

HOUSE OF REPRESENTATIVES—Tuesday, April 21, 1998

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. NETHERCUTT).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 21, 1998.

I hereby designate the Honorable George R. Nethercutt, Jr. 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. 629. An act to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact.

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, to amend the Immigration and Nationality Act to make certain aliens determined to be delinquent in the payment of child support inadmissible and ineligible for naturalization, and for other purposes.

The message also announced that pursuant to Public Law 105-78, the Chair, on behalf of the Democratic Leader, appoints Dr. Robert C. Talley, of South Dakota, as a member of the National Health Museum Commission.

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Illinois (Mr. WELLER) for 5 minutes.

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

Mr. WELLER. Mr. Speaker, I represent a very, very diverse district. I represent the south side of Chicago, the south suburbs, as well as a lot of bedroom and rural communities southwest of the city of Chicago. There is a common series of questions being asked, and these questions really illustrate why passage of the Marriage Tax Elimination Act is so very important to this Congress.

These questions are pretty simple, and that is do Americans feel that it is fair that a married working couple with two incomes pays more in taxes just because they are married? Do Americans feel that it is fair that 21 million married working couples pay an average of \$1,400 more in higher taxes just because they are married than an identical couple that lives together outside of marriage? Do Americans feel it is fair that our Tax Code actually provides an incentive to get divorced?

It is clear that the marriage tax penalty is not only wrong; frankly, it is immoral that our Tax Code punishes our society's most basic institution.

This past year, the Congressional Budget Office in a report detailed the facts that the marriage penalty is suffered by 21 million married working couples to the tune of \$1,400 each. Of course, that tax is caused because when a married couple chooses to get married, they file jointly, and their combined tax income pushes them into a higher tax bracket, of course, causing that marriage tax penalty.

Let me give you an example of a married couple in the 11th Congressional District in the south suburbs of Chicago. This particular gentleman is a machinist who works at Caterpillar making the heavy equipment that builds our roads and bridges. This particular machinist makes \$30,500 a year.

If he is single, after standard deductions and exemptions on his taxes, he pays the 15 percent rate. But say he meets a gal, she is a tenured schoolteacher at the Joliet public schools. She is making an identical amount of money, \$30,500 a year. They choose to get married.

Under our current Tax Code, because of the way our Tax Code is currently structured, as a married couple with two incomes, they file jointly, they are pushed into a higher tax bracket producing almost \$1,400 more in taxes, just because they chose to get married.

That is wrong. If you think about it for this married couple in Joliet, this

machinist and this schoolteacher, \$1,400 is a lot of money. It is real money for real people. \$1,400 is one year's tuition at Joliet Junior College. It is several months of car payments. It is 3 months' worth of child care in a local day care center in Joliet. That is important to working families.

Of course, the President has talked about helping working couples with expanding the child care tax credit, and that is a good idea. Of course, we should look at what that means in comparing expanding the child tax credit to eliminating the marriage penalty, and how this machinist and schoolteacher will benefit.

Under the Marriage Tax Elimination Act, of course, this machinist and schoolteacher will save \$1,400 by eliminating the marriage tax penalty. Under the President's proposal on child care, they would be able to save \$358 in higher take-home pay.

So the question is, which is better? One thousand four hundred dollars, which is 3 months' worth of day care in Joliet, or the President's proposal for \$358, which is 3 weeks? Which is better, three weeks or three months, when it comes to helping working families?

Clearly, elimination of the marriage tax penalty will help 21 million married working couples. I am pleased to tell you the Marriage Tax Elimination Act now has 238 cosponsors. And what is the bottom line? We should make elimination of the marriage tax penalty our Number 1 priority as we work to provide greater tax relief and work to help working families keep more of what they earn, because we believe that working families should be able to keep more of what they earn, because you can spend it so much better back home than we can for you here in Washington.

When the Tax Code is unfair, just as the marriage tax penalty is unfair, we should eliminate it. We should eliminate it now.

If we look back at this Congress over the last several years, we have helped families in 1996 with the adoption tax credit to help families provide a loving home for a child in need of adoption. In 1997, we, of course, created the \$500 per child tax credit, which is going to benefit 3 million Illinois children \$1.50 in higher take-home pay, that will stay in Illinois rather than come to Washington.

