOMAVAEGA. So, by omission, permanent resident aliens cannot contribute in U.S. Federal elections?

Mr. FOSSELLA. That is correct.

Mr. FALEOMAVAEGA. Is the gentleman aware that permanent resident aliens are subject to the U.S. draft?

Mr. FOSSELLA. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, I would say to the gentleman from New York, I would be glad to take 2 minutes and allow 1 extra additional minute for the gentleman from American Samoa so he can finish his colloquy, because I think he is on a point the Members should understand.

Because I have an amendment that comes later which is very similar to

the amendment of the gentleman from New York, and I support his amendment, but my amendment goes a little further and takes it down to the State and local level and also points out that one cannot solicit contributions. So this means that a U.S. citizen cannot go out and solicit contributions from people that are not citizens.

I support the gentleman's bill, but I would like to point out for the Members here that there is a controversial point here and it all pivots around the idea that we are not talking about U.S. citizens, we are not talking about U.S. nationals, we were talking about U.S. permanent legal aliens, is the term. And in many parts of the country these people want to participate.

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

Mr. STEARNS. I yield to the gentleman from American Samoa.

Mr. FALEOMAVAEGA. Mr. Chairman, I thank the gentleman for yielding, because we do need to understand exactly what is a permanent resident alien. A permanent resident alien is an alien who petitions the Immigration and Naturalization Service for his status, for which he is then issued a green card under the provisions of a quota number that is given to that person.

By those conditions, a permanent resident alien is subject to the draft in times of a national emergency. I had several friends who were permanent resident aliens who were Vietnam veterans. They were subjected to the draft. Also, a permanent resident alien, after 3 years serving in the military, can also become a U.S. citizen, if he so wishes.

Mr. STEARNS. Reclaiming my time, Mr. Chairman, I thank the gentleman for that clarification.

I think the Members on this side who are saying they are against the gentleman's amendment must go back and realize that they have voted for this identical language and they are going to be flip-flopping on this floor because that bill passed 368; overwhelming.

The fact it is a stand-alone bill has no relevance here because it is the same words. So my colleagues have to know in their heart of hearts that they are going to flip-flop tonight if they do not support the amendment of the gentleman from New York.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, this is one of those difficult moments in the process of bringing forth a comprehensive bill with many supporters. We tried to identify amendments as killer amendments, harmful amendments, benign or helpful amendments, and essential amendments to help the bill pass. For some, this is a killer amendment. I have to be candid with my colleagues, those who support Meehan-Shays, we are going to lose some supporters in the end if this amendment passes. It is likely to pass.

But one of the things I find extraordinarily ironic is I hear Members say there is agreement this amendment has to be part of Meehan-Shays. Yet the people who are saying it are not going to be voting for Meehan-Shays. So this is not particularly a friendly amendment. We already passed this legislation last year. It is waiting in the Senate. It can be dealt with there. To attach it to this bill will do what I think it is intended to do, which is to make it more difficult to pass Meehan-Shays. I accept this. I understand it.

What I would also like my colleagues to understand is that the real foreign money problem is with soft money, and the opponents of Meehan-Shays do not want to ban soft money. The foreign nationals who gave money gave soft money. They did not give hard money contributions. All the outrages that people are thinking of are soft money and yet so many who are concerned about foreign money are opposed to banning soft money.

When I look at this legislation, I have to tell my colleagues I understand that some just think people who live in this country, who are not legal, should not be allowed to contribute. I am grateful they are legal. I am grateful that they ultimately want to become citizens. And I regret my vote when I voted for it in the past, and I will vote "no".

I will say this. I encourage my colleagues who feel strongly against this amendment, do not let them win in the end. If they succeed in attaching this amendment, do not walk away, because that is the real reason why they are presenting this amendment. And I encourage my colleagues to realize that we cannot allow this amendment, if it passes, to be a killer amendment because they will have won.

Mr. FOSSELLA. Mr. Chairman, I yield myself such time as I may consume to urge all Members just to reflect upon the highest oracle of wisdom, and that is the experience of voting for this same, almost identical piece of legislation, but broader, just a few months ago.

The reality is that if Shays-Meehan were to pass, I think we would like as perfect a bill as possible and, in effect, what my amendment would do would only allow United States' citizens and United States' nationals to contribute to Federal campaigns.

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

Mrs. MINK of Hawaii. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Please, Members, do not confuse the term foreign national with what this bill really does, and that is it goes after lawful permanent residents. Foreign nationals are people who may be visiting, may be coming to this country on occasion, but they are nationals, citizens of another country and do not have intentions of staying. Lawful permanent residents are exactly what the term says, they are lawfully here, they are permanently here and they are on their way to becoming U.S. citizens.

This amendment is a sweeping indictment of the 8 or 10 million people who are lawful permanent residents, 2 million of whom are waiting up to 3 years to become U.S. citizens. This amendment is telling all those folks, tough luck. This Congress has been very good at stripping rights from lawful permanent residents, but it is very bad, and I am willing to give them what they deserve, the opportunity to participate.

We tax lawful permanent residents. We expect them to defend this country in times of war, and they do, and we have Medal of Honor winners to prove it. We expect them to adopt a civil life in America, yet we want to now with this amendment exclude them from future participation.

Members should vote against this amendment if they are serious about campaign reform. Vote against this amendment.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from Hawaii (Mr. NEIL ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Chairman, it has been said several times tonight that we had an overwhelming vote on this before, and I think that is probably because we did not necessarily have the full implications before us.

I certainly do not fault what the gentleman from New York (Mr. FOSSELLA) is trying to accomplish in terms of trying to keep money that should not be in our campaigns out of it. But here I want to emphasize to all of my colleagues that we are talking about legal permanent residents; people who have served in the armed forces. We are in a situation in which we can have convicted felons who cannot vote, they can give money to a political campaign, but a legal permanent resident who is paying taxes, working hard, raising their families is not going to be allowed to give.

I am speaking right now because my colleague over there is the one who is going to be asked. I get out of it. I listened to some people on the floor say "if I was asked". I guarantee if someone looks like me, with the same physiognomy that I do, they will probably not get asked. But who is going to get asked are the people who are likely to be seen as foreign.

Anybody who is in this country under the protection of the Constitution is deserving of participating fully in our constitutional and democratic government.

Mrs. MINK of Hawaii. Mr. Chairman, I yield myself such time as I may consume, and I rise in very, very strong opposition to this amendment. We all came to this body, we took an oath of office, we swore to uphold the Constitution of the United States.

We all came to this body and we took an oath of office: We solemnly swear to uphold the Constitution of the United States. The First Amendment says Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof or abridging the freedom of speech, and to petition the government for a redress of grievances.

Nowhere does the Constitution say that this right under the First Amendment is reserved to U.S. citizens. This affront today denying the right of legal people who have come through the process from exercising their right to petition to those who seek to represent them in the Congress from contributing is an absolute denial of free speech, a violation of the First Amendment and absolutely unconstitutional. I do not believe that we, as a dignified body, should adopt this amendment in this reform legislation.

The CHAIRMAN pro tempore (Mr. GIBBONS). The time of the gentlewoman from Hawaii (Mrs. MINK) has expired.

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

Let me remind my colleagues again that 369 of them voted just a few months ago to support the almost identical legislation. The reality is that you can think what you want about what the Americans think about the campaign finance system and how important it is to their lives relative to education or taxes. The reality is that if you vote against this amendment you are going to continue to allow noncitizens to influence the electoral process in this country.

I submit, Mr. Chairman, and every colleague of mine in this House that what the American people want is for United States citizens and United States nationals to control the process, to vote and to contribute. If we vote no on this amendment what we are saying is that noncitizens can continue to influence the American election. If we vote yes on this amendment what we are saying is United States citizens, United States nationals, have the right to contribute, have the right to vote, have the right to influence our process.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York (Mr. FOSSELLA) to the amendment in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS).

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

RECORDED VOTE

Mrs. MINK of Hawaii. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 282, noes 126, not voting 26, as follows:

[Roll No. 276]

AYES—282

Aderholt
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (OH)
Bryant
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
DeLauro
DeLay
Dickey
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hinchey
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (WI)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moakley
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Royce
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Shimkus
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (FL)

NOES—126

Abercrombie
Ackerman
Allen
Andrews
Barrett (WI)
Becerra
Berman
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Brady (PA)
Brown (CA)
Brown (FL)
Campbell
Capps
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
Diaz-Balart
Dicks
Dingell
Dixon
Doolittle
Ehlers
Engel
Farr
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gutierrez
Hastings (FL)
Hefner
Hilliard
Hinojosa
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Kanjorski
Kennedy (RI)
Kilpatrick
Kim
Kind (WI)
King (NY)
Lampson
Lantos
Lee
Lewis (GA)
Lofgren
Lowey
Maloney (NY)
Manton
McCarthy (NY)
McDermott
McGovern
McHale
McIntosh
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Pombo
Porter
Rangel
Reyes
Rodriguez
Ros-Lehtinen
Roybal-Allard
Sabo
Sanford
Scott
Serrano
Shays
Skaggs
Slaughter
Stokes
Talent
Tanner
Thompson
Thornberry
Tierney
Torres
Towns
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weygand
Woolsey
Wynn

NOT VOTING—26

Baesler
Burton
Deal
Deutsch
Doggett
Fattah
Fowler
Gephardt
Gonzalez
Hall (OH)
Hilleary
John
Martinez
McDade
McNulty
Olver
Payne
Rush
Schaefer, Dan
Shuster
Smith (OR)
Smith (TX)
Stark
Wexler
Yates
Young (AK)

□ 2129

Mr. SANDERS and Mr. MCINNIS changed their vote from "no" to "aye."

So the amendment to the amendment in the nature of a substitute was agreed to.

Mr. THOMAS. Mr. Chairman, I seek unanimous consent to explain a proposition in an attempt to bring additional order to the process on the floor regarding the Shays-Meehan amendment.

The CHAIRMAN pro tempore (Mr. GIBBONS). Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Chairman, this is to request in an attempt to propound

either a unanimous consent request or a motion, if necessary, all of those individuals who have offered amendments to Shays-Meehan who are interested in pursuing those amendments to notify me, the Committee on House Oversight, that they have an interest in having their amendments considered in order on Shays-Meehan so that we will have the universe of those that are serious about their amendments by about 1 o'clock tomorrow so that we could perhaps begin to put together either a unanimous consent request or, as I said, a motion to create a defined universe of serious amendments to Shays-Meehan rather than the universe that is out there.

So I would request by 1 o'clock tomorrow that any individual who has an amendment that is in order on Shays-Meehan who wishes to have it considered as part of a unanimous consent or a motion to notify the Committee on House Oversight.

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

Mr. THOMAS. I yield to the gentleman from Massachusetts.

Mr. MEEHAN. One of the concerns that the minority would have, Mr. Chairman, is that we get a full list of which amendments people respond to and get it in a timely fashion. In other words, if it is at 1 o'clock tomorrow, that we could have the list at 1:15 or 1:20 so that we are in a position where we have a clear understanding what all the amendments are and who has voiced concern about having their amendment pulled or who really wants to go forward.

Mr. THOMAS. Yes, exactly. I will tell the gentleman that one of the things I have been trying to do is determine the accuracy of the list of proposed amendments; that is, the seriousness of them. What we are going to try to do is to get a notice out and leave a little time tomorrow morning for it to circulate, that anyone who is serious, let us know. It seems appropriate that if they are serious, it could be part of a propounded UC or a motion, and certainly as soon as we have that have list, we will provide our colleagues with it to get an understanding of where we are trying to go in an orderly fashion.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the last word.

PARLIAMENTARY INQUIRY

Mr. THOMAS. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman will state his parliamentary inquiry.

Mr. THOMAS. My only question, Mr. Chairman, is can we in fact strike the last word under the amendment which was passed governing only those amendments under a time limit whose time limit is being drawn on if, in fact, the gentleman strikes the last word and there is no underlying amendment in front of us.

The CHAIRMAN pro tempore. A pro forma amendment is in order.

The gentleman from Massachusetts (Mr. FRANK) is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Chairman, I simply want to say to my friend from California (Mr. THOMAS) and I was going to ask him: I heard him say that anyone who is serious about an amendment should come to him.

As I looked at the list of amendments and at the people who offered them, it had not previously occurred to me that being serious about an amendment was a prerequisite for offering one.

Is this a new, and it is my time, is this a new rule that only people on his side who are serious about their amendments will be allowed to offer them? Because if the people who are offering unserious amendments for unserious reasons were to be excluded, we could probably finish this in about an hour.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. THOMAS. Mr. Chairman, the gentleman once again does make a meal of a term which I used in an attempt to determine whether or not someone wanted to be included in a unanimous consent or a motion. In using the term "serious" it seems to me that someone who may have been serious previously, watching the political antics of the gentleman's side of the aisle in arguing that they are serious about moving forward, but failing to do so, may have lost some interest, and I am hoping to make sure that everyone who involves themselves in the process has a level of interest equal to the gentleman.

Mr. FRANK of Massachusetts. Mr. Chairman, apparently by "antics," and let us be very clear, he refers to the antics on our side. "Antics" apparently is the gentleman's phrase for defeating amendments aimed at killing the bill. Certainly the antics have consisted of defeating amendments with some help on the other side. I think the gentleman unfairly denigrates the serious remnant on his own side.

Finally, the gentleman objected that I put too much meaning into use of "serious." I apologize for taking the gentleman at his word, and I will try to avoid doing that in the future.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Michigan.

Mr. LEVIN. Mr. Chairman, since the gentleman from Massachusetts (Mr. FRANK) has been serious and raised a serious issue, I would just like to repeat what the gentleman from Massachusetts (Mr. MEEHAN) said to the gentleman from California.

If there is going to be unanimous-consent request, it must in the eyes of many of us, and I just speak for many of us, have a cut-off for a vote on Shays-Meehan and the other substitutes, because if there are 50 amendments, we do not see how there is time between now and August 7 to bring this to a vote, and we want not only order now, we want order to the end in that case.

So I wanted to mention that to my colleague in terms of his request.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. THOMAS. Mr. Chairman, I tell my friend from Michigan (Mr. LEVIN) that it seems to me that the gentleman's request is within his own realm of concern reasonable. What we were able to do tonight was to create a degree of certainty for today, and my attempt is to begin to do it one day at a time.

If the gentleman will recall, we attempted to place order on this process earlier. Our failure to do that or failure to get unanimous consent cost us a full day of legislative time in the debate of Shays-Meehan.

I do not want in the pursuit of order to lose any more time than is necessary, and if the gentleman is holding out an absolute complete resolution in lieu of a day-by-day resolution, I will tell the gentleman he will probably create more of a delay than would otherwise be the case.

Let me at least now work day by day, and we will move from there, and I will tell the gentleman from Massachusetts that I never did intend, nor will I ever intend, to define for him what "antics" are to him.

Mr. LEVIN. Mr. Chairman, will the gentleman yield just briefly?

Mr. FRANK of Massachusetts. I will yield to the gentleman from Michigan so that I can ponder.

Mr. LEVIN. Mr. Chairman, I say to the gentleman from California (Mr. THOMAS) we need not only order day by day, but a guarantee that order day by day leads to a conclusion to this before we leave.

Mr. FRANK of Massachusetts. Mr. Chairman, I reclaim my time to say my understanding is we have already gotten such a guarantee, so the question is not whether we get a guarantee, but whether we get a guarantee of the guarantee because we are now several removed from the original guarantee, and I will now yield to the guarantor.

Mr. Chairman, I yield to the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Chairman, I am not the original guarantor, but I will renew that guarantee from the original guarantor, the Majority Leader, that we will finish campaign reform debate prior to the August recess.

Mr. FRANK of Massachusetts. Let me first ask the gentleman one question. Just one question, and then the gentleman from California can finish.

By "complete" does the gentleman mean a vote on the final version of Shays-Meehan? And I will yield again to the gentleman.

Mr. THOMAS of California. My belief is that it would be more than that because Shays-Meehan is not the completion.

Mr. FRANK of Massachusetts. Would it be at least that?

Mr. THOMAS. Oh, yes. I will tell the gentleman that Shays-Meehan is only one of the substitutes under the rule.

Mr. FRANK of Massachusetts. The gentleman wishes it was only one.

The CHAIRMAN pro tempore. The time of the gentleman from Massachusetts (Mr. FRANK) has expired.

AMENDMENT NO. 59 OFFERED BY MR. WICKER TO AMENDMENT NO. 13 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SHAYS

Mr. WICKER. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 59 offered by Mr. WICKER to Amendment No. 13 in the nature of a substitute offered by Mr. SHAYS:

TITLE —PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOMMODATIONS FOR POLITICAL FUNDRAISING

SEC. 01. PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOMMODATIONS FOR POLITICAL FUNDRAISING.

(1) IN GENERAL.—Chapter 29 of title 18, United States Code, is amended by adding at the end the following new section:

"§ 612. Prohibiting use of meals and accommodations at White House for political fundraising.

"(a) It shall be unlawful for any person to provide or offer to provide any meals or accommodations at the White House in exchange for any money or other thing of value, or as a reward for the provision of any money or other thing of value, in support of any political party or the campaign for electoral office of any candidate.

"(b) Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.

"(c) For purposes of this section, any official residence or retreat of the President (including private residential areas and the grounds of such a residence or retreat) shall be treated as part of the White House.".

(b) CLERICAL AMENDMENT.—The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end the following new item:

"612. Prohibiting use of meals and accommodations at white house for political fundraising.".

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Mississippi (Mr. WICKER) for 20 minutes.

Mr. WICKER. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, as many of my colleagues know, I do not agree with much of what this body is attempting to do in this legislation. I do not agree with cutting down on free speech, I do not agree that we have too much political expression in this country, and so I disagree with the direction that many of my colleagues are going in, and I think the American people are sort of with me on this.

I was encouraged to see the Washington Post/ABC News poll on the front page of the Washington Post newspaper this morning where it said that some of the things that we seem to be interested in here in this body and inside the Beltway are not really important to the voters out there in the public. When asked about changing the way political campaigns are financed, only 32 percent of the American voters think that is a very important issue, and only 1 in 10, only 1 in 10, Mr. Chairman, will let that issue decide how they will cast their ballots in November.

So I think we have been spending a lot of time talking about things like cutting down on free speech that we ought not to do and changing our campaign laws which maybe the people are not really interested in.

Here we are right now though at a very important issue, at a problem which exists, and does it ever exist, as shown by these headlines from around the Nation:

"Donors Pay and Stay at the White House"; Lincoln Bedroom a Special Treat, a Washington Post headline, my colleagues."

So I rise today to bring an issue that is most important, and that is a problem, and that is to prohibit fund-raising in the White House, the actual sale of coffees and overnight stays in the White House.

Let me make it clear that I believe the Pendleton Act of 1883 already makes it illegal for the President and Vice President to solicit contributions from the White House or the executive office buildings. The problem is that the law has not been enforced because courts have been hesitant on how to interpret the law.

□ 2145

President Clinton and others have seized upon this ambiguity and flagrantly violated the spirit, if not the letter, of the law. For this reason we need to pass this amendment.