In 1998, let us stop punishing marriage. In 1998, let's help this machinist and this schoolteacher in Joliet, and the other 21 million working married

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

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

couples with two incomes who pay more in taxes just because they are married.

Mr. Speaker, let us stop punishing marriage. Let us make elimination of the marriage tax penalty our top priority, the centerpiece of this year's budget agreement. Let us eliminate the marriage tax penalty and let us eliminate it now.

PROVIDING TRANSIT PASSES TO HOUSE EMPLOYEES

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

Mr. BLUMENAUER. Mr. Speaker, in honor of tomorrow being Earth Day, I think it appropriate for us to pause for a moment and consider one of these pictures that is worth 1,000 words.

This photo of the block above the Metro South Station immediately behind the Cannon Building makes crystal clear how we in the House of Representatives can use our resources to improve the environment around us.

Tens of millions of dollars are being proposed right now to help the District of Columbia, an area that is in decline, that is fighting road congestion, air pollution, with some rather elaborate proposals. Yet each day 5,000 people exit this transit station on their way to work in and around Capitol Hill, and it suggests a simple solution to encourage less traffic, less sprawl, and revitalize Washington, D.C.

Consider for a moment the over 6,000 parking spaces the House reserves for those employees who drive. These spots are on hold, guarded, secure 24 hours a day. They cost the taxpayer approximately \$1,500 a year per employee per parking space. On the other hand, employees who use public transportation are totally on their own. They have to meet the costs of their transportation, even though they work side-by-side with employees for whom the \$1,500 per year worth of transportation costs are covered by the House.

Now, I have no problem with people who want to or must drive to work. I do find it odd, however, that we encourage it over taking public transit, particularly after we have invested over \$10 billion for the transit program here in Washington, D.C. As an employer, we are sending hardly an Earth friendly message to our employees that we will only help them if they drive their car to work. We are ignoring those who take transit, the MARC train, Virginia Rail Express; you are out of luck.

Imagine for a moment what this would look like if 312 drivers did not park their cars, and instead it could be used for a park, an expansion of the Library of Congress, for that visitors center that we talk about.

For years, we have encouraged in the Federal Government, the private sector to join in the fight for cleaner air by reducing single-occupant vehicle trips. In and around the District of Columbia alone, over 1,000 businesses are members of the Washington Metro Transit Authority's Metro Pool Program that provides a Metro check. Over 50,000 public and private sector employees in D.C. regularly use this service. Yet while we have encouraged private businesses to offer transit benefits, the House of Representatives is one of the few, and certainly the most visible Federal office not to offer transit benefits to its employees. It sounds a little bit hypocritical to me.

The following Federal Agencies do offer these benefits: The Senate, the Senate of the United States Congress, the Office of the Architect of the Capitol, the Congressional Budget Office, the Bureau of Public Debt, the Supreme Court. Did I mention the Senate? One hundred thirty-four other Federal employers provide over 30,000 employees benefits for the metropolitan area.

I think it is time that we give House Members the same option that the United States Senate has had for its employees for over 5 years. I think we in the House are smart enough to do it, our employees deserve this modest tax benefit, and it is a low-cost option that will improve the livability for our Nation's Capital.

I would suggest that it is time for us to look back here for a moment and imagine what would happen if we have only 5 percent of our employees who take advantage of this opportunity. We could have an opportunity to improve the environment, use our resources more effectively, and, in the long term, it would make a big difference in the budget of the House of Representatives.

I would urge strongly my colleagues to join with me and over 150 other cosponsors to add their name to House Resolution 37 that would provide an optional transportation benefit for House offices; that would provide the same \$21 per month tax benefit to our employees that has been given to the Senate. It was based on entirely using existing office funds; no additional requirement is necessary.

I hope that this is something that we can take a small step to recognize our obligation to the environment.

CUTTING EXPENSES AT THE UNITED NATIONS

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 debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I rise today to call the House's attention to a very interesting article that appeared in the current issue of the National Re-

view. The article is entitled "Unreformed United Nations," and it is written by Stephen Halper, who is a former White House and State Department official. He writes a syndicated column and anchors Radio America's "This Week From Washington."