This amendment goes further than the Shays-Meehan language, and, as a matter of fact, I would hope the authors of Shays-Meehan would vote for this amendment and accept it as an amendment that perfects the language they had offered previously.

This amendment would close the loopholes President Clinton and Vice President GORE have succeeded in driving trucks through. And, make no mistake about it, they drove those trucks all the way to the bank. There can be no doubt as to the need for this provision.

In the history of the presidency, there has never been such an orchestrated effort to subvert the law and misuse public property for the express purpose of netting political donations. The integrity of the White House has been compromised by shamelessly putting it up for sale.

The facts are shocking. President Clinton and Vice President GORE hosted more than 100 coffees inside the White House, which resulted in a staggering $27 million in Democrat contributions. Among the more than 1,500 guests attending these thinly disguised political fund raisers were Chinese arms dealers and business executives from Thailand. President Clinton invited more than 300 Democrat party donors to stay in the Lincoln bedroom in exchange for campaign contributions.

White House documents confirm that President Clinton solicited contributions by telephone from the White House, raising at least half a million dollars. Vice President ALBERT GORE, Jr., has admitted that he made phone calls from his White House office, and further stated that there was "no controlling legal authority" which precluded his actions.

Tonight we can provide that controlling authority. This president has done what no president before him has ever done; he has put a price tag on the highest office of the land. He has sold access to the White House and its accommodations to raise millions of dollars for the Democratic National Committee and his own reelection.

At no time did Bill Clinton and AL GORE have ownership of the White House. At no time did they have authority to sell or rent the White House. The White House belongs to the people, to the people of the 1st Congressional District of Mississippi, and to every Congressional District in the United States of America. It belongs to the American people.

The passage of this amendment would make it clear that the White House should never again be used and abused for political fund-raising purposes. This short and straightforward amendment makes it illegal for White House meals and accommodations to be used for political fund-raising.

The language is very plain. There is no ambiguity, there are no loopholes. Neither Mr. Clinton nor Mr. GORE nor any others would ever be able to skirt around the law, should this be enacted.

I strongly urge my colleagues to put an end to the sale of the White House and vote for this amendment.

Mr. MEEHAN. Mr. Chairman, I am not opposed to the amendment, but I ask unanimous consent to claim the time in opposition.

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

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Massachusetts (Mr. MEEHAN) is recognized for 20 minutes.

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

Mr. Chairman, we agree with this amendment. In fact, we could probably get through this pretty quickly. Our bill, by ending the soft money loophole, would take away the incentives for any of this to happen.

We have spent a lot of time over a period of the last year or so reading about problems in our campaign finance law. I think we can all agree that the White House, any White House, a Democratic or Republican White House, should never trade meals or accommodations for political fundraising.

So we would agree with this amendment, and we could have a vote on it right now and pass it unanimously.

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

Mr. WICKER. Mr. Chairman, I am pleased to yield five minutes to the distinguished gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I thank my colleague from Mississippi for yielding me time.

Mr. Chairman, I hear some encouraging notions from the other side, but silent assent is not enough, because, you see, despite the talk of soft money, hard money and all the different slang that is bandied about this House, there is a clear and explicit problem. Our British cousins have an expression for it. It is called "being too clever by half."

What we have seen in this White House is nothing short of deliberate and despicable and dishonest, for the Vice President of the United States to have the audacity to stand in front of the Nation's press corps and say "my legal counsel informs me there is no controlling legal authority," in the wake of a memo from the former White House counsel, Judge Abner Mikva, who at the time precisely warned administration personnel of the real problems inherent in violating the Pendleton Act, an act that was strengthened, my colleagues, in the Carter administration in 1979.

But because there are those who attempt to be too clever by half to the extent that they open fund-raising to the likes of Chinese arms merchants and other despicable characters, we must come to this floor now in this vehicle to articulate that those who would seek to be clever and surreptitious and gain the system again will be given no quarter. That is why this amendment is so vitally important.

I would go a step further, Mr. Chairman. I believe the very existence of the Constitution of the United States and the oversight capacity of the Legislative Branch over the Executive Branch ensures in fact that there is controlling legal authority. But to those who shamefully, cynically, put the Lincoln bedroom up for sale, had sadly what now appear to be cash-and-carry coffees, where "Starbucks" takes on an entirely different meaning, we must stand four square against that type of behavior.

It is not enough to have the almost reflexive defense that "everybody does it." Mr. Chairman, nothing could be further from the truth. Everybody does not do it.

So, as we continue to follow the revelations that I suppose will continue to emanate from the other end of Pennsylvania Avenue, let us rise with one strong voice to say enough is enough; quit putting the White House up for sale.

Mr. Chairman, my colleague from Mississippi put it appropriately, it is the people's House, belonging to the people of the 6th District of Arizona. It is not the personal property of one William Jefferson Clinton, nor one ALBERT GORE, Jr., nor any of their minions in the employ of the administration. It is an American home for the American people, not a residence where the whims of American politics and the imagined pressures of campaign life can lead to such dreadful abuses.

Mr. Chairman, I say let us rise with one voice and say enough is enough. Support the Wicker amendment. End the dreadful abuse, and let us deal with genuine reform, because everybody does not do it.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. The Chair will take this opportunity to remind the colleagues in this chamber that they are not to make personal comments about the Vice President.

Mr. MEEHAN. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, obviously I have said that we agree to support this amendment. After hearing the eloquent gentleman from Arizona, he has a real opportunity to do something about the problems under campaign finance system, and that is by voting for Shays-Meehan at the end of this long, cumbersome process. I hope he will join us in supporting this legislation.

Mr. Chairman, I yield five minutes to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Chairman, I got involved with the particular efforts around campaign finance reform for one reason, because they were bipartisan. I did not believe that there was any chance to change the way this body operates unless there were people on both sides of the aisle working together.

I came forward to be a part of this because I knew two things had to happen: I knew that both sides had to work together to make change, and both sides had to acknowledge and take the blame for the system that we have today. I did not want to be a part of an action that would try and torpedo the other side. I wanted to be part of a positive change.

But I need to speak out today. I do support this particular amendment. I think it is a good idea. But I think the American people need to know that we need this amendment because there have been problems time after time after time. The system needs to be reformed because people on both sides of the aisle have caused problems.

My colleague from Arizona talked about "despicable" and "dishonest." I would also say disingenuous.

I have a couple of documents. One is from the Presidential Roundtable. It has a picture of President and Mrs. George Bush. You have to pay money to join the roundtable. What do you get? You get "one-on-one personal relationships." "The Presidential Roundtable allows Members to participate in the development of policy, as well as help forge close friendships with Washington's top decisionmakers."

Further on you find out if you give money, you are part of a program "designed to take members of the Presidential Roundtable to various other countries to discuss economic and political issues, exclusive meetings that are structured primarily to bring top American businessmen and women together with their counterparts in Europe and Asia. You can have a voice in trade, the Organization of the European Community and the new mission of NATO." This is what happened in 1990.

I have another document, the top of the letterhead is from Mr. Bob Dole. It is for an organization called the Republican Senatorial Inner Circle. If you pay money to join this group, you have an opportunity to take part in a variety of activities which culminate, according to this particular letter, "in the fall you will be able to join Vice President and Mrs. Quayle for a special inner circle reception which is traditionally held at the Vice President's residence." If you pay money and join this group, you get to go have dinner with the Vice President and his wife in their taxpayer paid-for residence.

I am going to vote for this amendment because I do not want to see either side doing this. But what I would like to see when we talk about reform is both sides stepping up and saying there have been problems and they need to be fixed. It is not one-sided, it is both-sided.

Has there been dishonesty in the past? Yes. Have there been problems in the past? Yes. Have there been despicable practices? Yes, on both sides. But let us leave the disingenuous aside and start talking about changing for a system we can live with that people can trust.

I have stacks and stacks and stacks of these things, and what they show is that there are certain ways to raise money in this town that are used over and over and over. And it does not matter if you are a Democrat or you are a Republican. What matters is if you are willing to change.

There are a number of people who have stepped forward and said we are ready to change and we ask you to join us. Not to come forward and fight every progressive step, but to join us to make change, and maybe for everybody here to accept the system has not always worked the way we want it to, and to find a way to make it work better in the future.

Mr. WICKER. Mr. Chairman, I am pleased to yield five minutes to the gentleman from Texas (Mr. DELAY), the distinguished Majority Whip.

Mr. DELAY. Mr. Chairman, it is amazing how this town works, as the gentlewoman has just said. In this whole fiasco of abusing the White House and other illegal campaign finance issues, no one has ever stood up on that side of the aisle and said the President was wrong, the DNC is wrong, they were wrong in what they did. All they do is say well, they may have been wrong, but the Republicans were just as bad.

□ 2200

Well, today we are going to talk about the Wicker amendment, and that applies to the White House and what has been going on for the last 6 years. For over 6 years, or 6 years ago, I remember President Clinton, or then candidate Clinton, promised the American people that he would establish the most ethical administration in the history of the United States.

Now, I would submit to the President that he has personally done more to ensure that his administration is one of the least ethical in the 220 year history of the office of the presidency. In orchestrating the most massive fundraising campaign in the history of the United States, the President and the Vice President personally oversaw the use of the White House as fund-raising headquarters. Not meetings, not talking to constituents, not even coming and discussing policy, but using the White House as a fund-raising headquarters.

Every politician understands that it is illegal to raise campaign funds on Federal property, yet the President and the Vice President and the First Lady made it their personal mission to use the White House as a chit in a "cash for perks" scheme of unprecedented proportions.

President Clinton himself oversaw and orchestrated overnight stays in the Lincoln bedroom and personally attended a series of so-called coffees, and we have seen all of those on videotapes in pursuit of campaign contributions. During Operation Lincoln Bedroom, 938, 938 guests stayed overnight in the Lincoln and the Queen's bedrooms. The President, of course, claims that the Lincoln bedroom was never sold. However, more than one-third of these guests gave money to Clinton or the DNC. The bedroom visitors and their companies gave at least $6 million to the DNC and a total of $10.2 million to the Democrats.

Now, according to the presidential press secretary, Mike McCurry, the Lincoln bedroom was a special way of saying "thank you" for services rendered. Now, I think everyone in this Chamber knows exactly what services Mr. McCurry was referring to.

Sadly, it does not stop there. Concurrent with the Lincoln bedroom scheme, the Clinton administration orchestrated a series of coffees.

Mr. WICKER. Mr. Chairman, would the gentleman yield?

Mr. DELAY. I yield to the gentleman from Mississippi.

Mr. WICKER. Mr. Chairman, I just wondered if the gentleman recalls that, in response to this proposal to have overnight stays, the President actually sent a memo back to his chief of staff saying, yes, pursue promptly and get the names at $100,000 or more, $50,000 or more ready to start overnights right away, a memo from the President of the United States.

Mr. DELAY. Mr. Chairman, there is no denying what went on. There is a lot of spin going on around this town trying to spin it the other way and blame other people and blame the Republicans, even, for setting up the White House.

But even with the coffees, there were 1,528 individuals, 1,528 individuals who were invited to 103 coffees. My goodness, they drank a lot of coffee. Mr. Chairman, 358 of these individuals or the companies they represent gave $27 million to the DNC, and approximately $8.7 million was collected during the month before or after a personal coffee with the President or Vice President.

There cannot be any question in the mind of any reasonable person that the administration used the White House, Federal property, as a quid pro quo for campaign contributions; and it is already against the law now to raise campaign funds on Federal property. And because of the Clinton administration, we need to ensure that the White House is never, ever again used as a prop to leverage campaign contributions.

I ask that my colleagues support the Wicker amendment, because the White House belongs to the American people and not the Democrat National Committee.

Mr. MEEHAN. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. LEVIN) who has been a leader and a person who has really made a difference in bringing this fight to the floor of the House of Representatives.

Mr. LEVIN. Mr. Chairman, I thank the gentleman for his kind words. And to the gentleman from Connecticut (Mr. SHAYS) and the gentleman from California (Mr. CAMPBELL) who are in the House, to all of the Republicans who have worked on this with us Democrats, I want to express my optimism now that we have a real shot at reform. That is really the issue, whether we are going to make political speeches, try to make political points, or are we going to have political reform.

I had a poster here that illustrates the statement of the gentlewoman from Michigan (Ms. RIVERS) about the Bush White House. It has an invitation in big print for big Republican givers, but I am going to forget the poster and just talk to some of my colleagues about what I think is their inconsistency.

I want to join the gentleman, my colleague on the Committee on Ways and Means, getting up on his hind legs across the board, though, not just about one set of abuses but all abuses. And as the gentleman from Massachusetts (Mr. MEEHAN) said, the test will be whether one votes "yes" on this amendment and then "yes" on Shays-Meehan, or whether one votes "yes" on this amendment and "no" on Shays-Meehan. That is the test.

The cynical vote is going to be "yes" on this and "no" on the bill. That would be more than clever than by a half. That would be more than inconsistent. My colleagues raise their voices, but we will see if they choke in silence when it comes to the final vote.

Mr. Chairman, let us talk about millions and millions. I say this as someone who has been in this system, who has been working to change it, and all of us who have been in this system know that it needs change. How many tens of millions come in in soft money? And Shays-Meehan tries to get at it. How much in millions, multimillions comes in in issue ads, uncontrolled, without any disclosure as to who it is?

So I am anxious to vote for this amendment, because we need to wipe out abuse wherever, and we have to be honest with ourselves and realize what has been happening to the political system of this country in the last 15 or 20 years.

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

Mr. LEVIN. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Chairman, I ask my good friend from Michigan, because he returned to the argument that, quote, unquote, everybody does it.

Mr. LEVIN. No, no, no, I will take back my time. I will tell my colleague why. I will not let him label that. That is not a defense. It is an explanation of

the depth of the problem. And what happened in the Bush White House was wrong and whatever happened in the Clinton White House, if it involved the interaction of money and participation in the White House, it was also wrong, and I want to end it.

Let me just finish. I also want to end this flood of money that comes in without knowing whom it comes from and without limits. So do not pin that label.

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

Mr. LEVIN. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Chairman, a simple question. Does the gentleman have any evidence of any Chinese arms merchants giving money to the Bush-Quayle reelection campaign?

Mr. LEVIN. Mr. Chairman, we have five or six committees looking into this, and I support investigations into where money came from. Mr. THOMPSON spent a number of months and came out without evidence. Now we will see what other committees come up with. And if there was a wrong, it should be, it should be not only looked into, but I think it should be redressed.

But I suggest to the gentleman, if I can take back my time, and I have heard the gentleman in the Committee on Ways and Means, I know the fervor with which you speak. My only suggestion is keep a bit of that fervor for the final vote on Shays-Meehan, just a bit of it, and do what this system needs.

PARLIAMENTARY INQUIRY

Mr. HAYWORTH. Parliamentary inquiry, Mr. Chairman.

Is it appropriate for Members to characterize the personal delivery styles of other Members?

The CHAIRMAN pro tempore. Will the gentleman from Michigan yield for a parliamentary inquiry by the gentleman from Arizona?

Mr. LEVIN. Mr. Chairman, I think he was inquiring of the Chair, not of me.

The CHAIRMAN pro tempore. Does the gentleman from Michigan yield?

Mr. LEVIN. Mr. Chairman, all I was saying was the gentleman is fervent, and I think the gentleman should be equally fervent——

Mr. HAYWORTH. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. LEVIN. Mr. Chairman, I will finish. The gentleman should be equally fervent when it comes to his chance to vote for reform. Do not pick and choose.

The CHAIRMAN pro tempore. The gentleman from Michigan's time has expired.

PARLIAMENTARY INQUIRY

Mr. HAYWORTH. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. HAYWORTH. Is it appropriate for Members to come to this Chamber and personally characterize the speaking styles and the conduct of other Members of this House while debate is going on?

The CHAIRMAN pro tempore. The Chair will remind the Members on both sides of the aisle that remarks personally critical of other Members are to be avoided.

Mr. HAYWORTH. I thank the Chair.

Mr. WICKER. Mr. Chairman, might I inquire about the time remaining?

The CHAIRMAN pro tempore. The gentleman from Mississippi (Mr. WICKER) has 5 minutes remaining and the right to close; and the gentleman from Massachusetts (Mr. MEEHAN) has 10 minutes remaining.

Mr. WICKER. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Chairman, I was sort of torn on which side I should ask for time from, seeing that I am working with both sides on this issue, and I think that this is a classic example of bipartisan and bicoastal cooperation.

Mr. Chairman, I think that, first of all, I want to praise the gentlewoman from Michigan, because I think a lot of people, because of partisan concerns, do not want to come up and say our side has really created an unacceptable situation, and I want to commend her for that. Because I think a lot of people on this side are saying, why has not anybody been willing to admit that wrongs have been done in the recent past?

I think, on the flip side, there have been things happening historically in the far past that have not been addressed; and I think we all admit, no matter what our party affiliation, that this issue has become so chronic and so obvious and so outrageous that this amendment should be made in order and should be adopted by even those of us who cringe, as the gentleman from Massachusetts and the gentleman from Connecticut does, to any type of amendment to our Shays-Meehan bill.

The Shays-Meehan bill does not want a lot of amendments, but I think this is a viable one, and I would congratulate the gentleman from Mississippi for bringing it forward. I think it is something that the Democrats and Republicans can draw on.

But let me remind my colleagues again, even with this amendment, we are treating a symptom to a much deeper problem. Why would anybody pay $100,000 to sleep in a bedroom except they think with the bedroom comes the ability to influence a whole lot of money and a whole lot of power? And the reason why people are trying to influence the political process in Washington is because Washington is controlling too much money and too much capital and too much power.

So as we talk about campaign finance reform, let us all, especially those of us that worked the hardest on this over the last few years, recognize that we are only taking one step with this amendment. We are taking a nice two or three steps with the Shays-Meehan bill, but we are never going to complete this journey unless we are willing to stop having Washington control so much power and so much money out of Washington, D.C., and we learn to allow the people and the communities in America to have that power, to have that influence.

I only wish there was as much money and as much interest in elections of city councils and county supervisors and commissioners and State assemblymen and State Senators and governors as there is in Washington, and the only way we can allow that to happen is to allow the people locally to make those decisions so that this type of influence is not needed and is not tried in the United States Congress.

Mr. MEEHAN. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut (Mr. SHAYS).

□ 1015

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

Mr. Chairman, this is the kind of process that wins few friends, because everyone has a real sensitivity to the right and wrong of this issue. I acknowledge the fact that for me, I see it in black and white.

I weep that my own party does not want to lead reform. I think this is an example. This amendment here is a logical thing that should be part of the bill. I do not know why my own party did not come forward with campaign finance reform and take the lead, but it chose not to, I think because my own party decided that if it said you had to reform the system, in a way it meant that the things that happened in the Clinton White House were not wrong because it was just that we needed to amend the law.

I happen to think it is both sides. I happen to think, with all due respect to some on the Democratic side of the aisle, that they are ready to reform but do not want to investigate, and I think too many on my side of the aisle want to investigate but do not want to reform.

I say this with deep respect for some of my colleagues who are pretty angry that I am part of this process. But the best example is soft money. Soft money by law is not deemed a campaign contribution. Members may not want to accept it, but it is true. It does not come under the definition of "campaign." Therefore, technically, the Vice President was right, no controlling authority.

I think it is a pretty obscene response, and I happen to think that he knew it was wrong, and I happen to think that he did not want people to know about it. But I hear a colleague

right now just laughing, as if this is so absurd. It is not absurd. It just happens not to be against the law. It needs to be made against the law.

One of the things we are trying to do is we are trying to ban soft money. The bottom line is that in Meehan-Shays we want to ban soft money, the unlimited sums that come from individuals, corporations, labor unions, and other interest groups. We want to ban them because the money has gotten obscene, and both sides, in my judgment, and it is my judgment, I admit, are shaking down businesses and others for these contributions. It is the White House, and I believe it is my own party. I believe my own party wants big contributions, and it is very clear, I think, to some of these businessmen and women that they have to ante up. I know they think that because they have told me.

The other thing is that we want to deal with the sham issue ads. The sham issue ads are those campaign ads that basically almost tanked the gentleman from Arizona. We would ban those sham issue ads. We would not see corporate money being used, we would not see union dues money because it would be illegal, because once it is a campaign ad, they cannot do those ads. They can do it through PAC contributions, but not through members' dues, and they cannot use corporate money.

We want to codify Beck, which is the Supreme Court decision, and we want to make sure if you are not a member of a union you should not have to have your money go for political activity. We want to make sure that we improve FEC disclosure and enforcement, because it is weak and needs to be changed.

One of the things I believe is I believe that the Clinton White House, and I believe some on my side of the aisle, have gotten away with things they should not have because the FEC is too weak, and we do not have proper disclosure. When we finally found out they did something wrong it was 6 years later, so it is kind of meaningless.

I think it is wrong for Members to spend franking so close to an election, so we ban it 6 months to an election. We make it clear that foreign money and fundraising on government property is illegal. What we do in our bill is make sure it is illegal not just for campaign money, but for soft money.

Soft money is not campaign money. That is the whole reason it snuck into the system. It was supposed to be party-building, but it was not party-building. We all know that. We know what happened to that money. It came to the parties, and then they funneled it right back to help candidates win elections.

It was not just for getting people registered. It was for helping candidates. It just rerouted the system and made a mockery of our campaign laws. I happen to believe our campaign laws worked pretty well for 12 years, but they have broken down because of the sham issue ads and because of soft money.

The CHAIRMAN pro tempore. The time of the gentleman from Connecticut (Mr. SHAYS) has expired.

Mr. MEEHAN. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut (Mr. SHAYS).

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

Mr. SHAYS. I yield to the gentleman from Arizona.

Mr. HAYWORTH. I thank my colleague, the gentleman from Connecticut, for yielding to me.

Mr. Chairman, I just want to return for a second to his observation about "no controlling legal authority." How does my colleague from Connecticut then account for the memo that preceded the behavior by Vice President GORE from White House legal counsel Judge Abner Mikva, a former member of this institution, who said, for all administration employees, it was a violation of the Pendleton Act to solicit funds from Federal installations, i.e., the White House?

Mr. SHAYS. The bottom line is, the gentleman needs to know it was illegal to solicit campaign funds. Soft money is not defined as a campaign fund. It is the reason why we need to change the law. I say it time and time again, and the gentleman does not seem to understand it, it is not a campaign contribution. The Pendleton Act gets at campaign contributions.

Mr. HAYWORTH. Mr. Chairman, can I ask the gentleman another question, because I very much want to visit what he had to talk about in terms of different groups and their financing of different candidates.

Would the gentleman repeat again his notion of what is done now, if someone is not a union member, their dues cannot be taken? What happens to a union member who does not want his or her dues taken?

Mr. SHAYS. I talked about the Beck decision. The gentleman I think is clear on three things, but maybe some of my other colleagues are not.

Soft money can be union dues money. We ban it, so all union dues money cannot be contributed as soft money because it is not allowed, nor can corporate money that is soft money be allowed. We do both corporate and union.

The second thing we do is we call those sham issue ads campaign ads. Once it is titled a campaign ad, union money and corporate money cannot be used, because we by law now define an advertisement and forbid dues money in a campaign advertisement and corporate money in a campaign advertisement.

Then we get to the third part. This is the part the gentleman is most interested in. The Beck decision was a contest by someone who was not a member of the union who said his money should not be used for political purposes. The court made a ruling in the Beck decision that if you were not a member of the union, your money could not be used. That was the decision of the court.

Now, what my wife did was when she complained that her money, and my wife was a teacher and a member of the union in New Canaan, Connecticut, was going to a Democrat candidate who she opposed, she supported the Republican candidate, she said she did not want her money going, and the union said, you are a member of the union and we can spend it the way we want.

She said, well, I no longer choose to be a member of the union, then. She was able to deduct her political contribution and pay less union dues than that amount that was political. That was her right under the Beck decision. We codify it into law.

Mr. HAYWORTH. If the gentleman will yield further, Mr. Chairman, one further question to follow up.

In view of the fact that in several markets around the country, probably including Phoenix, the AFL-CIO will start an ad campaign, does the gentleman not worry about the constitutionality of attempting to abridge people's ability to speak? Because even though I am often personally the target of these abusive and false ads, I just do not think, or I would ask, does not the gentleman have some concerns that this could be unconstitutional?

Mr. SHAYS. The gentleman may have some concerns. I have little concerns about whether corporate or union money can be declared unconstitutional when it is a campaign ad. That has already been determined.

So the issue, to be fair to the gentleman, the issue is, is a campaign ad a campaign ad that has the picture and the name of an individual, as we define it? And I think yes, and I think the court will uphold it.

There is the other issue of whether the Supreme Court will agree with the Ninth Circuit or the First and Fourth, which talked about, essentially, that if it walked like a duck and quacked like a duck, it is a duck, it is a campaign ad, and two lower courts have gone in different directions. The court is going to have to decide which side they are going to come up with.

Mr. HAYWORTH. One further question, since the gentleman advances the argument that everybody does it, and he had his suspicions. Does the gentleman have any evidence that the Bush administration took any donations from Chinese arms merchants?

Mr. SHAYS. I do not think they did.

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

Mr. SHAYS. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, the gentleman made a statement earlier that I

take great exception to, that his party does not lead reform. No, I totally disagree with the gentleman, and would say that the gentleman's party does not lead the kind of reform that the gentleman wants. His party wants other kinds of reform.

Mr. SHAYS. I would take even other kinds of reform. I just want to see reform.

Mr. WICKER. Mr. Chairman, for purposes of closing the debate, I yield the balance of my time to the distinguished gentleman from Minnesota (Mr. GUTKNECHT).

The CHAIRMAN pro tempore. The gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 2½ minutes.

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

Mr. Chairman, I think this is a very instructive debate. I think it gets to the core of what we are talking about. Just a few moments ago the gentleman from Connecticut said he wanted reform. I submit what we really want is compliance.

Mark Twain once observed that human beings are the only creatures that God has created that can blush, or need to. What has happened to our ability to blush? What has happened to our moral outrage? Twenty-seven million dollars was raised at White House coffees. We do not really need reform, I say to the gentleman from Connecticut (Mr. SHAYS), we simply need people who lead by example. Most of what we are talking about here tonight, most of the abuses we have read about, headline after headline, those are things that I think all of us know are wrong. They are simply wrong.

I would call the gentleman's attention to this amendment. I rise in support of this amendment. But even this amendment is fatally flawed, especially if somebody can legalistically rationalize no compelling legal authority. Then all of the rest of this, for example, the language is, "any official residence or retreat of the President, including private residential areas and the grounds of such a residence or retreat."

Does that mean Camp David? I think it does. But somebody else may say it does not. We can purse, we can come up with legalisms, we can come up with excuses. That really, at the end of the day, is the fundamental argument about "campaign finance reform." Our entire legal system, and particularly campaign finance, relies on voluntary compliance.

When we have people who are bound and determined to use their power, to use their office, to abuse the influence of that office, I do not think we can write campaign finance laws that are strong enough. I wish we could.

If anybody in this room, probably the gentleman from Arizona (Mr. HAYWORTH) and myself would love to see the stopping of this nonsense we have seen, the abuses of issue advocacy advertising and soft money and all the rest. But I suspect in the end the Supreme Court is going to say that that is protected political free speech. In the end what we are going to come back to is that certain people are going to figure out a way to get around whatever language we put in.

We had campaign finance reform before, and we will probably have it again. But in the end, only good people are bound by the law.

Mr. WICKER. Mr. Chairman, I move the question on the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Mississippi (Mr. WICKER) to the amendment in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS).

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

Mr. WICKER. Mr. Chairman, 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 CHAIRMAN pro tempore. Pursuant to House Resolution 442, further proceedings on the amendment offered by the gentleman from Mississippi (Mr. WICKER) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. STEARNS TO AMENDMENT NO. 13 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SHAYS

Mr. STEARNS. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. STEARNS to Amendment No. 13 in the nature of a substitute offered by Mr. SHAYS:

Amend section 506 to read as follows (and conform the table of contents accordingly):

SEC. 506. BAN ON CAMPAIGN CONTRIBUTIONS BY NONCITIZENS.

Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended to read as follows:

"CONTRIBUTIONS AND DONATIONS BY NONCITIZENS

"SEC. 319. (a) PROHIBITION.—It shall be unlawful for—

"(1) a noncitizen, directly or indirectly, to make—

"(A) a donation of money or other thing of value, or to promise expressly or impliedly to make a donation, in connection with a Federal, State, or local election to a political committee or a candidate for Federal office, or

"(B) a contribution or donation to a committee of a political party; or

"(2) a person to solicit, accept, or receive a contribution or donation described in paragraph (1) from a noncitizen.

"(b) TREATMENT OF NATIONALS OF THE UNITED STATES.—For purposes of subsection (a), a 'noncitizen' of the United States does not include a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act).".

The CHAIRMAN pro tempore. Pursuant to the previous order of today, the gentleman from Florida (Mr. STEARNS) is recognized for 20 minutes.

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

Mr. Chairman, I am not going to take very much time. We have already been through this debate. The gentleman from New York (Mr. FOSSELLA) has already offered primarily most of this amendment, but I would like to just formally put it in place, because there are some additions to his amendment that I think are important to specify. That is why I am here tonight.

I rise to offer this amendment to the Shays-Meehan substitute, the Bipartisan Campaign Integrity Act.

□ 2230

This amendment, of course, clarifies the law by placing an explicit ban on campaign contributions by noncitizens, including illegal aliens, which was in part of the debate previously, for all elections, Federal, State and local and for contributions or donations to a committee of a political party.

And on those two last points, Mr. Chairman, my amendment sort of compliments and expands upon the Fossella amendment previously debated. So that there is a ban on foreign contributions. It will not be limited to just Federal elections but this extends all the way over to state and local. It would encompass all political campaigns in the country and political party campaigns.

I think the second addition is that my amendment is significantly different in that it prohibits individuals from soliciting or accepting foreign donations. Mr. Chairman, I think we have had the debate on the Fossella amendment.

I just point out, in conclusion, that basically I just move at the State and local level and then also talk about what prohibits individuals from soliciting or accepting foreign donations.

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

The CHAIRMAN pro tempore (Mr. GIBBONS). Does any Member seek the time in opposition to the amendment?

Mr. STEARNS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS) to amendment No. 13 in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS).

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

Mr. STEARNS. Mr. Chairman, I demand a recorded vote and, pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) to

Amendment No. 13 in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS) are postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. PICKERING TO AMENDMENT NO. 13 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SHAYS

Mr. PICKERING. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. PICKERING to Amendment No. 13 in the nature of a substitute offered by Mr. SHAYS:

In section 506, strike "Section 319" and insert "(a) IN GENERAL.—Section 319", and add at the end the following:

(b) PROHIBITING USE OF WILLFUL BLINDNESS AS DEFENSE AGAINST CHARGE OF VIOLATING FOREIGN CONTRIBUTION BAN.—

(1) IN GENERAL.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following new subsection:

"(b) It shall not be a defense to a violation of subsection (a) that the defendant did not know that the contribution originated from a foreign national if the defendant was aware of a high probability that the contribution originated from a foreign national.".

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to violations occurring on or after the date of the enactment of this Act.

The CHAIRMAN pro tempore. Pursuant to the previous order of today, the gentleman from Mississippi (Mr. PICKERING) is recognized for 20 minutes.

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

I rise today to offer this amendment on something that I believe, just as we saw on the previous amendment by the gentleman from Mississippi on the use of the White House as a means to raise contributions, that this is an area where we, too, can reach consensus.

Let me say, as I start the debate, that I want first to commend all the participants in the debate. I think this is a very important issue. Those who are proposing, the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) although I profoundly disagree with their approach of reform and believe it is an infringement of constitutional rights and freedom, I do appreciate their intent and their motives.

But for those of us who disagree with their approach to reform, we are trying to find those areas where we have seen the gross abuses and violations and to go back and find ways to close those loopholes, to bring greater credibility and to protect the intent and the purpose of the laws now existing on the books.

It is illegal to accept foreign contributions but in this past presidential election, we have seen case after case after case of illegal foreign contributions. And the reason tonight that I have this picture as I present the case for this amendment is that I think that it is probably the best picture, the best illustration that shows the case or describes the term willful blindness, turning a blind eye.

As many already know, there was a fund-raiser in a Buddhist monastery in California, and we have heard many different descriptions of that. But the purpose has become clear over the investigation that it was a fund-raiser, and it was an opportunity to launder illegal foreign contributions.

There was money changing in the temple. And just as in the bible story, the biblical story where we had the corruption in the temple, we have seen the corruption in our campaign process and election process through foreign contributions. And what is the consequence? We now have the investigations going forward on technology transfers and nuclear proliferation and the buying of access, the foreign access, and the possibility of subverting the policy decisionmaking in this administration, the buying of access illegally through foreign sources, and the willful blindness of this administration and the DNC to accept those contributions and have the corruption and the money changing in our election and campaign process.

This amendment is intended to stop those who in recent campaigns raised illegal campaign cash from foreign sources. It is obvious that the political committees operated without obtaining adequate information regarding the source of these suspicious donations. They had no system in place to check the validity of campaign cash.

It has been documented in the press and congressional investigations that Democratic activists not only brought in envelopes of cash and suspicious money orders. They also created a network of illegal foreign donors that supplied millions of dollars for the Clinton-Gore reelection campaign.

It has been documented that the FBI, the Bureau of Alcohol, Tobacco and Firearms, the CIA, the National Security Council all raised concerns regarding the individuals that were associated with the Democratic Party and many of the contributions. There have been stories in the news regarding the improper use of the Lincoln bedroom, Air Force One, White House coffees and the White House staff arranging foreign trade missions for Democrat donors.

We know that the public will not tolerate such abuses of power because of the public outrage that we have seen, the intensive media coverage of the stories and the allegations and the abuses that was caused after the discovery that the DNC, President Clinton and Vice President AL GORE had attended fund-raisers that raised illegal foreign money.

Now, why is the original law on our books? Why do we ban illegal or foreign contributions? Because we believe that our national security is at stake. And that if foreign sources can influence U.S. campaigns, U.S. elections and U.S. policy, will it be our interests or China's interests that are being bought and sold? We must have this protection in place. And what we have seen time and time again is the willful blindness defense in relation to these foreign contributions. They did not know. Somehow they did not know that this was a fund-raiser. A blind eye.

Well, the American people will not accept us in this place in this House turning a blind eye to the corruption and the abuses that took place dealing with foreign contributions. My amendment will close that loophole, take away that defense.

One example of a conspiracy is to launder illegal funds with the DNC's fund-raiser at the Buddhist monastery in California. It is being investigated here in Congress. As a matter of fact, it was discovered during the Senate's recent investigation that this fund-raiser was organized by John Huang and Maria Hsai. They both have asserted their Fifth Amendment rights in the ongoing congressional investigation and Ms. Hsai was recently indicted by a Federal grand jury.

Again, Vice President GORE participated in this fund-raiser. But there were different stories and different accounts, different defenses used by the Vice President as this became public.

On Meet the Press, October 13, 1996, he said, We have strictly abided by all the campaign laws, strictly. There have been no violations.

Then on October 21, 1996, Mr. GORE stated that the DNC set up the event and asked me to attend it. It was not a fund-raiser. It was billed as a community outreach event. And indeed, no money was offered or collected at the event. But after the fact contributions were sent in. I did not handle any of this.

Then his story changes again. Finally, on January 20, 1997, Mr. GORE acknowledged that he knew the event was a fund-raiser. It was a mistake for the DNC to hold a fund-raiser event at a temple, and I take responsibility for my attendance at the event.

On February 14, 1997, the White House released documents that proved that the Vice President's office knew beforehand that the Huang event was a fund-raiser and the documents warned Mr. GORE to use great, great caution.

According to the February 10, 1998 edition of the Washington Post, Mr. GORE was informed through internal e-mail and memorandums by then Deputy Chief of Staff Harold Ickes that the event was a fund-raiser. Here are some interesting facts about the DNC fund-raiser at the Buddhist monastery. The cost per head was $2,500. The monks

that donated to the DNC lived on a monthly stipend of $40.

The Senate investigation proved that the individuals were reimbursed for their donations. In other words, it was an illegal laundering of campaign contributions from questionable sources, many traced back to foreign donations or foreign money.

This event was videotaped by a private photographer. All copies of the videotape footage were taken from the production company by the Buddhist monastery and quickly shipped to Taiwan. The monk that took the tapes left the monastery after he learned the Senate Committee on Governmental Affairs served the monastery with a subpoena in search of those tapes. He has since disappeared and the videotapes remain hidden to this day.

But efforts to raise illegal campaign cash by the Democrats were not limited to this monastery. According to Bob Woodward, in the May 16, 1998 edition of the Washington Post, Johnny Chung, a Democratic fund-raiser, informed the U.S. Justice Department that a Chinese military officer who was an executive at the state-owned aerospace company gave him $300,000 to donate to the Democrats' 1996 campaign. As we know, the Chinese government's conspiracy to buy influence with Democratic leaders during the 1996 election has been well documented and will be fully investigated in this Congress.

As we look through the headlines today, it is overwhelming. The Washington Post, Saturday, May 16, Chung Ties China Money to DNC. New York Times, Democrat Fund-raiser said to Detail China Tie. New York Times, February 15, 1997, Clinton and Gore Received Warnings on Asian Donors. Chicago Tribune, Memos to Clinton Warned of Donors, Alarm Sounded Over Chinese Fund-raisers.

What is the defense? Willful blindness. Somehow they did not know.

Newsweek, White House Shell Game, Clinton Campaign's Frantic Fund-raising May Have Crossed the Line. The Washington Times, Huang's prodding for Lippo, an Indonesian company, verified. Washington Post, Scandal Alarms Went Unanswered. The Washington Post, DNC Acknowledges Inadequate Checks on Donors. The Washington Times, Foreign money scandal grows as $15 million offer is.

The Washington Post, Gore Community outreach Touched Wallets at Temple. The Washington Times, 31 Donors list DNC as Home Address.