Many of the comments he had in this article, I think, are appropriate to bring to the attention of my colleagues. Many of us here in Congress believe we need major reform in the United Nations, and the time is now.

Boutros-Ghali, who was the former head of the United Nations, once told the Washington Post "perhaps half the U.N. Staff does nothing useful." That is a staggering statement. Mr. Halper's argument is that Mr. Annan, who is the present head of the United Nations, is more tied to the U.N. bureaucracy, is a defender of the faith of the United Nations, and appears to be not committed to real reform. I hope this is not true.

Mr. Speaker, Congress has demanded reductions in the United Nations' worldwide staff of 53,000 people. Now, this does not include 10,000 consultants or the peacekeeping forces which reached 80,000 people in 1993 and reductions in the most generous salary and benefit package in public life. These are sort of simple things that I think most Members would agree with.

Mr. Annan, who is the leader of the United Nations, has put forward his own reform plan, and let me quote from his plan. "Consolidate 12 secretarial departments into five, but without cutting any of the 9,000 strong secretarial staff."

□ 1245

Now, if you cut 10 percent, that would be 900. If you cut 1 percent, that would be 90. So, really, not even being able to cut 1 percent is surprising.

I go on with what he suggests his reform plan includes: "Three economic development departments, representing \$122 million of the Secretary's budget and employing 700 people, are reduced to one." That sounds like an efficient approach but, again, without reduction in any personnel, without reduction in any expenditures.

Also, he has two human rights offices in Geneva that are going to be merged into one; again, without any reduction in personnel or expenditures.

Anan's reform plan does not address salary issues or the lack of an independent Inspector General. Last year, a mid-level U.N. accountant made \$84,000 a year, as opposed to an average of \$41,962 for his private sector counterpart. An assistant secretary general made \$190,250. Now, this is an assistant secretary general. Do we know what the mayor of New York City makes? He makes \$130,000.

Most U.N. salaries are tax-free. Many employees have rent subsidies of up to \$3,800. To put that in perspective, we, as Members of Congress, have no rent

subsidies. They also have annual educational grants of \$12,675 per child. Again, Mr. Anan does not propose any changes in any of these salary arrangements.

So I agree with some of the conclusions from Mr. Halper's article. He sets forth certain conditions that must be met before anybody in this Congress agrees to vote for payment of back U.N. dues: First, payment of past dues should hinge on a tangible reform in four clear, distinct categories. Again, Mr. Speaker, we are going to be voting on past dues this week, so it is appropriate that I talk about it.

We need to reduce bureaucracy, reduce salaries and perks for those who remain. We need the creation, once and for all, of an Inspector General, independent of the Secretary General; and, fourthly, a shift in priorities to humanitarian assistance programs and not to military intervention.

Mr. Speaker, I am beginning to draft a concurrent resolution that I will introduce shortly to the House that would state that the Congress will not approve any back dues until there is veritable proof that the United Nations has achieved the previously mentioned four simple conditions. I believe the United States and Congress must draw the line to force real and substantive reform at the U.N. before the U.N. receives one past dime of any financial obligation.

DR. BERTHA O. PENDLETON: A LEGACY OF EXCELLENCE

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

Mr. FILNER. Mr. Speaker, I rise today to recognize Dr. Bertha Ousley Pendleton and her 40-year legacy to San Diego on the occasion of her retirement as Superintendent of the San Diego Unified School District.

Dr. Pendleton, as the superintendent of one of the Nation's largest school districts, leaves a legacy of excellence. She is a professional in the best sense of the word, a woman of strength, resilience, humor, honor and, above all, dedication to her profession and to the children whom she serves.

She is determined that our schools care about all children and that no child is left behind. She is determined that it is not only the squeaky wheel that gets the attention.

Her 5 years as superintendent capped a career that began as a classroom teacher in 1957 at Memorial Junior High School in San Diego. Following 11 years in this position, she served as a parent counselor at Morse High School, vice principal of Crawford High, principal at Lincoln High, coordinator and then director of compensatory edu-

cation for the San Diego Unified School District, assistant superintendent, and deputy superintendent. She also serves as adjunct professor at Point Loma Nazarene College in San Diego and leads monthly television panel discussions on school issues.