It is the "don't ask, don't tell" policy of campaign fund-raising. I could go article after article after article until we are numb with the corruption. We simply want to protect our national security. We want to close this loophole. We want to take away this legal defense of willful blindness. The American people will not take a blind eye, neither should we.

I hope that we can have a consensus on this amendment that this defense will not be tolerated, will not be accepted and that we will close this loophole to make enforcement of illegal foreign contributions workable, doable and the law and practice of the land.

□ 2245

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

Mr. SHAYS. Mr. Chairman, if I could know the proper request. I am not sure I oppose this, but I would like to claim the time in opposition.

The CHAIRMAN pro tempore (Mr. GIBBONS). The gentleman may, under a unanimous consent request, claim the time in opposition.

Mr. SHAYS. I thank the Chairman, and I do request that.

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

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Connecticut (Mr. SHAYS) is recognized for 20 minutes.

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

I understand the intent of the gentleman from Mississippi and agree with a good number of his remarks, but I would like him, if he would, to describe to me the term of art in subsection (b).

> It shall not be a defense to a violation of subsection (a) that defendant did not know that the contribution originated from a foreign national if the defendant was aware of a high probability that the contribution originated from a foreign national.

Is this a term of art that is used that the courts have defined? Because I am not aware of it and, if so, I would like to know where it is used.

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

Mr. SHAYS. I yield to the gentleman from Mississippi.

Mr. PICKERING. Mr. Chairman, my understanding is that it is a clarification of the ban on foreign contributions. The defense of the administration and many of those in the various investigations surrounding foreign contributions again go back time and time again to it was a lack of knowledge or it was a lack of a system of checks. But I believe it was a willful blindness, and this would simply take away that defense from those who are responsible in campaigns for raising money to know the source of the donors.

If we look at the RNC, in their past practices, they have set in place an elaborate system of checks on all donors, all sources, and especially if they have any potential relationship to a foreign contribution.

Mr. SHAYS. Reclaiming my time, Mr. Chairman, my question, though, still stands. I am aware of the terms knowing and willful. An individual has to know and has to be willful, and that is a term that has been defined by law in both the States and the Federal Government for a long time. I have never seen the concept of a high probability, and I am just interested if the gentleman, and this may be, in fact, what he decided to do, but is this a term of art that has been used in the past? I am not aware of it being used in the past. Or is this a term that the gentleman had to use to reach the conclusion he wanted to reach?

I would be happy to ask someone else if they wanted to respond. For the legislative record as well it would be helpful for us to have some definition of this term of high probability.

Mr. PICKERING. If the gentleman will continue to yield, the high probability would become the standard in these types of cases and it would, I believe, set a clearer standard than the one we have today. The high probability that the contribution originated from the foreign national would set the definition and the standard by what is responsible for those who are accepting and raising and soliciting foreign campaign contributions.

Mr. SHAYS. Would this be a term of art that the court would help us define or the FEC?

Mr. PICKERING. It could be done either way, as the litigation and the different challenges progress through the campaign FEC process and through the court process. But I do believe that we would find an answer to the gentleman's question as far as case law and precedent on the term high probability. I would be glad to work with the gentleman to answer that question.

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

Mr. SHAYS. I yield to the gentleman from Massachusetts.

Mr. MEEHAN. Mr. Chairman, I, too, could potentially support the amendment, but high probability, there is no legal texture to that. I do not believe that there is any case law that has been determined anywhere that I know of where high probability was the legal basis of anything.

Before I got here I was a prosecutor in Massachusetts. We had 13,000 cases a year. I think willfulness may be the legal term that we want, but I just do not know that there is any court that has ever defined from the legal perspective the term high probability. I do not know what high probability is.

High probability. If we get a contribution from someone whose last name is, I do not know, Chin, and there are a lot of Chinese people named Chin; is that high probability? If the court cannot define what a high probability is, then I think we ought to use a term that has a legal texture, a term that is in Black's Law Dictionary, a term that courts somewhere somehow have used to determine legislative intent.

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

Mr. SHAYS. I yield to the gentleman from Michigan.

Mr. LEVIN. Mr. Chairman, let me ask the gentleman from Mississippi a friendly question so we understand this, and I guess the gentleman from Connecticut (Mr. SHAYS) will have to yield to him.

As I read this amendment, it says in the caption "prohibiting use of willful blindness." The word willful is there, and then later on the term high probability. In order to violate this statute, would there have to be willfulness?

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

Mr. SHAYS. I yield to the gentleman from Mississippi.

Mr. PICKERING. Yes, that would be the legal standard of a willful act.

Mr. LEVIN. If the gentleman from Connecticut (Mr. SHAYS) will continue to yield, is the gentleman from Mississippi (Mr. PICKERING) using high probability to mean willfulness?

Mr. PICKERING. The high probability, there would be a willfulness, and the willfulness would be determined in clause (b) by the probability that he should be aware.

For example, when Vice President GORE went to the Buddhist monastery, should he have had a high probability that that was a fund-raising event and, given the nature of that fundraiser, was there a probability that they could have received, since the nuns and the monks at that monastery live on about a $40 stipend, would a reasonable person, would a reasonable court decide that there was a probability that there was illegal laundering and that there was a probability of foreign sources in that contribution?

Mr. LEVIN. The gentleman's answer is that he should have a different standard than willfulness. Now, I am not sure how this was drafted, but maybe the thing to do is, if the gentleman wants to pass this amendment, understand its contradictions or take it back and try to rewrite it so that it does not have the inconsistencies. The caption reads the same way.

Mr. PICKERING. I do not see an inconsistency between willful blindness and a fleshing out of that. Was he aware of a high probability that a contribution originated from a foreign national? I do not see any inconsistency in that standard. It supports and, further, I think enhances the language of willful blindness.

There may be a case to what court precedent does it refer to, what standard and what definition, but I do think that the high probability supports the intent.

Mr. LEVIN. I think it would help if the gentleman could cite any noncriminal statute in this country that uses the term high probability; any civil statute that has the term high probability in it.

Mr. PICKERING. I will be glad to get back to the gentleman. I will ask the staff to research the matter.

Mr. LEVIN. Good. I thank the gentleman.

Mr. SHAYS. Mr. Chairman, I reserve the balance of my time.

Mr. PICKERING. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. DELAY), the majority whip.

Mr. DELAY. Mr. Chairman, I do not know who is watching this, I hope some of the Members are, but we just got a legal lesson and I do not know what these lawyers were talking about. I do know what willful blindness as a defense means from a personal common sense point of view. I also know what high probability means relative to a contribution originating from a foreign national. It is English language. It is a pretty high probability that if one goes to a Buddhist temple and gets all kinds of gifts and are told either verbally or in memos that it is a fundraiser, it is a pretty high probability the money is being raised there and it is a fundraiser.

Maybe 80 percent, 90 percent. I mean, if you have a friend by the name of Charlie Yah Lin Trie that you have known for 14 years, as a person that does nothing but business with Asian clients, and he comes and gives you $640,000, then there has got to be a high probability that it came from foreign nationals, and you cannot walk around and say, I was blind to that, even though it came on a check from a Chinese bank, wrapped in red Pagoda cigarettes or something.

If you have got a friend by the name of Pauline Kanchanalak, who is a lobbyist for Thailand and helped form a U.S. Thai business council and donated contributions to the DNC and had frequent contacts and coffees with John Huang, then it is a high probability that the money that you are getting comes from foreign nationals.

If you have a friend by the name of Johnny Chien Chuen Chung, a Taiwanese American from Torrance, California, and his company does business with foreign nationals and comes up with $366,000 for the Democratic Party, then it is a high probability that when you receive that along with all the other stuff you have received, that you probably, in high probabilities, know that it came from foreign nationals. You cannot walk around and say, oh, gee, I did not know that, and then get off, and then have your spinmeisters run up and down Pennsylvania Avenue and get all kinds of interviews and try to cover-up the fact that you are taking money from foreign nationals.

If you have a friend by the name of Arief and Soraya, and I cannot even pronounce the last name, Wiriadinata, something like that, who donated $450,000 to the DNC and was friends with a guy named Johnny Huang, and later returned it because Wiriadinata could not explain where it came from, then probably there is a high probability that it is money from foreign nationals.

I could go on with John Lee and Cheong Am, Yogesh Gandhi, Ng Lap Seng, Supreme Master Suma Ching Hai and George Psaltis.

These are American names, I know, and a lot of them are Americans and American citizens, but many of them did business with foreign nationals and brought money to the DNC and others.

All this amendment does is give the opportunity or take away the defense, with all the legalese pushed aside, takes away the defense that says, oh, well, I did not know it. It did not seem proper to me but I did not know it. Therefore, I am not guilty for breaking the law.

We are just making it once and for all breaking the law.

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

Mr. DELAY. I am glad to yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, I know the gentleman did not mean it to sound this way but when I listened to it it sounded this way. It sounded like if you have a foreign name, there was a high probability they were foreigners.

Mr. DELAY. Reclaiming my time, I knew the gentleman from Connecticut would try to do that.

Mr. SHAYS. That is what it sounded like.

Mr. DELAY. That is not my point. My point is that the administration and the DNC knew exactly who these people were, had known them for many, many long years, knew their contacts and I guarantee the gentleman, knew where this money came from, and walking into a Buddhist temple knowing that it was a fund-raiser and then walking out and saying, oh, well, I just really did not know it was a fund-raiser and I did not know I was getting foreign nationals is not a defense against the guilt of breaking the law, and the gentleman from Mississippi is making sure of the fact that you cannot claim blindness when there is a high probability you know that you are breaking the law.

Mr. SHAYS. Would the gentleman yield? I will yield on my time.

Mr. DELAY. Okay.

Mr. SHAYS. If I may, I just would be happy to take some time here. The gentleman is not saying if you have a foreign name, there is a high probability?

Mr. DELAY. No, I am not saying that.

Mr. SHAYS. Okay. I just think the record needs to show that.

Mr. DELAY. I appreciate that. I yield back the balance of my time.

Mr. PICKERING. Mr. Chairman, may I inquire as to how much time I have remaining?

The CHAIRMAN pro tempore (Mr. GIBBONS). The gentleman from Mississippi (Mr. PICKERING) has 2 minutes

remaining, and the right to close. The gentleman from Connecticut (Mr. SHAYS) has 12 minutes.

Mr. SHAYS. Mr. Chairman, I am happy to yield such time as he might consume to the gentleman from Massachusetts (Mr. MEEHAN).

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

The problem with the amendment, and we could come to some kind of an agreement, it seems to me, but the problem with the amendment is the term high probability is a statistical term. It has to do with the likelihood that something is going to happen. It is not a legal term. There is not any case, any civil case, there is not any criminal case. We cannot just be passing legislation. We have to take this seriously.

We should assume that this might become law. If we are doing that, we ought to sit down and come up with legislation and come up with wording in this instance that is something like this: That an individual knew or should have known. That is the legal terminology we should be able to sit down and come up with so we can have an agreement on this amendment. There is plenty of time in this debate to show photographs of the Vice President or anyone else for the political part of the argument, but it seems to me that it would be more constructive if we could work out language that we could come to an agreement on like knew or had reason to know.

There have been civil actions all over the country that people have been very successful on. There have been criminal actions people have been in.

□ 2300

It is knew or should have known, that is what the legal term is, but not high probability. I think we can work this out.

Mr. PICKERING. If the gentleman would yield, I would be glad to work with him. I think our intent is the same, to close this loophole, to take away this defense; and the language that my colleague suggested is something that I would be glad to sit down and work with him on.

I would add, though, that I believe we both understand the intent of this law. We have both seen the abuses. I think there is consent that we want to close that loophole and take away that defense, that we do not want to stand up here as American people, listen to this debate and say there is no controlling legal authority.

Mr. MEEHAN. Mr. Chairman, reclaiming my time, I think that is another amendment that we can get to. But I get the point. Hopefully, we will be able to work out the language on this.

I just do not want to see us accept all kinds of amendments and then have a high probability that it will all have to be thrown out once we finish with all this, because there clearly is a high probability that that would happen. But if we are looking at a legal term, I have a number that I can suggest and I think come to an accommodation.

Mr. Chairman, I yield the balance of my time to the gentleman from Connecticut (Mr. SHAYS), and I thank him for his patience.

Mr. BLUMENAUER. Mr. Chairman, if a modern day Rip Van Winkle tuned in today after napping for 25 years, who could fault him for immediately tuning out this debate on campaign finance reform? In 1971 and 1974 Congress passed campaign finance reforms that limited the amount of money in politics and, for the first time, required candidates to disclose the source of their money. The wisdom and application of those reform efforts have been debated by Congress ever since—annually, emotionally, and with futility.

So, for the last 25 years, Congressional campaigns have been conducted under a set of rules that have become unenforceable (through systematic defunding of the Federal Elections Commission), weakened (by court decisions), and yet located at the heart of the American distrust with elected officials. The Harris Poll showed us earlier this year that 85 percent of Americans believe special interests have more influence than voters on this institution. Who can fault them when total campaign spending has risen from $115 million in 1975, to $450 million in 1985, and almost certainly to over $1 billion in this election? Is it any wonder that voter turnout is at an all-time low, and that respect for Members of this institution seems to rise only when we are not in session?

In my relatively short time in Congress, I have seen how campaigns are financed, and how that distorts the decision making process. We would not have nearly the number of people who die each year from tobacco related deaths if it weren't for the influence of tobacco money in politics. I see negative ads from anonymous sources tearing at the fabric of our society. I see honest men and women trying to buck a system that distorts and creates negative consequences. And I see my colleagues, including Mr. ALLEN, Mr. SHAYS, Mr. MEEHAN and others, devoting enormous time and creativity to meaningful reforms that don't tilt in favor of Republicans or Democrats, don't unduly help incumbents, but do cut down the pursuit of campaign money.

We now know how cynically the deck has been stacked yet again against reform. Those who look at the current system and see nothing wrong have a rule that permits them to call up 258 non-germane amendments, essentially talking reform to death. Those who argue that we need more money in politics are using their control over the calendar to prevent a House bill—should one miraculously pass—from reaching the Senate before adjournment.

Despite these shenanigans, Mr. Chairman, we are not going to give up. The opponent of reform may succeed in pushing campaign finance reform into the 106th Congress, but reform is not going to die. The American people know the system is broken, and at the very least, we are going to give them a series of votes so after all the debate, after all the stalling tactics and parliamentary maneuvering, it will be perfectly clear who squandered this opportunity, and why.

Mr. SHAYS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PICKERING) having assumed the chair, Mr. GIBBONS, 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. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PICKERING). The Chair desires to announce that pursuant to clause 4 of rule 1, the Speaker signed the following enrolled bill today: S. 2282, to amend the Arms Export Control Act, and for other purposes.

GENERAL LEAVE

Mrs. NORTHUP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2183.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. FOWLER (at the request of Mr. ARMEY) for today on account of medical reasons.

Mr. MCNULTY (at the request of Mr. GEPHARDT) for today on account of official business in the district.

Mr. YATES (at the request of Mr. GEPHARDT) for today after 7:00 p.m. on account of physical reasons.

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. LEVIN) to revise and extend their remarks and include extraneous material:)

Mr. CONYERS, today, for 5 minutes.

Mr. POMEROY, today, for 5 minutes.

Mr. MINGE, today, for 5 minutes.

Mr. PETERSON of Minnesota, today, for 5 minutes.

Mr. DAVIS of Illinois, today, for 5 minutes.

Mr. STRICKLAND, today, for 5 minutes.

(The following Members (at the request of Mrs. NORTHUP) to revise and extend their remarks and include extraneous material:)

Ms. ROS-LEHTINEN, July 15 and 16, for 5 minutes.

Mr. HULSHOF, today, for 5 minutes.

Mr. MILLER of Florida, July 15, for 5 minutes.

Mr. FOX of Pennsylvania, today, for 5 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. LEVIN) and to include extraneous material:)

Mr. KIND.
Mr. FARR of California.
Mr. MILLER of California.
Mr. HALL of Ohio.
Mr. PASCRELL.
Mr. BARCIA.
Mr. TOWNS.
Mr. HINOJOSA.
Mr. FAZIO of California.
Mr. LEVIN.
Mr. TRAFICANT.
Ms. LEE.
Mr. SHERMAN.
Ms. NORTON.
Mr. HAMILTON.
Mr. UNDERWOOD.
Mr. VISCLOSKY.
Mr. BLUMENAUER.
Mr. MALONEY of Connecticut.
Mr. CONYERS.
Mr. LAFALCE.
Mr. BAESLER.
Ms. MILLENDER-MCDONALD.

(The following Members (at the request of Mrs. NORTHUP) and to include extraneous material:)

Mr. TIAHRT.
Mr. BEREUTER.
Mr. RADANOVICH.
Mr. RILEY.
Mr. DAVIS of Virginia.
Mr. SMITH of Michigan.
Mr. WALSH.
Mr. CUNNINGHAM.
Mr. HORN.
Mr. HYDE.
Mr. HULSHOF.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 439. An act to provide for Alaska State jurisdiction over small hydroelectric projects, to address voluntary licensing of hydroelectric projects on fresh waters in the State of Hawaii, to provide an exemption for portion of a hydroelectric project located in the State of New Mexico, and for other purposes; to the Committee on Commerce.

S. 799. An act to direct the Secretary of the Interior to transfer to the personal representative of the estate of Fred Steffens of Big Horn County, Wyoming, certain land comprising the Steffens family property; to the Committee on Resources.

S. 814. An act to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest; to the Committee on Resources.

S. 846. An act to amend the Federal Power Act to remove the jurisdiction of the Federal Energy Regulatory Commission to license projects on fresh waters in the State of Hawaii; to the Committee on Commerce.

S. 1976. An act to increase public awareness of the plight of victims of crime with developmental disabilities, to collect data to measure the magnitude of the problem, and to develop strategies to address the safety and justice needs of victims of crime with developmental disabilities; to the Committee on the Judiciary.

S. 2022. An act to provide for the improvement of interstate criminal justice identification, information, communications, and forensics; to the Committee on the Judiciary.

S. 2294. An act to facilitate the exchange of criminal history records for noncriminal justice purposes, to provide for the decentralized storage of criminal history records, to amend the National Child Protection Act of 1993 to facilitate the fingerprint checks authorized by that Act, and for other purposes; to the Committee on the Judiciary.

S. Con. Res. 30. Concurrent resolution expressing the sense of Congress that the rules of multilateral economic institutions, including the International Monetary Fund and the International Bank for Reconstruction and Development, should be amended to allow membership for the Republic of China on Taiwan and other qualified economies; to the Committee on Banking and Financial Services.

S. Con. Res. 107. Concurrent resolution affirming United States commitments under the Taiwan Relations Act; to the Committee on International Relations.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 651. An act to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes.

H.R. 652. An act to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes.

H.R. 848. An act to extend the deadline under the Federal Power Act applicable to the construction of the AuSable Hydroelectric Project in New York, and for other purposes.

H.R. 960. An act to validate certain conveyances in the City of Tulare, Tulare County, California, and for other purposes.