Dr. Pendleton has participated in the U.S. Information Agency's AMPART program, lecturing to officials in South Africa on educational issues. She was a member of the U.S. delegation participating in the Urban Education Exchange in London. She has served on visitation teams to review Department of Defense schools in Japan and in England. She hosted President Clinton at the San Diego school where he signed the Goals 2000 bill into law.

Dr. Pendleton received her education at Knoxville College, San Diego State University, and USIU, culminating with a doctorate in education leadership from the University of San Diego in 1989.

Her contributions in the field of education outside of her own school district and in countless other community organizations is a further testament to her dedication. She served as co-chair of the Advisory Committee for the Danforth Foundation and on the Advisory Council on Dependents' Education in the Department of Defense. She was founder of the Association of African American Educators and was president of the Alpha Kappa Alpha Sorority. She was a member of the American Association of School Administrators-Urban Schools Committee, the Association of California School Administrators, and the San Diego Association of Administrative Women in Education.

The list goes on and on. She was a member of the Boards of Directors of Children's Hospital, the College of Retailing, the Natural History Museum, New Standards, Rolling Readers, the San Diego Chamber of Commerce, United Way of San Diego County, and the YMCA. She was on the executive boards of the Children's Initiative, the Council of Great City Schools, and School-to-Career.

Dr. Pendleton is also a member of the San Diego Rotary and an elder, treasurer, and member of the Chancel Choir at Christ United Presbyterian Church.

Her awards list leaves me breathless. Highlights include recognition by the United Negro College Fund, the University of San Diego, the San Diego Urban League, the California State Assembly, Point Loma College, the San Diego Press Club, the Salvation Army, the National Council of Negro Women, the San Diego Administrators Association, the San Diego City Club, the San Diego Jaycees, the Girls Club of San Diego, the Association of California School Administrators, the National Association of Negro Women, the San Diego Union, and the YWCA.

She was selected as Who's Who Among San Diego Women, as one of the

87 people to watch in 1987 by San Diego Magazine, as a recipient of the California Women in Government Award, as Woman of the Year by the President's Council of Professional Women, as Educator of the Decade by Phi Delta Kappa, and as Mother of the Year by the Christ United Presbyterian Church.

As impressive as this list is, it really does not do justice to Dr. Bertha Pendleton. She believes that extraordinary measures are sometimes called for in order to help our children reach their potential. She works to instill hope and pride in all of our children. She strives to educate each and every child, so success and contributions to society will follow. She dares to keep alive the dream of freedom for all children.

Dr. Pendleton is being honored at a gala event on May 2, 1998, in San Diego, sponsored by the Association of African American Educators. All proceeds from this event will benefit the Bertha O. Pendleton Scholarship to provide financial assistance to graduating high school seniors who pursue a teaching career.

As a former president of the Board of Education of the San Diego Unified School District, I am privileged to count Bertha as a friend and trusted associate, and it is my honor to add my congratulations to the many that she is receiving upon her retirement. Her contributions to the San Diego School District and to its children and teachers will live on for decades to come.

CONGRATULATIONS TO EDWARD LARSON ON A PULITZER PRIZE FOR BEST WORK OF HISTORY

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

Mr. METCALF. Mr. Speaker, I am pleased to have this opportunity to extend my congratulations to Edward Larson, recipient of a Pulitzer Prize for the "Best Work of History" for his book, *Summer for the Gods: The Scopes Trial and America's Continuing Debate over Science and Religion*.

Edward Larson teaches law and history at the University of Georgia, but for 7 months of the year does all his writing in Snohomish County as a resident of Washington's Second Congressional District, with his wife and two children.

Summer for the Gods is Larson's fourth book and focuses on the 1925 trial of John Thomas Scopes, a Tennessee high school biology teacher charged with breaking the State law which prohibited teaching Darwin's theory of evolution in public schools.

Edward Larson has a Ph.D. in the history of science and a law degree. He is a senior fellow at the Discovery Institute in Seattle and teaches science

history. He will receive his Pulitzer Prize on May 28 at a ceremony at Columbia University in New York.