H.R. 1184. An act to extend the deadline under the Federal Power Act for the construction of the Bear Creek Hydroelectric Project in the State of Washington, and for other purposes.

H.R. 1217. An act to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes.

H.R. 1635. An act to establish within the United States National Park Service the National Underground Railroad Network to Freedom program, and for other purposes.

H.R. 2202. An act to amend the Public Health Service Act to revise and extend the bone marrow donor program, and for other purposes.

H.R. 2864. An act to require the Secretary of Labor to establish a program under which employers may consult with State officials respecting compliance with occupational safety and health requirements.

H.R. 2877. An act to amend the Occupational Health Act of 1970.

H.R. 3035. An act to establish an advisory commission to provide advice and recommendation on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies.

H.R. 3130. An act to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, and for other purposes.

H.J. Res. 113. Joint resolution approving the location of a Martin Luther King, Jr., Memorial in the Nation's Capital.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 731. An act to extend the legislative authority for construction of the National Peace Garden memorial, and for other purposes.

S. 2282. An act to amend the Arms Export Control Act, and for other purposes.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On July 7, 1998:

H.R. 960. An act to validate certain conveyances in the City of Tulare, Tulare County, California, and for other purposes.

On July 8, 1998:

H.R. 652. An act to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes.

H.R. 651. An act to extend the deadline under the Federal Power Act for the construction of a hydroelectric plant located in the State of Washington, and for other purposes.

H.J. Res. 113. Joint resolution approving the location of a Martin Luther King, Jr., Memorial in the Nation's Capital.

H.R. 3130. An act to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements to reform Federal incentive payments for effective child support performance, to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, and for other purposes.

H.R. 3035. An act to establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies.

H.R. 2877. An act to amend the Occupational Safety and Health Act of 1970.

H.R. 2864. An act to require the Secretary of Labor to establish a program under which employers may consult with State officials respecting compliance with occupational safety and health requirements.

H.R. 2202. An act to amend the Public Health Service Act to revise and extend the bone marrow donor program, and for other purposes.

H.R. 1217. An act to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes.

H.R. 1184. An act to extend the deadline under the Federal Power Act for the construction of the Bear Creek Hydroelectric Project in the State of Washington, and for other purposes.

H.R. 848. An act to extend the deadline under the Federal Power Act applicable to the construction of the AuSable Hydroelectric Project in New York, and for other purposes.

On July 14, 1998:

H.R. 1316. An act to amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits.

H.R. 2646. An act to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

H.R. 1635. An act to establish within the United States National Park Service the National Underground Railroad Network to Freedom Program, and for other purposes.

ADJOURNMENT

Mrs. NORTHUP. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 7 minutes p.m.) under its previous order, the House adjourned until tomorrow, Wednesday, July 15, 1998, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

9882. A letter from the Secretary of Agriculture, transmitting the annual report on foreign investment in U.S. agricultural land through December 31, 1996, pursuant to 7 U.S.C. 3504; to the Committee on Agriculture.

9883. A letter from the Administrator, Rural Development, Department of Agriculture, transmitting the Department's final rule—Electric Engineering, Architectural Services and Design Policies and Procedures (RIN: 0572–AA48) received June 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9884. A communication from the President of the United States, transmitting requests for FY 1999 budget amendments totaling $3.8 million for initiatives that will reduce crime, enhance public safety, and restore confidence in the criminal justice system in the District of Columbia; pursuant to 31 U.S.C. 1106(b); (H. Doc. No. 105–281); to the Committee on Appropriations and ordered to be printed.

9885. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Direct Award of 8(a) Contracts [DFARS Case 98–D011] received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

9886. A letter from the Secretary of Defense, transmitting a report on the disposal of excess and surplus materials, pursuant to Public Law 105–85; to the Committee on National Security.

9887. A letter from the Secretary of Defense, transmitting the semiannual report of the Inspector General and classified annex for the period ending March 31, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on National Security.

9888. A letter from the Secretary of Defense, transmitting a report entitled "Military Capabilities of the People's Republic of China," pursuant to Public Law 105–85, section 1226; to the Committee on National Security.

9889. A letter from the Deputy Director for Policy and Programs, Department of the Treasury, transmitting the Department's final rule—Notice Inviting Applications to the Presidential Awards for Excellence in Microenterprise Development [No. 981–0158] received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

9890. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Defense Priorities and Allocations System [Docket No. 970827205–8126–02] (RIN: 0694–AA02) received June 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

9891. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a draft of proposed legislation entitled "Thrift Litigation Funding Act of 1998"; to the Committee on Banking and Financial Services.

9892. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the FY 1999 revised Annual Performance Plan for the Export-Import Bank, pursuant to 12 U.S.C. 635g(a); to the Committee on Banking and Financial Services.

9893. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7688] received June 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

9894. A letter from the Chairman, Federal Reserve System, transmitting the annual report to Congress outlining observed trends in the cost and availability of retail banking services; to the Committee on Banking and Financial Services.

9895. A letter from the Director, Office of Thrift Subervision, transmitting the 1997 Annual Report to Congress on the Preservation of Minority Savings Institutions; to the Committee on Banking and Financial Services.

9896. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Notice of Final Funding Priorities for Fiscal Years 1998–1999 for Rehabilitation Research and Training Centers—received June 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9897. A letter from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting Notice of Final Funding Priorities for Fiscal Years 1998–1999 for a Rehabilitation Research and Training Center, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Education and the Workforce.

9898. A letter from the Secretary of Health and Human Services, transmitting a report entitled "A Study of Benefits for Head Start Employees"; to the Committee on Education and the Workforce.

9899. A letter from the Clerk, United States Court of Appeals for the District of Columbia, transmitting an opinion of the United States Court of Appeals, No. 96–7030—Carole Kolstad v. American Dental Association; to the Committee on Education and the Workforce.

9900. A letter from the Director, Minority Business Development Agency, Department of Commerce, transmitting the Department's final rule—Revision of the Cost-Share Requirement and Applicability of the Ten Bonus Points to All Future Solicitations to Operate Minority Business Development Centers (MBDC) [Docket No. 980608150–8150–01] (RIN: 0640–ZA03) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9901. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Performance-Based Contracting [FAR Subpart 37.6] Performance-Based Contracting [DEAR Section 970.1001] Performance-Based Incentives [Acquisition Letter 97–08] Cost Reduction Incentives [Acquisition Letter 97–09] received June 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9902. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Personnel Security Activities [DOE O 472.1B] received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9903. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Packaging and Transportation Safety [DOE O 460.1A] received June 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9904. A letter from the Acting Deputy General Counsel for Energy Policy, Department of Energy, transmitting the Department's final rule—Contracting with the Small Business Administration [FAR 19.8] Notification of Competition Limited to Eligible 8(a) Concerns [FAR 52.219–18] Section 8(a) Direct Award [FAR 52.219–70XX] received June 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9905. A letter from the Director, Office of Rulemaking Coordination, Department of

Energy, transmitting the Department's final rule—Advisory Committee Management Program—received June 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9906. A letter from the Director, Office Of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approval Numbers Under the Paperwork Reduction Act [FRL–6111–4] received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9907. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan; Indiana [IN85–1a; FRL–6115–7] received June 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9908. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Organobromine Production Wastes; Identification and Listing of Hazardous Waste; Land Disposal Restrictions: Listing of CERCLA Hazardous Substances, Reportable Quantities; Final Rule [FRL–6115–4] (RIN: 2050–AD79) received June 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9909. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Ohio [OH103–2; FRL–6116–9] received June 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9910. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Disposal of Polychlorinated Biphenyls (PCBs) [OPPTS–66009C; FRL–5726–1] (RIN: 2070–AC01) received June 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9911. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Beverages: Bottled Water; Correction [Docket No. 98N–0294] received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9912. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's final rule—Revision of Fee Schedules; 100% Fee Recovery, FY 1998 (RIN: 3150–AF 83) received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9913. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the activities and necessary appropriations to establish digital broadcasting capability for public television and radio stations; to the Committee on Commerce.

9914. A letter from the Secretary of Health and Human Services, transmitting an annual report on Performance Improvement 1998: Evaluation Activities of the U.S. Department of Health and Human Services; to the Committee on Commerce.

9915. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation entitled "Medicaid and Children's Health Improvement Amendments of 1998"; to the Committee on Commerce.

9916. A letter from the Secretary, Securities And Exchange Commission, transmitting the Commission's final rule—Definitions of "Small Business" or "Small Organization" Under the Investment Company Act of 1940, the Investment Advisers Act of 1940, the Securities Exchange Act of 1934, and the Securities Act of 1933 [Release Nos. 33–7548, 34–40122, IC–23272, and IA–1727; File No.S7–4–97] (RIN: 3235–AG62; 3235–AH01) received June 25,1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9917. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of Presidential Determination No. 94–50: directed the provision of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training to the countries participating in the multinational coalition to restore democracy to Haiti, pursuant to 22 U.S.C. 2318(a)(1); to the Committee on International Relations.

9918. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Navy's proposed lease of defense articles to Spain (Transmittal No. 12–98), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

9919. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Navy's proposed lease of defense articles to Turkey (Transmittal No. 13–98), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

9920. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Japan for defense articles and services (Transmittal No. 98–41), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

9921. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Japan for defense articles and services (Transmittal No. 98–46), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

9922. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Spain for defense articles and services (Transmittal No. 98–48), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

9923. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to the Government of the State of Kuwait (Transmittal No. RSAT–2–98), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

9924. A letter from the Assistant Secretary of State for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Germany, NATO, Sweden, Switzerland (Transmittal No. DTC–84–98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9925. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Turkey (Transmittal No. DTC–72–98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9926. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Germany (Transmittal No. DTC–73–98), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

9927. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Spain (Transmittal No. DTC–80–98), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

9928. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan (Transmittal No. DTC–75–98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9929. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 98–24: Authorized the use of the Emergency Refugee and Migration Assistance Fund to meet the urgent and unexpected needs of refugees, victims of conflict, and other persons at risk in Africa and Southeast Asia, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on International Relations.

9930. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on proliferation of missiles and essential components of nuclear, biological, and chemical weapons, pursuant to 22 U.S.C. 2751 nt.; to the Committee on International Relations.

9931. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual report on authorized U.S. commercial exports, military assistance and foreign military sales and military imports for fiscal year 1997, pursuant to Public Law 104—106, section 1324(c) (110 Stat. 481); to the Committee on International Relations.

9932. A communication from the President of the United States, transmitting a report on arms control treaty compliance by the successor states to the Soviet Union and other nations that are parties to arms control agreements with the United States, as well as by the United States itself, pursuant to 22 U.S.C. 2592; to the Committee on International Relations.

9933. A letter from the Director, Arms Control and Disarmament Agency, transmitting the Agency's classified Executive Summary and Annexes to the U.S. Arms Control and Disarmament Agency's (ACDA) 1997 Annual Report, pursuant to 22 U.S.C. 2590; to the Committee on International Relations.

9934. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Passport Procedures—Amendment to Restriction of Passports Regulation [Public Notice 2712] received June 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

9935. A communication from the President of the United States, transmitting the report on the Treaty on Conventional Armed Forces in Europe (CFE) Treaty Designated Permanent Storage Sites; to the Committee on International Relations.

9936. A letter from the Mayor, Council of the District of Columbia, transmitting a copy of D.C. Act 12–357, "Fiscal Year 1999 Budget Request Act" received June 19, 1998, pursuant to D.C. Code section 1—233(c)(1); to

the Committee on Government Reform and Oversight.

9937. A letter from the Deputy Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Commission Records and Information [17 CFR Part 145] received June 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

9938. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Block Grant Programs: Implementation of OMB Circular A-133 (RIN: 0991-AA92) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

9939. A letter from the Administrator, Environmental Protection Agency, transmitting the determination that will allow the U.S. Environmental Protection Agency to place a contract with the National Academy of Public Administration; to the Committee on Government Reform and Oversight.

9940. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Circular 97-05; Introduction [48 CFR Chapter 1] received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

9941. A letter from the Clerk of the House of Representatives, transmitting the annual compilation of personal financial disclosure statements and amendments thereto filed with the Clerk of the House of Representatives, pursuant to 2 U.S.C. 703(d)(1) and Rule XLIV, clause 1, of the House Rules; (H. Doc. No. 105—280); to the Committee on House Oversight and ordered to be printed.

9942. A letter from the Assistant Administrator, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Dean John A. Knauss Marine Policy Fellowship National Sea Grant College Federal Fellows Program, [Docket No. 980427106-8106-01] (RIN: 0648-ZA42) received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9943. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Closures and Reopenings From the U.S.—Canada Border To Cape Falcon, Oregon [Docket No. 980429110-8110-01 I.D. 060298B] received June 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9944. A letter from the Acting Deputy Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Coastal Services Center Coastal Change Analysis Program [Docket No. 980429111-8111-01] (RIN: 0648-ZA43) received June 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9945. A letter from the Executive Director, The Presidio Trust, transmitting the Trust's final rule—Interim Management of the Presidio (RIN: 3212-AA00) received June 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9946. A letter from the Director, Executive Office for Immigration Review, Department of Justice, transmitting the Department's final rule—Adjustment of Status to That of Person Admitted for Permanent Residence [EOIR No. 119I; A.G. ORDER No. 2117-97] (RIN: 1125-AA20) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9947. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's Twentieth Annual Report to Congress pursuant to section 7A of the Clayton Act, pursuant to 15 U.S.C. 18a(j); to the Committee on the Judiciary.

9948. A letter from the Clerk, United States Court of Appeals for the District of Columbia, transmitting an opinion of the United States Court of Appeals, No. 96-5343—Auction Company of America v. Federal Deposit Insurance Corporation, as Manager of the FSLIC Resolution Trust Fund; to the Committee on the Judiciary.

9949. A letter from the Secretary of Transportation, transmitting the Department's 1997 annual report on the recommendations received from the National Transportation Board regarding transportation safety, pursuant to 49 U.S.C. app. 1906(b); to the Committee on Transportation and Infrastructure.

9950. A letter from the Deputy Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Miscellaneous Revisions to the NASA FAR Supplement [48 CFR Parts 1807, 1816, 1817, 1827, 1832, 1837, 1842, 1845, and 1852] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

9951. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—Disaster Loan Program [13 CFR Part 123] received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

9952. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—Rules of NCUA Board Procedure; Promulgation of NCUA Rules and Regulations; Public Observation of NCUA Board Meetings [12 CFR Part 791] received June 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

9953. A letter from the Clerk of the House of Representatives, transmitting the annual compilation of personal financial disclosure statements and amendments thereto filed with the Clerk of the House of Representatives, pursuant to 2 U.S.C. 703(d)(1) and Rule XLIV, clause 1, of the House Rules; (H. Doc. No. 105—280); to the Committee on Standards of Official Conduct and ordered to be printed.

9954. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule— Criteria for Approving Flight Courses for Educational Assistance Programs (RIN: 2900-AI76) received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

9955. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule— Veterans' Education: Effective Date for Awards of Educational Assistance to Veterans Who Were Voluntarily Discharged (RIN: 2900-AI88) received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

9956. A letter from the Assistant Secretary for Policy and Planning, Department of Veterans Affairs, transmitting the Annual Report of the Secretary of Veterans Affairs for Fiscal Year 1997, pursuant to 38 U.S.C. 214, 221(c), and 664; to the Committee on Veterans' Affairs.

9957. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to authorize a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and dependency and indemnity compensation for survivors of such veterans, to authorize payment of these benefits at full rates for certain Filipinos who reside in the United States, to establish a reserve to fully fund "H" policy holders under the National Service Life Insurance program, and for other purposes; to the Committee on Veterans' Affairs.

9958. A letter from the Executive Assistant, Legislative Affairs, Bureau of Alcohol, Tobacco and Firearms, transmitting a copy of the Bureau of Alcohol, Tobacco and Firearms (ATF) Fiscal Year 1997 Annual Report; to the Committee on Ways and Means.

9959. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize an increase in certain user fees to recover costs incurred for the modernization of automated commercial operations by the United States Customs Service; to the Committee on Ways and Means.

9960. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Effect of Imported Articles on the National Security [Docket No. 980508121-8121-01] (RIN: 0694-AB58) received June 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9961. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Proc. 98-38] received June 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9962. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—EIC Eligibility Requirements (RIN: 1545-AV62) received June 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9963. A letter from the Director, Central Intelligence Agency and Director, Federal Bureau of Investigation, Central Intelligence Agency, transmitting a unclassified report to Congress on the Intelligence Activities of the People's Republic of China; to the Committee on Intelligence (Permanent Select).

9964. A letter from the Secretary of Energy, transmitting the semi-annual report regarding programs for the protection, control, and accountability of fissile materials in the countries of the former Soviet Union, pursuant to Public Law 104—106, section 3131(b) (110 Stat. 617); jointly to the Committees on National Security and International Relations.

9965. A letter from the Secretary of Health and Human Services, transmitting the results of the Demonstration Program for Direct Billing of Medicare, Medicaid, and other Third-Party Payors, pursuant to 25 U.S.C. 1671; jointly to the Committees on Commerce and Resources.

9966. A letter from the Secretary of Health and Human Services, transmitting Recommendations for health, safety, and equipment standards for boxers, pursuant to 15 U.S.C. 6311; jointly to the Committees on Commerce and Education and the Workforce.

9967. A letter from the Secretary of Transportation, transmitting the Department's annual report titled "Importing Noncomplying Motor Vehicles" for calendar year

1997; jointly to the Committees on Commerce and Ways and Means.

9968. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the Presidential Determination No. 98-31 providing a supplementary contribution to the Korean Peninsula Energy Development Organization; jointly to the Committees on International Relations and Appropriations.

9969. A letter from the The Board, Railroad Retirement Board, transmitting a report on the actuarial status of the railroad retirement system, including any recommendations for financing changes for a 25-year period, 1998-2022; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

9970. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs: Effective Dates of Provider Agreements and Supplier Approvals [HSQ-139-F] (RIN: 0938-AC88) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

9971. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid; Resident Assessment in Long Term Care Facilities [HCFA-2180-F] (RIN: 0938-AE61) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

9972. A letter from the Regulations Coordinator, Department of Health And Human Services, transmitting the Department's final rule—MedicareChoice Program; Collection of User Fees From MedicareChoice Plans and Risk-Sharing Contractors [HCFA-1911-IFC] (RIN: 0938-AI35) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

9973. A letter from the Railroad Retirement Board, transmitting the 1998 annual report on the financial status of the railroad unemployment insurance system, pursuant to 45 U.S.C. 369; jointly to the Committees on Ways and Means and 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:

[Omitted from the Record of June 25, 1998]

Mr. LEACH: Committee on Banking and Financial Services. H.R. 1756. A bill to amend chapter 53 of title 31, United States Code, to require the development and implementation by the Secretary of the Treasury of a national money laundering and related financial crimes strategy to combat money laundering and related financial crimes, and for other purposes; with an amendment (Rept. 105-608 Pt. 1). Ordered to be printed.

[The following action occurred on July 8, 1998]

Mr. REGULA: Committee on Appropriations. H.R. 4193. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105-609). Referred to the Committee of the Whole House on the State of the Union.