I am sure all of my colleagues join me in extending warmest congratulations to Edward Larson and his Pulitzer Prize-winning work.

RECESS

The SPEAKER pro tempore. There being no further requests for morning hour debates, pursuant to clause 12 of rule I, the House will stand in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 54 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

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

We testify with the Psalmist of old when we say "how good and pleasant it is when kindred live together in unity."

We are eternally grateful, O God, that the gift of unity comes from Your hand and from the bounty of Your blessings. As we share one Creator, we are committed to each other. As we share responsibility for the welfare of the world, we depend on each other. As we live and work in our communities, we must respect our shared aspirations and our hopes. Remembering our own personal traditions with gratitude, in this prayer we celebrate the unity and common heritage that is Your wonderful gift to us and to every person. In Your name we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WICKER 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 laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, April 2, 1998.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Thursday, April 2, 1998:

H.R. 1116, passed without amendment.
S. 493, agreed to House amendments.
S. 1178, agreed to House amendments.

With warm regards,

ROBIN H. CARLE,
Clerk, House of Representatives.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, April 3, 1998.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Friday, April 3, 1998:

H.R. 2400 passed with amendment requested conference.

With warm regards,

ROBIN H. CARLE,
Clerk, House of Representatives.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, April 6, 1998.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Friday, April 3, 1998:

H.R. 2843 passed without amendment.
H.R. 3226 passed without amendment.

With warm regards,

ROBIN H. CARLE,
Clerk, House of Representatives.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, Speaker Pro Tempore MORELLA signed the following enrolled bills on Wednesday, April 8, 1998:

H.R. 1116, to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clinton Independent School District and the Fabens Independent School District;

H.R. 2843, to direct the administrator of the Federal Aviation Administration to reevaluate the equipment in medical kits carried on, and to make a decision regarding requiring automatic external defibrillators to be carried on, aircraft operated by air carriers, and for other purposes;

H.R. 3226, to authorize the Secretary of Agriculture to convey certain lands and improvements in the State of Virginia, and for other purposes;

S. 419, to provide surveillance, research, and services aimed at prevention of birth defects, and for other purposes;

S. 493, to amend Title 18, United States Code, with respect to scanning receivers and similar devices; and

S. 1178, to amend the Immigration and Nationality Act to modify and extend the visa waiver pilot program, and to provide for the collection of data with respect to the number of non-immigrants who remain in the United States after the expiration of the period of stay authorized by the Attorney General.

APPOINTMENT OF MEMBER TO UNITED STATES CAPITOL PRESERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of section 801(b) of Public Law 100-696 and the order of the House of Wednesday, April 1, 1998, the Chair announces the Speaker's appointment of the following Member of the House to the United States Capitol Preservation Commission:

Mr. DAVIS of Virginia.

COMMUNICATION FROM HON. RICHARD A. GEPHARDT, DEMOCRATIC LEADER

The Speaker laid before the House the following communication from RICHARD A. GEPHARDT, Democratic Leader:

OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, April 8, 1998.

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

DEAR MR. SPEAKER: Pursuant to section 801(b) (6) and (8) of Public Law 100-696, I hereby appoint the following individual to the United States Capitol Preservation Commission: Mr. Serrano, NY.

Yours Very Truly,

RICHARD A. GEPHARDT.

COMMUNICATION FROM HON. RICHARD A. GEPHARDT, DEMOCRATIC LEADER

The Speaker laid before the House the following communication from

RICHARD A. GEPHARDT, Democratic Leader:

OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, April 7, 1998.

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

DEAR MR. SPEAKER: Pursuant to section 704(b)(1) of Public Law 105-78, I hereby appoint the following individual to the National Health Museum Commission: Dr. H. Richard Nesson, M.D. of Brookline, MA.

Yours Very Truly,

RICHARD A. GEPHARDT.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON HOUSE OVERSIGHT

The Speaker laid before the House the following communication from the chairman of the Committee on House Oversight:

COMMITTEE ON HOUSE OVERSIGHT,
Washington, DC, April 1, 1998.

Hon. NEWT GINGRICH,
Speaker of the House,
Washington, DC.

DEAR NEWT: Pursuant to Public Law 101-696 section 801 (40 USC §188a) the Chairman of the Committee on House Oversight and the Chairman of the Joint Committee on the Library are provided positions on the Capitol Preservation Commission.

Since I currently serve as Chairman for both Committees, I am appointing Mr. John Mica of Florida to serve on the Commission in the position reserved for the Chairman of the Joint Committee on the Library.

Thank you for your attention to this matter.

Best regards,

BILL THOMAS,
Chairman.

POSTPONING CALL OF PRIVATE CALENDAR

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar be postponed until 5 p.m. today.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

VICE PRESIDENT HAS NEW IDEA ON HOW TO WASTE TAXPAYER DOLLARS

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

Mr. DELAY. Mr. Speaker, according to press accounts, Vice President AL GORE has a new idea on how to raise taxpayer dollars.

Apparently, he awoke from a very deep sleep at 3 in the morning and came up with this new innovation for the Internet. He wants to send up a satellite whose only job is to beam back pictures of Earth. Now, these pictures would be placed on the Internet so that people all across the world would always have access to the Earth. Now, imagine that, live pictures of the Earth turning on its little axis.

This may sound like a great idea at 3 o'clock in the morning, Mr. Speaker, but it is a dumb idea during the rest of the day. The cost of this project would be about \$50 million, and it already occupies the time of two NASA scientists. \$50 million would buy 50,000 computers for our Nation's students.

I have a better idea, Mr. Speaker. Let us give the Vice President some sleeping pills so that his nighttime dreams will not cost the taxpayers millions of dollars.

EXPANDING NAFTA TO CENTRAL AMERICA

(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, somebody is inhaling. Since NAFTA, American TVs and typewriters are made in Mexico; American telephones are made in Singapore; computers are made in China and Japan. And after all this, the White House wants to expand this NAFTA madness to all of Central America.

Now, here is how I predict it will work. Central America will get jobs and investment. Uncle Sam will get a pink slip, training voucher, and two free lunches to Taco Bell. Beam me up. This is not free trade. This is a joke, a dirty joke on American workers.

I yield back another record trade deficit and 1.4 million American workers who filed individual bankruptcy in America last year, another record I might add. Think about it.

TAX LIMITATION AMENDMENT

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, Washington has imprisoned the hopes and dreams of Americans in a cell known as the United States Tax Code. Last Wednesday, April 15, Americans got a harsh reminder that parole could still be a long way off.

Instead of expanding freedom for its citizens, Washington has expanded power for the Government by raising taxes again, and again, and again. And four of the last five major Federal tax hikes passed with less than a two-thirds majority of Congress voting for them.

Tax reform starts with the things like we are doing in Congress right now, like reforming IRS, having nationwide debates about the flat tax and national retail sales tax. But, most of all, Mr. Speaker, tax reform starts with not raising taxes.

The tax limitation amendment is a weapon in our hands in the war for a fairer and flatter Federal Tax Code. This amendment will make it tougher to raise taxes, period. It is a bipartisan

step toward the fairer, flatter, simpler Code Americans want and deserve. It deserves to pass.

REBUILDING AMERICAN SCHOOLS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think on this very bright and sunny spring day I am delighted to associate myself with a forward-thinking Democratic agenda that says that we must come back to this House and stand on the side of our young people, and that means that we must go full speed ahead on rebuilding America's schools.

The question is, why are we stalled with legislation that allows a certain amount of money to provide for the failing and falling infrastructure, the leaking roofs, the many scatter-site trailer homes that schoolchildren are having to learn in? Why should we not, the American government, stand on the side of educating our children? Why should we not provide for 100,000 teachers to go into the classrooms with their talent and enthusiasm and teach our children?

Then, Mr. Speaker, I would like to say that I want to stand on the side of science, understanding how difficult it is for us to understand needle exchange. This is not part of the Democratic agenda. I think it makes common sense that we recognize that the science says that we will decrease HIV by the needle exchange. Let us get common sense and stop, and stop, and stop the tragedy of HIV.

TAX LIMITATION AMENDMENT

(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, I rise today in support of House Joint Resolution 111, the tax limitation amendment.