Mr. LEWIS of California: Committee on Appropriations. H.R. 4194. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry, independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105-610). Referred to the Committee of the Whole House on the State of the Union.

Mr. LEACH: Committee on Banking and Financial Services. H.R. 4005. A bill to amend title 31 of the United States Code to improve methods for preventing financial crimes, and for other purposes; with an amendment (Rept. 105-611 Pt. 1). Ordered to be printed.

[Submitted July 14, 1998]

Mr. BLILEY: Committee on Commerce. H.R. 872. A bill to establish rules governing product liability actions against raw materials and bulk component suppliers to medical device manufacturers, and for other purposes; with an amendment (Rept. 105-549 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1728. A bill to provide for the development of a plan and a management review of the National Park System and to reform the process by which areas are considered for addition to the National Park System, and for other purposes; with an amendment (Rept. 105-612). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3460. A bill to approve a governing international fishery agreement between the United States and the Republic of Latvia, and for other purposes; with an amendment (Rept. 105-613). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2379. A bill to designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse" (Rept. 105-614). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2787. A bill to designate the United States courthouse located in New Haven, Connecticut, as the "Richard C. Lee United States Courthouse"; with amendments (Rept. 105-615). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3223. A bill to designate the Federal building located at 300 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building" (Rept. 105-616). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3696. A bill to designate the Federal Courthouse located at 316 North 26th Street in Billings, Montana, as the "James F. Battin Federal Courthouse"; with amendment (Rept. 105-617). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3982. A bill to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the "Terry Sanford Federal Building"; with an amendment (Rept. 105-618). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. S. 1800. An act to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the "Joseph P. Kinneary United States Courthouse" (Rept. 105-619). Referred to the House Calendar.

Mr. SENSENBRENNER: Committee on Science. H.R. 2544. A bill to improve the ability of Federal agencies to license federally owned inventions; with an amendment (Rept. 105-620, Pt. 1). Ordered to be printed.

Mr. GOSS: Committee on Rules. House Resolution 498. Resolution providing for consideration of the bill (H.R. 4104) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105-622). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 499. Resolution providing for consideration of the bill (H.R. 3682) to amend title 18, United States Code, to prohibit taking minors across State lines to avoid laws requiring the involvement of parents in abortion decisions (Rept. 105-623). Referred to the House Calendar.

Mr. DREIER: Committee on Rules. House Resolution 500. Resolution providing for the consideration of the bill (H.R. 3267) to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a feasibility study and construct a project to reclaim the Salton Sea (Rept. 105-624). Referred to the House Calendar.

Mr. BURTON: Committee on Government Reform and Oversight. H.R. 3249. A bill to provide for the rectification of certain retirement coverage errors affecting Federal employees, and for other purposes; with an amendment (Rept. 105-625 Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on the Judiciary discharged from further consideration. H.R. 2544 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 5 of rule X the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 3267 referred to the Committee of the Whole House on the State of the Union.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

[The following action occurred on July 8, 1998]

Mr. LEACH: Committee on Banking and Financial Services. H.R. 4005. A bill to amend title 31 of the United States Code to improve methods for preventing financial crimes, and for other purposes; with an amendment; referred to the Committee on the Judiciary for a period ending not later than July 31, 1998, for consideration of such provisions of the bill and amendment recommended by the Committee on Banking and Financial Services as fall within the jurisdiction of that committee pursuant to clause 1(c), rule X.

[Submitted July 14, 1998]

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3267. A bill to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a feasibility study and construct a project to reclaim the Salton Sea; with an amendment; referred to the Committee on Transportation for a period ending not later than July 14, 1998, for consideration of such provisions of

the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(q), rule X (Rept 105-621, Pt. 1).

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

[Omitted from the Record of June 25, 1998]

H.R. 1756. Referral to the Committee on the Judiciary extended for a period ending not later than July 31, 1998.

[The following action occurred on July 8, 1998]

H.R. 4005. Referral to the Committees on the Judiciary and Ways and Means extended for a period ending not later than July 31, 1998.

[Submitted July 14, 1998]

H.R. 2544. Referral to the Committee on the Judiciary extended for a period ending not later than July 14, 1998.

H.R. 3249. Referral to the Committee on Ways and Means extended for a period ending not later than July 15, 1998.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of Oregon (for himself, Mr. NETHERCUTT, Mr. COMBEST, Mr. STENHOLM, Mr. BEREUTER, Mr. BARRETT of Nebraska, Mr. BOEHNER, Mr. EWING, Mr. POMBO, Mr. POMEROY, Mr. LUCAS of Oklahoma, Mr. HOLDEN, Mrs. EMERSON, Mr. JOHN, Mr. MORAN of Kansas, Mr. BOSWELL, Mr. BOB SCHAFFER, Mr. THUNE, Mr. MINGE, Mrs. CHENOWETH, and Mr. HAMILTON):

H.R. 4195. A bill to amend the Arms Export Control Act, and for other purposes; to the Committee on International Relations.

By Mr. BARR of Georgia:

H.R. 4196. A bill to restore the division of governmental responsibilities between the national government and the States that was intended by the Framers of the Constitution, by requiring all Federal departments and agencies to comply with former Executive Order 12612; to the Committee on the Judiciary.

By Mr. BARR of Georgia:

H.R. 4197. A bill to repeal section 656 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, to prohibit Federal agencies from construing Federal law as authorizing the establishment of a national identification card, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. WELLER (for himself and Mr. FOX of Pennsylvania):

H.R. 4198. A bill to require a parent who is delinquent in child support to include his unpaid obligation in gross income, and to allow custodial parents a bad debt deduction for unpaid child support payments; to the Committee on Ways and Means.

By Mr. FOX of Pennsylvania:

H.R. 4199. A bill to authorize the Secretary of the Treasury to mint and issue coins in commemoration of Laurie Beechman and her battle against ovarian cancer; to the Committee on Banking and Financial Services.

By Mr. FOX of Pennsylvania:

H.R. 4200. A bill to authorize additional appropriations for the National Cancer Institute to provide to the public information and education on ovarian cancer; to the Committee on Commerce.

By Mr. DAVIS of Virginia:

H.R. 4201. A bill to provide that the provisions of subchapter III of chapter 83 and chapter 84 of title 5, United States Code, that apply with respect to law enforcement officers be made applicable with respect to Assistant United States Attorneys; to the Committee on Government Reform and Oversight.

By Mr. ENSIGN:

H.R. 4202. A bill to amend title XXVII of the Public Health Service Act to establish certain standards with respect to health plans; to the Committee on Commerce.

By Mr. GREENWOOD (for himself, Mr. BOUCHER, Ms. ROS-LEHTINEN, Mr. COSTELLO, Mr. LAFALCE, Mr. FROST, and Mr. ROTHMAN):

H.R. 4203. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the National Institutes of Health with respect to research on autism; to the Committee on Commerce.

By Mr. LATHAM:

H.R. 4204. A bill to amend the Controlled Substances Act to provide civil liability for illegal manufacturers and distributors of controlled substances for the harm caused by the use of those controlled substances; to the Committee on Commerce, and in addition to the Committee on the Judiciary, 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 Ms. MCKINNEY (for herself, Mr. LEWIS of Georgia, and Mr. BISHOP):

H.R. 4205. A bill to designate the United States Post Office located at 520 West Ponce De Leon Avenue in Decatur, Georgia, as the "Margie Pitts Hames Post Office"; to the Committee on Government Reform and Oversight.

By Mr. MCNULTY (for himself, Mr. MILLER of California, Mrs. MALONEY of New York, Mr. SERRANO, Mr. CLYBURN, Mr. BISHOP, Mrs. MEEK of Florida, Mr. NADLER, Mr. ABERCROMBIE, Ms. NORTON, Mr. ROMERO-BARCELO, Mr. ACKERMAN, Mr. BROWN of California, Mr. LAFALCE, Mr. SANDERS, Ms. KILPATRICK, Mr. GILMAN, Ms. JACKSON-LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCDERMOTT, Mr. MEEKS of New York, Mr. PASCRELL, Ms. MILLENDER-MCDONALD, Ms. PELOSI, Mrs. LOWEY, Mr. MEEHAN, Mr. NEAL of Massachusetts, Mr. DICKS, Mr. GEJDENSON, Mr. ANDREWS, Mr. BALDACCI, Mr. BOEHLERT, Mr. HINCHEY, Mr. FRANK of Massachusetts, Mr. WYNN, Mrs. KENNELLY of Connecticut, Mrs. MCCARTHY of New York, Mr. JACKSON, Ms. DELAURO, Mr. FROST, Mr. FILNER, Mr. MCHUGH, and Ms. STABENOW):

H.R. 4206. A bill to establish the Kate Mullany National Historic Site in the State of New York, and for other purposes; to the Committee on Resources.

By Mr. METCALF:

H.R. 4207. A bill to direct the Secretary of Transportation to convey the Mukilteo Light Station to the City of Mukilteo, Washington; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 4208. A bill to provide for full voting representation in the Congress for the District of Columbia; to the Committee on the Judiciary.

By Mr. PALLONE:

H.R. 4209. A bill to amend the Arms Export Control Act, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Banking and Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REDMOND:

H.R. 4210. A bill to address the simultaneous decline of forest health of National Forest System lands in the state of New Mexico and rural community economies and to prevent and protect such lands from catastrophic fires, consistent with the requirements of existing public land management and environmental laws; to the Committee on Agriculture, 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. RILEY (for himself and Mr. HILLIARD):

H.R. 4211. A bill to establish the Tuskegee Airmen National Historic Site, in association with the Tuskegee University, in the State of Alabama, and for other purposes; to the Committee on Resources.

By Mr. SCOTT (for himself, Mr. SISISKY, and Mr. PICKETT):

H.R. 4212. A bill to amend the Internal Revenue Code of 1986 to give top performing enterprise communities priority for designation as the empowerment zones authorized by the Taxpayer Relief Act of 1997; to the Committee on Ways and Means.

By Mr. SOLOMON (for himself and Mr. MENENDEZ):

H.R. 4213. A bill to amend the Securities Exchange Act of 1934 to provide for an annual limit on the amount of certain fees which may be collected by the Securities and Exchange Commission; to the Committee on Commerce.

By Mr. STARK (for himself, Mr. CARDIN, Mr. WAXMAN, Mr. BERRY, Mr. BROWN of Ohio, Mr. MATSUI, Mr. FILNER, Mr. LAFALCE, Mr. FROST, and Mr. MCDERMOTT):

H.R. 4214. A bill to amend part C of title XVIII of the Social Security Act to prohibit the use of "cold-call" marketing of Medicare+Choice plans; 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. WHITFIELD (for himself and Mr. STRICKLAND):

H.R. 4215. A bill to require the Secretary of Energy to submit to Congress a plan to ensure that all amounts accrued on the books of the United States Enrichment Corporation for the disposition of depleted uranium hexafluoride will be used to treat and recycle depleted uranium hexafluoride; to the Committee on Commerce, and in addition to the Committee on the Budget, 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.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

357. The SPEAKER presented a memorial of the Senate of the State of Colorado, relative to Senate Joint Resolution No. 98-31 urging Congress to pass the Medicaid Community Attendant Services Act of 1997; to the Committee on Commerce.

358. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 85 memorializing the Secretary of the United States Department of Health and Human Services is respectfully requested to reconsider these proposed regulations and to continue to allow for the regional sharing of organs based upon a well-regulated and uniform list of potential recipients; to the Committee on Commerce.

359. Also, a memorial of the General Assembly of the State of Colorado, relative to Senate Joint Resolution 98-023 urging the President of the United States not to sign the Kyoto Protocol, we strongly urge the United States Senate not to ratify the treaty; to the Committee on International Relations.

360. Also, a memorial of the Senate of the State of Pennsylvania, relative to Senate Resolution No. 134 memorializing the President of the United States not to sign the Kyoto Protocol; to the Committee on International Relations.

361. Also, a memorial of the Senate of the State of Pennsylvania, relative to Senate Resolution No. 218 urging the Congress of the United States to consider and pass S. 1284, H.R. 3188 or H.R. 2313, each of which would prohibit future memorials in the area desired by the Air Force; to the Committee on Resources.

362. Also, a memorial of the General Assembly of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 113 memorializing Congress to enact legislation prohibiting sports agents from influencing college athletes; to the Committee on the Judiciary.

363. Also, a memorial of the Senate of the State of Pennsylvania, relative to Senate Resolution No. 183 urging the President of the United States and Congress to provide the Commission with funding in an amount equal to what is owed for the Federal Government's share of the Commission's operating budgets for Fiscal Years 1996, 1997, 1998 and 1999; to the Committee on the Judiciary.

364. Also, a memorial of the Senate of the State of Pennsylvania, relative to Senate Resolution 216 urging the President of the United States and Congress to provide the Commission with funding in an amount equal to what is owed for the Federal Government's share of the Commission's operating budgets for fiscal years 1996, 1997, 1998 and 1999; to the Committee on the Judiciary.

365. Also, a memorial of the House of Representatives of the State of Oklahoma, relative to House Resolution No. 1066 memorializing the United States Congress to take action to ensure the freedom of religion in public places as guaranteed by the United States Constitution; and directing distribution; to the Committee on the Judiciary.

366. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 61 memorializing the Commissioner of the Immigration and Naturalization Service, the President, and the Congress of the United States to ensure that available resources are directed, and any additional funds as needed are appropriated, in order to eliminate, within 10 months, the current backlog in naturalization applications; to the Committee on the Judiciary.

367. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 30 memorializing the United States Congress to take such actions as are necessary to amend the Highway Beautification Act of 1965 to revise provisions relating to the lighting requirements of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the Federal-Aid primary system; to the Committee on Transportation and Infrastructure.

368. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 30 memorializing the United States Congress to take such actions as are necessary to amend the Highway Beautification Act of 1965 to revise provisions relating to the lighting requirements of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the Federal-Aid primary system; to the Committee on Transportation and Infrastructure.

369. Also, a memorial of the Senate of the State of Colorado, relative to Senate Joint Resolution 98-005 memorializing the President and the Congress to enact Legislation To Rename the Washington National Airport As The "Ronald Reagan Washington National Airport"; to the Committee on Transportation and Infrastructure.

370. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 482 memorializing the President and Congress of the United States to revise the requirement that applicants for hunting and fishing licenses provide their Social Security numbers; to the Committee on Ways and Means.

371. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 352 memorializing the Congress of the United States to create job and housing opportunities by supporting legislation to increase the private activity bond cap and low-income housing tax credit allocation; to the Committee on Ways and Means.

372. Also, a memorial of the Senate of the State of Alaska, relative to Senate Resolution 1 memorializing its gratititude to the members of the Swiss government and banking officials who have cooperated thus far in allowing investigations to be carried out because, without their assistance, these investigations would not be possible and none of the assets in question would be recoverable by their rightful owners or their heirs; jointly to the Committees on International Relations and Banking and Financial Services.

373. Also, a memorial of the House of Representatives of the State of Tennessee, relative to House Joint Resolution No. 525 memorializing each member of the U.S. Congress from Tennessee to utilize the full measure of his or her influence to effect the enactment of the Medicare Venipuncture Fairness Act; jointly to the Committees on Ways and Means and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII,

Mr. HUNTER introduced A bill (H.R. 4216) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for a barge; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Mr. MEEKS of New York and Ms. LEE.

H.R. 306: Ms. LEE.

H.R. 532: Mr. BLAGOJEVICH.

H.R. 536: Ms. LEE, Ms. NORTON, and Ms. WATERS.

H.R. 538: Ms. LEE.

H.R. 594: Mr. ANDREWS, Mr. SHERMAN, and Mr. ENGEL.

H.R. 611: Mr. SALMON, Mr. BOEHLERT, and Mrs. CAPPS.

H.R. 612: Mr. CHABOT.

H.R. 614: Mr. PAPPAS and Mr. ROYCE.

H.R. 866: Mr. PAPPAS.

H.R. 970: Mrs. BONO.

H.R. 979: Mr. DIAZ-BALART, Mrs. MALONEY of New York, Mr. BRADY of Pennsylvania, Mr. BOSWELL, Mr. GOODLATTE, Mr. MINGE, and Mr. BONILLA.

H.R. 1061: Mr. ACKERMAN.

H.R. 1126: Mr. SCOTT, Mr. BARCIA of Michigan, Mr. PETRI, Mr. FATTAH, Mr. LAMPSON, Mr. SISISKY, Mr. BURTON of Indiana, Mr. SHUSTER, Mr. THOMPSON, Mr. YOUNG of Florida, Mr. COLLINS, and Mr. LAHOOD.

H.R. 1132: Mr. LUTHER.

H.R. 1166: Mr. COSTELLO.

H.R. 1176: Mr. DELAHUNT, Mrs. CAPPS, Ms. LOFGREN, and Mr. ENGEL.

H.R. 1319: Mr. BACHUS and Mr. PAPPAS.

H.R. 1375: Mr. BERRY.

H.R. 1382: Ms. KILPATRICK, Mr. DELAHUNT, Mrs. PRYCE of Ohio, Mr. ROMERO-BARCELÓ, and Mr. KENNEDY of Rhode Island.

H.R. 1401: Mr. BROWN of Ohio.

H.R. 1425: Mr. RUSH.

H.R. 1438: Mr. BLUMENAUER.

H.R. 1450: Mr. MASCARA and Mr. TRAFICANT.

H.R. 1453: Mr. BROWN of California.

H.R. 1592: Mr. OLVER.

H.R. 1608: Mr. CRAMER.

H.R. 1712: Mr. PETRI.

H.R. 1788: Ms. LEE.

H.R. 1883: Mr. KUCINICH.

H.R. 1951: Mr. BENTSEN.

H.R. 2174: Mr. FORD and Mr. MEEKS of New York.

H.R. 2224: Mr. ADAM SMITH of Washington.

H.R. 2454: Ms. KILPATRICK.

H.R. 2457: Ms. KILPATRICK.

H.R. 2504: Mr. MASCARA and Mr. BOEHLERT.

H.R. 2509: Mr. MOLLOHAN and Mr. WEXLER.

H.R. 2524: Mrs. LOWEY.

H.R. 2545: Mr. MARTINEZ.

H.R. 2547: Mr. JACKSON.

H.R. 2549: Ms. MCKINNEY.

H.R. 2667: Mr. BACHUS.

H.R. 2681: Mr. WAXMAN.

H.R. 2693: Mr. CUMMINGS, Ms. CHRISTIAN-GREEN, Mr. MASCARA, and Mr. KILDEE.

H.R. 2695: Ms. LEE.

H.R. 2704: Mr. CUMMINGS and Mr. KILDEE.

H.R. 2708: Mr. CRAMER, Mr. POMEROY, Mr. DAVIS of Florida, Mr. TANNER, Mr. BOEHNER, Mr. SANFORD, Mr. MCINTOSH, Mr. MORAN of Virginia, Mr. FAZIO of California, and Mr. PETERSON of Minnesota.