In 1994, as a citizen of Nevada, I led an effort to amend our State Constitution with this very same language. I am proud to say that Nevada voters on two consecutive elections voted overwhelmingly to pass the measure. The Gibbons Tax Restraint Initiative, as it is referred to, has now become law in the State of Nevada. By passing this law, the citizens of Nevada declared in a loud and clear voice that they want to put a leash on runaway spending and tax increases.

States with similar initiatives on supermajority requirements for tax increases experience greater economic growth, lower taxes, and reduced growth in government spending. The Federal Government needs to be put on the same fat-free diet by making it

more difficult to raise taxes on hard-working men and women and thereby shifting the congressional focus to the bloated spending programs of the Federal bureaucracy.

Mr. Speaker, the facts speak for themselves. I urge my colleagues to join me in supporting the tax limitation amendment.

AMERICA NEEDS STRONG TOBACCO LEGISLATION

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

Mr. ALLEN. Mr. Speaker, there are those here in Washington who believe that we do not need strong tobacco legislation. The other day the tobacco industry announced that it was withdrawing from settlement negotiations. But we need strong legislation because what is happening back at home is criminal.

Let me give my colleagues an example. I am proud of my home State of Maine, but back in Maine we have a smoking problem. We just did a survey in Maine, and it shows that teenage girls are smoking at a higher rate than boys and that the smoking rate of young girls has increased by 30 percent since 1993.

As one of our officials said, "Now the slogan 'you've come a long way, baby' has different meaning in Maine." As our Human Services Commissioner said, we would call out the Marines, the National Guard and the Border Patrol if we thought that the Colombian drug cartel was on their way to addicting one-quarter of America's youths, but the tobacco industry has free reign.

It is time to call a halt. It is time in this session for strong tobacco legislation.

□ 1415

FREE IV NEEDLES TO ILLEGAL DRUG USERS IS NOT COMMON SENSE

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

Mr. WICKER. Mr. Speaker, every so often we notice that the President cannot manage to keep his liberal demons away. In the early days, it was gays in the military and socialized medicine. Now the President has decided it is a good idea to provide free IV needles to illegal drug users, free IV needles to illegal drug users.

I am just wondering what polling the President has been doing lately, because the moms and dads I talk to are very worried about illegal drugs. Most Americans do not have a Ph.D. in psychology, but they do have a lot of common sense. Many of them know what

happens to an addict surrounded by enablers.

Now we have the mother of all enablers, the Federal Government, encouraging the use of needles to drug abusers so that they might continue abusing drugs "safely." Maybe that is what passes for common sense in this administration.

SUPPORT THE TWO-THIRDS TAX LIMITATION AMENDMENT

(Mr. BARTON of Texas asked and was given permission to address the House for 1 minute.)

Mr. BARTON of Texas. Mr. Speaker, tomorrow we are going to have the tax limitation amendment to the Constitution on the floor of the House for a vote. It is a pretty straightforward amendment. It says, to raise your taxes, it will take a two-thirds vote of the House and a two-thirds vote of the Senate.

For those of you that had fractions in elementary school, you know that two-thirds is a larger fraction than one-half. If you translate that into math, it means, in the House, it will take 292 votes to raise your taxes and, in the Senate, it will take 67 votes to raise your taxes.

The tax burden on the American people has gone up from 1 percent on the first \$3,000 of net income in 1914 to over, if you are a senior citizen, over 85 percent of any income if you are filing jointly with a spouse of over \$34,000 in income. That is an increase of the marginal tax rate of over 4,000 percent in the last 75 years. It is time to stop that.

Let us pass the two-thirds tax limitation amendment to the Constitution of the United States tomorrow afternoon on this floor and send it to the Senate; and, hopefully, they will pass it and send it to the States.

REDUCE TAX BURDEN FOR HARD-WORKING AMERICANS

(Mr. THUNE asked and was given permission to address the House for 1 minute.)

Mr. THUNE. Mr. Speaker, last week when I was in South Dakota, I stopped at a gas station in Aberdeen. The woman working behind the counter there gave me a clear message. As I was paying for my gas, she looked me in the eye and said, Congressman, working families need lower taxes.