H.R. 2733: Mr. ALLEN, Mr. FOLEY, Mrs. LINDA SMITH of Washington, Mr. MALONEY of Connecticut, Mr. GOSS, Mr. PARKER, Mr. OBEY, Mr. POMEROY, Mr. PASTOR, Mr. KOLBE, Mr. WEXLER, Mr. SOLOMON, Mr. BATEMAN, and Mr. BERMAN.

H.R. 2748: Mr. THUNE.

H.R. 2754: Mr. BARRETT of Wisconsin and Ms. LEE.

H.R. 2760: Ms. SANCHEZ.

H.R. 2769: Mr. SHERMAN.

H.R. 2868: Mr. COOK.

H.R. 2900: Mr. LANTOS and Mr. KENNEDY of Rhode Island.

H.R. 2908: Mr. GOODLING, Mr. HOLDEN, and Mr. DUNCAN.

H.R. 2912: Ms. CARSON and Mr. HOLDEN.

H.R. 2921: Mr. DEUTSCH.

H.R. 2923: Mr. PALLONE, Mr. PAYNE, Mr. DIXON, Mr. KENNEDY of Rhode Island, and Mr. ADAM SMITH of Washington.

H.R. 2942: Mr. BONILLA and Mr. THOMPSON.

H.R. 2953: Mr. BOEHLERT.

H.R. 2955: Mr. BALDACCI and Mr. LEWIS of Georgia.

H.R. 2982: Mr. FROST, Mr. MARTINEZ, Mr. ROMERO-BARCELÓ, and Mr. ENGEL.

H.R. 2990: Mr. HORN, Mr. GILCHREST, Mr. MCINTOSH, Mr. MCHALE, Mr. BATEMAN, Ms. DELAURO, Mr. PICKERING, Mr. PEASE, and Mr. BONILLA.

H.R. 3043: Mr. DEUTSCH.

H.R. 3048: Mr. STOKES.

H.R. 3081: Mr. RAHALL, Ms. MCCARTHY of Missouri, Mr. DAVIS of Illinois, Mr. MARTINEZ, Mr. SANDLIN, and Mr. DIXON.

H.R. 3086: Mr. MCGOVERN.

H.R. 3131: Mr. HOLSHOF and Mr. CAMPBELL.

H.R. 3134: Mr. FATTAH.

H.R. 3140: Ms. RIVERS.

H.R. 3161: Mr. MCGOVERN and Mr. PORTER.

H.R. 3166: Mr. CALVERT.

H.R. 3181: Ms. NORTON.

H.R. 3215: Mr. PRICE of North Carolina and Mrs. LOWEY.

H.R. 3217: Mr. LIVINGSTON.

H.R. 3240: Ms. KILPATRICK and Mr. WYNN.

H.R. 3249: Mrs. LOWEY.

H.R. 3259: Mr. TORRES, Mr. LAMPSON, Ms. CARSON, and Mr. BLUMENAUER.

H.R. 3262: Mr. BONIOR.

H.R. 3300: Ms. KILPATRICK.

H.R. 3435: Ms. MCKINNEY and Mr. ROEMER.

H.R. 3503: Ms. STABENOW, Mr. MOLLOHAN, and Mr. BISHOP.

H.R. 3514: Ms. MCCARTHY of Missouri, Ms. MILLENDER-MCDONALD, Ms. KAPTUR, Ms. COSTELLO, Mrs. CAPPS, Mr. QUINN, and Ms. RIVERS.

H.R. 3523: Mr. RADANOVICH, Mrs. CUBIN, Mr. HILLEARY, and Mr. PICKETT.

H.R. 3531: Ms. LEE.

H.R. 3553: Mr. HASTINGS of Florida, Ms. BROWN of Florida, Mr. HINCHEY, and Mr. RUSH.

H.R. 3561: Mr. BLAGOJEVICH.

H.R. 3563: Mrs. MALONEY of New York.

H.R. 3567: Mr. BOUCHER, Mr. RILEY, Mr. SAWYER, Mr. PASCRELL, Mr. FRANK of Massachusetts, Mr. MCCOLLUM, Mr. PAYNE, Ms. NORTON, and Mr. CAMP.

H.R. 3570: Mrs. LOWEY, Mr. MARTINEZ, and Mr. KENNEDY of Rhode Island.

H.R. 3583: Mr. SOLOMON.

H.R. 3624: Ms. ROYBAL-ALLARD and Mr. DAVIS of Illinois.

H.R. 3636: Ms. SLAUGHTER, Mr. THOMPSON, Mr. COYNE, Ms. LEE, Mr. DAVIS of Illinois, Mr. GEJDENSON, Mr. HORN, Mrs. CAPPS, Mrs. MALONEY of New York, Mr. SHERMAN, Ms. BROWN of Florida, Mrs. KELLY, Mr. WOLF, Mr. WATT of North Carolina, Mr. HINCHEY, Mr. DICKS, Mr. ENGEL, and Mr. UNDERWOOD.

H.R. 3637: Mr. MARTINEZ.

H.R. 3648: Mr. BUNNING of Kentucky.

H.R. 3651: Ms. CARSON and Mr. PAYNE.

H.R. 3659: Mr. GOODLING, Mr. DICKEY, and Mr. BOEHLERT.

H.R. 3684: Mr. OXLEY and Mr. CAMP.

H.R. 3698: Ms. WOOLSEY.

H.R. 3724: Mr. VISCLOSKY.

H.R. 3731: Mr. HOBSON, Ms. WILSON, Mr. PARKER, Mr. TAYLOR of Mississippi, Mr. BARCIA of Michigan, Mr. GOSS, Mr. ROHRABACHER, Ms. RIVERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BRADY of Texas, Mr. BARTLETT of Maryland, Mr. EHLERS, Mr. FOLEY, Mr. DAVIS of Virginia, Mr. SAXTON, Mr. LEWIS of California, Mr. TANNER, Mrs. MORELLA, Mr. SERRANO, Mr. HAYWORTH, Mr. WALSH, Mrs. MEEK of Florida, Mr. ETHERIDGE, Mr. MANTON, and Mr. COOK.

H.R. 3767: Mr. SANFORD.

H.R. 3790: Mr. GINGRICH, Mr. GEPHARDT, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BALDACCI, Mr. BISHOP, Mr. BLILEY, Mr. BOUCHER, Mr. CAMPBELL, Mr. COOK, Mr. CONDIT, Mr. CONYERS, Mr. DELAHUNT, Mr. DICKS, Mr. DOOLITTLE, Mr. DREIER, Mr. EHLERS, Mr. FAZIO of California, Mr. FOLEY, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GEJDENSON, Ms. GRANGER, Mr. GREENWOOD, Mr. GUTIERREZ, Mr. HALL of Ohio, Mr. HINCHEY, Mr. HORN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of Rhode Island, Mrs. KENNELLY of Connecticut, Ms. KILPATRICK, Mr. LATOURETTE, Mr. LANTOS, Ms. LEE, Ms. LOFGREN, Mr. MCGOVERN, Mr. MCINNIS, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MANZULLO, Mr. MARKEY, Mrs. MEEK of Florida, Mr. MICA, Ms. MILLENDER-MCDONALD, Mrs. MYRICK, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. NEY, Mr. OWENS, Mr. PAPPAS, Mr. PAYNE, Mr. REDMOND, Mr. REGULA, Mr. ROMERO-BARCELO, Mr. SABO, Ms. SANCHEZ, Mr. SCHUMER, Mr. SHIMKUS, Mr. SISISKY, Mr. ADAM SMITH of Washington, Mr. SNYDER, Mr. STEARNS, Mr. TRAFICANT, Mr. WAMP, Mr. WATTS of Oklahoma, Mr. WAXMAN, and Mr. WOLF.

H.R. 3792: Mr. PAPPAS.

H.R. 3802: Ms. KILPATRICK and Mr. HINCHEY.

H.R. 3810: Mrs. ROUKEMA.

H.R. 3815: Mr. RANGEL, Ms. SLAUGHTER, and Mr. CUNNINGHAM.

H.R. 3820: Mr. MARTINEZ.

H.R. 3821: Mr. CAMP, Mr. EWING, Mr. FOX of Pennsylvania, Mr. BISHOP, Mr. FRANKS of New Jersey, Mr. TIAHRT, Mr. LEWIS of Kentucky, and Mr. SCARBOROUGH.

H.R. 3837: Mr. MCGOVERN, Ms. PELOSI, and Mr. KENNEDY of Rhode Island.

H.R. 3844: Mr. UPTON.

H.R. 3855: Mr. KLECZKA, Ms. DUNN of Washington, Mr. DEAL of Georgia, Mr. RUSH, Mrs. MEEK of Florida, Mr. MEEHAN, Mr. COSTELLO, Mr. JACKSON, Mr. MCGOVERN, Mr. SKELTON, and Mr. LANTOS.

H.R. 3862: Mr. BROWN of Ohio, Mr. BENTSEN, and Mr. BACHUS.

H.R. 3877: Mr. NEAL of Massachusetts, Mr. OLVER, and Mr. MARKEY.

H.R. 3879: Mr. HILLEARY, Mr. BURTON of Indiana, Mr. PACKARD, Mr. MARTINEZ, Mr. DOOLITTLE, Mr. SNOWBARGER, Mr. WICKER, Mr. FORBES, Mr. SANDLIN, Mr. GORDON, Mr. FRANKS of New Jersey, Mr. PEASE, Mr. RILEY, Mr. KLINK, Mr. DUNCAN, Mr. COBLE, Mr. CHABOT, and Mr. ENSIGN.

H.R. 3898: Mr. SNOWBARGER.

H.R. 3904: Mr. BARRETT of Nebraska, Mr. LIVINGSTON, and Mrs. NORTHUP.

H.R. 3912: Ms. RIVERS, Mr. BURTON of Indiana, Mr. STEARNS, Mr. ENSIGN, Mr. SESSIONS, Mr. CUNNINGHAM, and Mrs. MYRICK.

H.R. 3948: Mr. MALONEY of Connecticut and Ms. CARSON.

H.R. 3949: Mr. MCCRERY, Mr. HASTINGS of Washington, Mr. SAM JOHNSON, Mr. SKEEN, Mr. PEASE, Mr. HALL of Texas, Mr. ENSIGN, Mr. METCALF, Mr. MCINTOSH, Mr. CRAPO, Mr. MASCARA, Mr. THORNBERRY, Mr. THUNE, Mr. CLEMENT, and Mr. PICKETT.

H.R. 3956: Mr. OLVER.

H.R. 3980: Mr. ROMERO-BARCELO, Mr. GIBBONS, Ms. SLAUGHTER, Mr. COOK, Mr. BROWN of Ohio, Mr. FOX of Pennsylvania, Mr. REDMOND, Mr. BISHOP, Mr. PICKERING, Mr. BONIOR, Mr. THOMPSON, Mr. LAHOOD, Mr. PASCRELL, Mr. OLVER, Mr. MORAN of Kansas, and Mr. MEEHAN.

H.R. 3988: Mr. MCDERMOTT, Mr. WAXMAN, and Mr. FROST.

H.R. 3991: Mrs. KENNELLY of Connecticut, Mrs. JOHNSON of Connecticut, Mr. CHRISTENSEN, and Ms. JACKSON-LEE.

H.R. 4006: Mr. CANNON, Mr. MANZULLO, Mr. GOODLING, Mr. KIM, Mr. CRANE, Mr. NETHERCUTT, Mr. BRYANT, Mr. HASTINGS of Washington, Mr. BARCIA of Michigan, and Mr. CANADY of Florida.

H.R. 4007: Mr. FORBES, Mrs. CLAYTON, Ms. SLAUGHTER, Ms. LEE, Mr. WATTS of Oklahoma, Mr. HINCHEY, Mr. SANDLIN, Mr. ENGEL, and Mr. RUSH.

H.R. 4009: Mr. LAFALCE, Mr. STRICKLAND, Mr. WEXLER, and Mr. UNDERWOOD.

H.R. 4018: Mr. MILLER of California.

H.R. 4019: Mr. DELAHUNT, Mr. SCHUMER, Mr. STUMP, Ms. RIVERS, Mr. HERGER, and Mr. DOOLITTLE.

H.R. 4035: Mr. TIERNEY, Mr. FILNER, Mr. HALL of Ohio, Ms. DANNER, Mrs. MORELLA, Mr. GUTIERREZ, Mr. ETHERIDGE, Mr. MEEKS of New York, Mr. STUPAK, Mr. OXLEY, Mr. TRAFICANT, Mr. ROMERO-BARCELO, Mr. MEEHAN, Mr. BISHOP, Mr. NORWOOD, Mr. SESSIONS, Mr. REDMOND, Mrs. MEEK of Florida, Mr. NEAL of Massachusetts, Mr. BLUMENAUER, Mr. HINCHEY, Mr. ABERCROMBIE, and Mr. KENNEDY of Rhode Island.

H.R. 4036: Mr. TIERNEY, Mr. FILNER, Mr. HALL of Ohio, Ms. DANNER, Mrs. MORELLA, Mr. GUTIERREZ, Mr. ETHERIDGE, Mr. KLECZKA, Mr. MEEKS of New York, Mr. STUPAK, Mr. MALONEY of Connecticut, Mr. BOSWELL, Mr. OXLEY, Mr. TRAFICANT, Mr. ROMERO-BARCELO, Mr. MEEHAN, Mr. BISHOP, Mr. NORWOOD, Mrs. MEEK of Florida, Mr. NEAL of Massachusetts, Mr. BLUMENAUER, Mr. HINCHEY, Mr. KENNEDY of Rhode Island, and Mr. BROWN of Ohio.

H.R. 4039: Mr. NETHERCUTT.

H.R. 4049: Mr. GOODLATTE.

H.R. 4062: Mr. LAFALCE.

H.R. 4070: Mr. BROWN of Ohio, Mr. GORDON, Mr. FILNER, Mr. KENNEDY of Rhode Island, and Mr. FROST.

H.R. 4071: Mr. REDMOND, Mr. HINOJOSA, and Mr. BLUNT.

H.R. 4073: Mr. HINOJOSA, Mr. JEFFERSON, Mr. BLAGOJEVICH, Mr. ANDREWS, Mr. SERRANO, Mr. FARR of California, Mr. BROWN of California, Mr. LANTOS, Ms. ROYBAL-ALLARD, Mr. FILNER, and Mr. TORRES.

H.R. 4092: Mr. LANTOS and Ms. JACKSON-LEE.

H.R. 4096: Mr. GOODLATTE and Mr. ROYCE.

H.R. 4121: Mrs. BONO, Ms. SLAUGHTER, Mr. MOLLOHAN, Mr. DAVIS of Virginia, Mrs. CLAYTON, Mr. PASCRELL, and Mr. HOYER.

H.R. 4125: Ms. PRYCE of Ohio, Mr. DOOLITTLE, Mr. LEACH, Mr. CHAMBLISS, Mr. MILLER of Florida, Mr. COX of California, and Mr. SHUSTER.

H.R. 4134: Ms. LOFGREN, Mr. BRADY of Pennsylvania, and Mr. FROST.

H.R. 4136: Mr. HOSTETTLER and Mr. STRICKLAND.

H.R. 4157: Mr. WATTS of Oklahoma.

H.R. 4164: Mr. ANDREWS.

H.R. 4188: Mr. WATTS of Oklahoma, Mrs. KELLY, Mr. HALL of Ohio, and Mr. CRAPO.

H.J. Res. 47: Mr. LAFALCE.

H.J. Res. 66: Mr. MARTINEZ and Mr. DOOLEY of California.

H.J. Res. 123: Mr. HILLIARD, Mr. THOMPSON, Mr. MALONEY of Connecticut, Mr. MCGOVERN, Mr. SNOWBARGER, Mr. STEARNS, Mr. BURTON of Indiana, Mr. DOOLEY of California, Mr. KNOLLENBERG, Mrs. EMERSON, Mr. FAZIO of

California, Mr. BONILLA, Ms. CARSON, Mr. WICKER, Mr. LAMPSON, Mr. PICKERING, Mr. ADERHOLT, Mr. ISTOOK, and Mr. SMITH of New Jersey.

H.J. Res. 125: Mr. COX of California.

H. Con. Res. 188: Mr. SAXTON and Mr. BROWN of Ohio.

H. Con. Res. 203: Mr. TORRES, Mr. SOUDER, Mr. HUTCHINSON, and Mr. LEWIS of Georgia.

H. Con. Res. 210: Mr. SANDLIN, Mr. HALL of Texas, and Mr. WISE.

H. Con. Res. 239: Ms. JACKSON-LEE, Mr. UNDERWOOD, and Mr. ROMERO-BARCELO.

H. Con. Res. 254: Mr. DUNCAN.

H. Con. Res. 258: Mr. MCNULTY, Mr. PRICE of North Carolina, Mr. MCDERMOTT, Ms. NORTON, Ms. MCKINNEY, Mr. HINCHEY, and Mr. UNDERWOOD.

H. Con. Res. 287: Mr. BLUMENAUER.

H. Con. Res. 290: Mr. SHIMKUS, Mr. LEWIS of Kentucky, Mr. HUNTER, Mr. HASTINGS of Washington, Mr. PASTOR, Mr. BLUNT, Mr. SOLOMON, and Mr. CRAMER.

H. Con. Res. 292: Mr. BERMAN.

H. Res. 313: Ms. CARSON, Mrs. CLAYTON, and Ms. KILPATRICK.

H. Res. 460: Mr. HAYWORTH, Mr. BARR of Georgia, Mr. ROMERO-BARCELO, Mr. CALVERT, Mrs. CLAYTON, Mr. HUNTER, Mr. ALLEN, Mr. BROWN of Ohio, Ms. DANNER, Mr. PACKARD, Mr. WAXMAN, Ms. NORTON, Mr. SISISKY, Mr. BONIOR, and Mr. STUPAK.

H. Res. 475: Mr. MILLER of California, Mr. MARKEY, Ms. MCCARTHY of Missouri, Ms. RIVERS, Mrs. MALONEY of New York, Ms. FURSE, Mr. SPENCE, Mr. ROHRABACHER, Mr. QUINN, Mr. GOSS, Mr. BROWN of Ohio, Ms. CARSON, Mr. GREEN, and Ms. JACKSON-LEE.

H. Res. 494: Mr. REYES, Ms. BROWN of Florida, Mr. DOOLITTLE, and Mr. RUSH.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

66. The SPEAKER presented a petition of the Town Council of Buzzards Bay, Massachusetts, relative to the Town of Bourne determines that the U.S. Government has damaged the Town of Bourne because of: (a) the contamination of the Campbell School: (b) its unconscionable failure to pay the Town in excess of $10,000,000.00 in reimbursement for the education of the children of the military personnel stationed at the Mass Military Reservation in Bourne who's education was paid by the Town of Bourne; and (c) by the contamination of the water serving our school on the Mass military Reservation; which was referred to the Committee on National Security.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3267

OFFERED BY: MR. MILLER OF CALIFORNIA

(Amendment in the Nature of a Substitute)

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sonny Bono Memorial Salton Sea Restoration Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Salton Sea, located in Imperial and Riverside Counties, California, is an economic and environmental resource of national importance.

(2) The Salton Sea is a critical component of the Pacific flyway. However, the concentration of pollutants in the Salton Sea has contributed to recent die-offs of migratory waterfowl.

(3) The Salton Sea is critical as a reservoir for irrigation, municipal, and stormwater drainage.

(4) The Salton Sea provides benefits to surrounding communities and nearby irrigation and municipal water users.

(5) Restoring the Salton Sea will provide national and international benefits.

SEC. 3. DEFINITIONS.

In this Act:

(1) The term "Study" means the Salton Sea study authorized by section 4.

(2) The term "Salton Sea Authority" means the Joint Powers Authority by that name established under the laws of the State of California by a Joint Power Agreement signed on June 2, 1993.

(3) The term "Secretary" means the Secretary of the Interior, acting through the Bureau of Reclamation.

SEC. 4. SALTON SEA RESTORATION STUDY AUTHORIZATION.

(a) IN GENERAL.—The Secretary, in accordance with this section, shall undertake a study of the feasibility of various alternatives for restoring the Salton Sea, California. The purpose of the Study shall be to select 1 or more practicable and cost-effective options for decreasing salinity and otherwise improving water quality and to develop a restoration plan that would implement the selected options. The Study shall be coordinated with preparation of an environmental impact statement pursuant to the National Environmental Policy Act of 1969 evaluating alternatives for restoration of the Salton Sea. The Study shall be conducted in accordance with the memorandum of understanding under subsection (g).

(b) STUDY GOALS.—The Study shall explore alternatives to achieve the following objectives:

(1) Reducing and stabilizing the overall salinity, and otherwise improving the water quality of the Salton Sea.

(2) Stabilizing the surface elevation of the Salton Sea.

(3) Reclaiming, in the long term, healthy fish and wildlife resources and their habitats.

(4) Enhancing the potential for recreational uses and economic development of the Salton Sea.

(5) Ensuring the continued use of the Salton Sea as a reservoir for irrigation drainage.

(c) OPTIONS TO BE CONSIDERED.—

(1) IN GENERAL.—Options considered in the Study shall include each of the following and any appropriate combination thereof:

(A) Use of impoundments to segregate a portion of the waters of the Salton Sea in 1 or more evaporation ponds located in the Salton Sea basin.

(B) Pumping water out of the Salton Sea.

(C) Augmented flows of water into the Salton Sea.

(D) Improving the quality of wastewater discharges from Mexico and from other water users in the Salton Sea basin.

(E) Water transfers or exchanges in the Colorado River basin.

(F) Any other feasible restoration options.

(2) LIMITATION TO PROVEN TECHNOLOGIES.—Options considered in the Study shall be limited to proven technologies.

(d) FACTORS TO BE CONSIDERED.—

(1) SCIENCE SUBCOMMITTEE FINDINGS AND REPORTS.—In evaluating the feasibility of options considered in the Study, the Secretary shall carefully consider all available findings and reports of the Science Subcommittee established pursuant to section 5(c)(2) and incorporate such findings into the project design alternatives, to the extent feasible.

(2) OTHER FACTORS TO BE CONSIDERED.—The Secretary shall also consider—

(A) the ability of Federal, tribal, State, and local government sources and private sources to fund capital construction costs and annual operation, maintenance, energy, and replacement costs;

(B) how and where to dispose permanently of water pumped out of the Salton Sea;

(C) the availability of necessary minimum inflows to the Salton Sea from current sources, including irrigation drainage water; and

(D) the potential impact of Salton Sea restoration efforts on the rights of other water users in the Colorado River Basin and on California's Colorado River water entitlement pursuant to the Colorado River Compact and other laws governing water use in the Colorado River Basin.

(e) INTERIM REPORT.—

(1) SUBMISSION.—Not later than 9 months after the Secretary first receives appropriations for programs and actions authorized by this title, the Secretary shall submit to the Congress an interim progress report on restoration of the Salton Sea. The report shall—

(A) identify alternatives being considered for restoration of the Salton Sea;

(B) describe the status of environmental compliance activities;

(C) describe the status of cost-sharing negotiations with State of California and local agencies;

(D) describe the status of negotiations with the Government of Mexico, if required; and

(E) report on the progress of New River and Alamo River research and demonstration authorized by this Act.

(2) CONGRESSIONAL ACTION.—Upon receipt of the interim report from the Secretary, the appropriate committees of the House of Representatives and the Senate shall promptly schedule and conduct oversight hearings to review implementation of the Salton Sea restoration plan included in the report under subsection (f), and to identify additional authorizations that may be required to effectuate plans and studies relating to the restoration of the Salton Sea.

(f) REPORT TO CONGRESS.—Not later than 18 months after commencement of the Study, the Secretary shall submit to the Congress a report on the findings and recommendations of the Study. The report shall include the following:

(1) A summary of options considered for restoring the Salton Sea.

(2) A recommendation of a preferred option for restoring the Salton Sea.

(3) A plan to implement the preferred option selected under paragraph (2).

(4) A recommendation for cost-sharing to implement the plan developed under paragraph (3). The cost-sharing recommendation may apply a different cost-sharing formula to capital construction costs than is applied to annual operation, maintenance, energy, and replacement costs.

(5) A draft of recommended legislation to authorize construction of the preferred option selected under paragraph (2).

(g) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—The Secretary shall carry out the Study in accordance with a memorandum of understanding entered into by the Secretary, the Salton Sea Authority, and the Governor of California.

(2) OPTION EVALUATION CRITERIA.—The memorandum of understanding shall, at a minimum, establish criteria for evaluation and selection of options under subsection (a), including criteria for determining the magnitude and practicability of costs of construction, operation, and maintenance of each option evaluated.

(h) RELATIONSHIP TO OTHER LAWS.—

(1) RECLAMATION LAWS.—Activities authorized by this section shall not be subject to the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 391 et seq.) and other laws amendatory thereof or supplemental thereto. Amounts expended for those activities shall be considered nonreimbursable and nonreturnable for purposes of those laws.

(2) LAW OF THE COLORADO RIVER.—This section shall not be considered to supersede or otherwise affect any treaty, law, or agreement governing use of water from the Colorado River. All activities to carry out the Study under this section must be carried out in a manner consistent with rights and obligation of persons under those treaties, laws, and agreements.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $30,000,000 to carry out the activities authorized in this section.

SEC. 5. CONCURRENT WILDLIFE RESOURCES STUDIES.

(a) IN GENERAL.—Concurrently with the Study under section 4, the Secretary shall provide for the conduct of studies of hydrology, wildlife pathology, and toxicology relating to wildlife resources of the Salton Sea by Federal and non-Federal entities.

(b) SELECTION OF TOPICS AND MANAGEMENT OF STUDIES.—

(1) IN GENERAL.—The Secretary shall establish a committee to be known as the Salton Sea Research Management Committee. The Committee shall select the topics of studies under this section and manage those studies.

(2) MEMBERSHIP.—The Committee shall consist of 5 members appointed as follows:

(A) 1 by the Secretary.

(B) 1 by the Governor of California.

(C) 1 by the Torres Martinez Desert Cahuilla Tribal Government.

(D) 1 by the Salton Sea Authority.

(E) 1 by the Director of the California Water Resources Center.

(c) COORDINATION.—

(1) IN GENERAL.—The Secretary shall require that studies conducted under this section are conducted in coordination with appropriate international bodies, Federal agencies, and California State agencies, including, but not limited to, the International Boundary and Water Commission, the United States Fish and Wildlife Service, the United States Environmental Protection Agency, the California Department of Water Resources, the California Department of Fish and Game, the California Resources Agency, the California Environmental Protection Agency, the California Regional Water Quality Board, and California State Parks.

(2) SCIENCE SUBCOMMITTEE.—The Secretary shall require that studies conducted under this section are coordinated through a Science Subcommittee that reports to the Salton Sea Research Management Committee. In addition to the membership provided for by the Science Subcommittee's charter, representatives shall be invited from the University of California, Riverside, the University of Redlands, San Diego State University, the Imperial Valley College, and Los Alamos National Laboratory.

(d) PEER REVIEW.—The Secretary shall require that studies under this section are subjected to peer review.

(e) AUTHORIZATION OF APPROPRIATIONS.—For wildlife resources studies under this section there are authorized to be appropriated to the Secretary $5,000,000.

SEC. 6. SALTON SEA NATIONAL WILDLIFE REFUGE RENAMED AS SONNY BONO SALTON SEA NATIONAL WILDLIFE REFUGE.

(a) REFUGE RENAMED.—The Salton Sea National Wildlife Refuge, located in Imperial County, California, is hereby renamed and shall be known as the Sonny Bono Salton Sea National Wildlife Refuge.

(b) REFERENCES.—Any reference in any statute, rule, regulation, Executive order, publication, map, or paper or other document of the United States to the Salton Sea National Wildlife Refuge is deemed to refer to the Sonny Bono Salton Sea National Wildlife Refuge.

SEC. 7. ALAMO RIVER AND NEW RIVER.

(a) RESEARCH AND DEMONSTRATION PROJECTS.—The Secretary shall promptly conduct research and construct wetlands filtration or construct wetlands demonstration projects to improve water quality in the Alamo River and New River, Imperial County, California. The Secretary may acquire equipment, real property, and interests in real property (including site access) as needed to implement actions authorized by this section.

(b) MONITORING AND OTHER ACTIONS.—The Secretary shall establish a long-term monitoring program to maximize the effectiveness of any demonstration project authorized by this section.

(c) COOPERATION.—The Secretary shall implement subsections (a) and (b) in cooperation with the Desert Wildlife Unlimited, the Imperial Irrigation District, the State of California, and other interested persons.

(d) AUTHORIZATION OF APPROPRIATIONS.—For research and demonstration projects authorized in this section, there are authorized to be appropriated to the Secretary $3,000,000.

SEC. 8. EMERGENCY ACTION.

If, during the conduct of the studies authorized by this Act, the Secretary determines that environmental conditions at the Salton Sea warrant immediate and emergency action, the Secretary shall immediately submit a report to Congress documenting such conditions and making recommendations for their correction.

H.R. 4104

OFFERED BY: MRS. NORTHUP

AMENDMENT NO. 12: Strike subsection (c) of section 407 of title 39, United States Code, as proposed to be amended by section 646 (a) (relating to international postal arrangements), and insert the following:

"(c) The Postal Service may—

"(1) enter into such commercial and operational contracts relating to international postal services as it considers necessary, except that the Postal Service may not enter into any contract with an agency of a foreign government (whether under authority of this paragraph or otherwise) if it would grant an undue or unreasonable preference to the Postal Service with respect to any class of mail or type of mail service; and

"(2) with the consent of the President, establish the rates of postage or other charges on mail matter conveyed between the United States and other countries.".

H.R. 4104

OFFERED BY: MR. SANDERS

AMENDMENT NO. 13: Page 58, line 1, after the dollar amount, insert the following: "(reduced by $2,000,000) (increased by $2,000,000)".

H.R. 4104

OFFERED BY: MR. SANDERS

AMENDMENT NO. 14: Page 58, line 1, after the dollar amount, insert the following: ", of which $2,000,000 shall be for the management of veterans records".

H.R. 4104

OFFERED BY: MR. SANDERS

AMENDMENT NO. 15: Page 58, line 1, after the dollar amount, insert the following: ", of which $6,000,000 shall be for the management of veterans records".

H.R. 4104

OFFERED BY: MR. SANDERS

AMENDMENT NO. 16: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 648. None of the funds made available in this Act may be used to make any loan or credit in excess of $250,000,000 to a foreign entity or government of a foreign country through the exchange stabilization fund under section 5302 of title 31, United States Code.

H.R. 4104

OFFERED BY: MR. SANDERS

AMENDMENT NO. 17: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 648. None of the funds made available in this Act may be used to make any loan or credit to a foreign entity or government of a foreign country through the exchange stabilization fund under section 5302 of title 31, United States Code.

H.R. 4193

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 1: At the end of the bill before the short title insert the following:

SEC. 336. The Secretary of Energy, acting through the Assistant Secretary for Energy Efficiency and Renewable Energy, and the Secretary of Agriculture, acting through the Chief of the Forest Service, shall coordinate their endeavors to improve energy efficiency, reduce air pollution and decrease excessive summer heat using innovative forestry and energy conservation techniques in urban communities by—

(1) developing a comprehensive action plan that will detail how the programs under their administration can be integrated in urban communities to achieve common goals;

(2) actively pursuing opportunities to coordinate program functions in urban communities;

(3) targeting specific urban communities where energy efficiency and forestry programs can be integrated effectively; and

(4) working with State and local governmental entities, private sector partners, and not-for-profit organizations.

The Secretaries shall jointly submit reports to Congress biannually describing the progress made to achieve the goals of this section.

H.R. 4194

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 1: Page 91, after line 3, insert the following:

SEC. 425. The aggregate amount otherwise appropriated in this Act for the functions of the Office of the Administrator of the Environmental Protection Agency is hereby reduced by $15,000,000.

H.R. 4194

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 2: Page 91, after line 3, insert the following:

SEC. 425. (a) TEMPORARY PROHIBITION ON IMPLEMENTATION OR ENFORCEMENT OF PUBLIC WATER SYSTEM TREATMENT REQUIREMENTS FOR COPPER ACTION LEVEL.—None of the funds made available by this or any other Act for any fiscal year may be used by the Administrator of the Environmental Protection Agency to implement or enforce the national primary drinking water regulations for lead and copper in drinking water promulgated under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), to the extent that the regulations pertain to the public water system treatment requirements related to the copper action level, until—

(1) the Administrator and the Director of the Centers for Disease Control and Prevention jointly conduct a study to establish a reliable dose-response relationship for the adverse human health effects that may result from exposure to copper in drinking water, that—

(A) includes an analysis of the health effects that may be experienced by groups within the general population (including infants) that are potentially at greater risk of adverse health effects as the result of the exposure;

(B) is conducted in consultation with interested States;

(C) is based on the best available science and supporting studies that are subject to peer review and conducted in accordance with sound and objective scientific practices; and

(D) is completed not later than 30 months after the date of enactment of this Act; and

(2) based on the results of the study and, once peer reviewed and published, the 2 studies of copper in drinking water conducted by the Centers for Disease Control and Prevention in the State of Nebraska and the State of Delaware, the Administrator establishes an action level for the presence of copper in drinking water that protects the public health against reasonably expected adverse effects due to exposure to copper in drinking water.

(b) CURRENT REQUIREMENTS.—Nothing in this section precludes a State from implementing or enforcing the national primary drinking water regulations for lead and copper in drinking water promulgated under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) that are in effect on the date of enactment of this Act, to the extent that the regulations pertain to the public water system treatment requirements related to the copper action level.

H.R. 4194

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 3: Page 91, after line 3, insert the following:

SEC. 425. No part of any funds made available by this Act may be used to pay salaries and expenses of any officer or employee of the Environmental Protection Agency to promulgate or implement any rule under the Safe Drinking Water Act requiring public water systems to use disinfection for those public water systems which rely on ground water. Nothing in the preceding sentence shall be construed to prohibit the Environmental Protection Agency, or any officer or employee of the Agency, from conducting studies and investigations regarding the use of disinfection in public water systems relying on ground water or regarding any alternatives to the use of disinfection in such systems for purposes of meeting national primary drinking water regulations.

H.R. 4194

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 4: At the end of title I (page 17, after line 12), insert the following:

SEC. 110. (a) EXTENSION OF VETERANS SEXUAL TRAUMA COUNSELING AND TREATMENT PROGRAM.—Section 1720D of title 38, United States Code, is amended in subsections (a)(1) and (a)(3) by striking out "December 31, 1998," and inserting in lieu thereof "December 31, 2002,".

(b) PERSONS ELIGIBLE FOR SEXUAL TRAUMA COUNSELING AND TREATMENT.—Such section is further amended by adding at the end the following new subsection:

"(e)(1) A veteran shall be eligible for counseling and treatment under this section without regard to the provisions of section 5303A of this title.

"(2) An individual who is a member of a reserve component shall be eligible for counseling and treatment under this section in the same manner as a veteran and without regard to the provisions of section 5303A of this title.

"(3) An individual who is a former member of a reserve component (but who is not a veteran within the meaning of section 101 of this title) and who was discharged or released from service as a member of a reserve component under conditions other than dishonorable shall be eligible for counseling and treatment under this section in the same manner as a veteran and without regard to the provisions of section 5303A of this title.

"(4) The Secretary shall ensure that information about the counseling and treatment available to individuals under this subsection—

"(A) is made available and visibly posted at each facility of the Department; and

H.R. 4194

OFFERED BY: MR. ROEMER

AMENDMENT NO. 5: Page 72, line 15, strike "$5,309,000,000" and insert "$3,709,000,000".

H.R. 4194

OFFERED BY: MR. SANFORD

AMENDMENT NO. 6: page 76, line 24 strike "2,745,000,000" and insert "2,545,700,000."

H.R. 4194

OFFERED BY: MR. TIAHRT

AMENDMENT NO. 7: Page 8, line 15, before the period at the end, insert the following:

: *Provided*, That, of the funds made available under this heading, $12,500,000 shall be for medical research relating to the Gulf War illnesses afflicting veterans of the Persian Gulf War

H.R. 4194

OFFERED BY: MR. TIAHRT

AMENDMENT NO. 8: Page 8, line 15, before the period at the end, insert the following:

: *Provided*, That, of the funds made available under this heading, $25,000,000 shall be for medical research relating to the Gulf War illnesses afflicting veterans of the Persian Gulf War

H.R. 4194

OFFERED BY: MR. VENTO

AMENDMENT NO. 9: Page 52, after line 2, insert the following new section:

LOW-INCOME HOUSING PRESERVATION AND RESIDENT HOMEOWNERSHIP

SEC. 210. (a) NOTICE OF PREPAYMENT OR TERMINATION.—Notwithstanding section 212(b) of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4102(b)) or any other provision of law, during fiscal year 1999 and each fiscal year thereafter, an owner of eligible low-income housing (as defined in section 229 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4119)) that intends to take any action described in section 212(a) of such Act (12 U.S.C. 4102(a)) shall, not less than 1 year before the date on which the action is taken—

(1) file a notice indicating that intent with the chief executive officer of the appropriate State or local government for the jurisdiction within which the housing is located; and

(2) provide each tenant of the housing with a copy of that notice.

(b) EXCEPTION.—The requirements of this section do not apply—

(1) in any case in which the prepayment or termination at issue is necessary to effect conversion to ownership by a priority purchaser (as defined in section 231(a) of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4120(a)); or

(2) in the case of any owner who has provided notice of an intended prepayment or termination on or before July 7, 1998, in accordance with the requirements of section 212(b) of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4102(b)).

H.R. 4194

OFFERED BY: MR. VENTO

AMENDMENT NO. 10: Page 70, line 19, after the dollar amount insert the following: "(increased by $30,000,000)".

Page 72, line 15, after the dollar amount insert the following: "(reduced by $43,500,000)".

H.R. 4194

OFFERED BY: MR. VENTO

AMENDMENT NO. 11: Page 70, line 19, after the dollar amount insert the following: "(increased by $30,000,000)".

Page 76, line 24, after the dollar amount insert the following: "(reduced by $107,400,000)".