This woman is one of the unsung heroes in America today. She works. Her husband works. Together, they are trying to make a car payment, a house payment and a day care payment and put food on the table.

She is not asking for a new government program to help or do any of these things. She is just asking the government to take less of her paycheck.

I think that is a pretty reasonable request because, right now, the tax burden of this country is 38 percent; and 38 percent of that hard-working woman's pay is going to the government at the State, local, and Federal level. That is inexcusable.

We need to lighten the load carried by taxpayers and reduce the overall tax burden to only 25 percent. God only asked for 10 percent. Surely the government can get by with 2½ times that amount.

TOBACCO ADVERTISING IN THE MOVIES

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

Mr. HANSEN. Mr. Speaker, what do Kermit the Frog, Rocky Balboa, Superman, and James Bond have in common? They have each played the main character in movies that advertise tobacco.

That is right. Big tobacco has paid millions of dollars to place their deadly products in films like The Muppet Movie, Rocky II, and Superman. Philip Morris even paid \$350,000 so that James Bond would light up in License to Kill.

Have your children or grandchildren ever seen Disney movies like Who Framed Roger Rabbit or Honey, I Shrunk the Kids? What about Kevin Costner's Field of Dreams? More tobacco advertising.

These are things we hardly notice, but tobacco companies pay millions of dollars to have their products in movies for one purpose, to get anyone who views the movies, including children and teenagers, to smoke that brand of cigarette.

Let me give you an example. Clint Eastwood's Bridges of Madison County, Robert Redford's A River Runs Through It, Paul Hogan's Crocodile Dundee, Rick Moranis' Little Shop of Horrors, Michael Keaton's Mr. Mom, Kenny Rogers' Coward of the County, and John Travolta's Grease, all full of paid advertising from the tobacco industry.

Mr. Speaker, this has got to stop somewhere. When will the people of America wake up and see where they are getting had on this deal?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). 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 roll call votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today.

CARE FOR POLICE SURVIVORS
ACT OF 1998

Mr. McCOLLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3565) to amend Part L of the Omnibus Crime Control and Safe Streets Act of 1968.

The Clerk read as follows:

H.R. 3565

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 "Care for Police Survivors Act of 1998".

SEC. 2. AMENDMENTS TO PUBLIC SAFETY OFFICERS' DEATH BENEFITS.

(a) NATIONAL PROGRAMS FOR FAMILIES OF PUBLIC SAFETY OFFICERS WHO HAVE DIED IN THE LINE OF DUTY.—Section 1203 of Part L of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796a-1) is amended to read as follows: "The Director is authorized to use no less than \$150,000 of the funds appropriated for this part to maintain and enhance national peer support and counseling programs to assist families of public safety officers who have died in the line of duty."

(b) ADMINISTRATIVE PROVISION.—Section 1205 of Part L of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796c) is amended by adding at the end the following new subsection:

"(c) Notwithstanding any other provision of law, the Bureau is authorized to use appropriated funds to conduct appeals of public safety officers' death and disability claims."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. McCOLLUM) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. McCOLLUM).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, on May 15, less than a month from now, the families of police officers who died in the line of duty will gather on the west front of the Capitol and remember the courage and sacrifice of their fallen loved ones at the 17th annual National Peace Officers' Memorial Service. These grief-stricken survivors will be joined by thousands of police officers and distinguished guests from around this nation. This solemn event marks the conclusion of National Police Week.

Among the most important activities occurring during Police Week are special seminars and programs for the families of police officers killed in the line of duty, including a day of fun for their children at the FBI's training academy at Quantico, Virginia.

I mention this, Mr. Speaker, because it is directly related to the legislation

we are considering today, H.R. 3565, the Care for Police Survivors Act of 1998. This bill will, among other things, enhance the programs available to the families of fallen police officers during National Police Week. It will allow groups like Concerns for Police Survivors, or COPS, as it is called, to expand their current services to these families in crisis. COPS sponsors the Police Week seminars that I just mentioned.

Mr. Speaker, H.R. 35675 makes two simple but important amendments to the Public Safety Officers' Benefits Act which was signed into law more than 20 years ago. The bill will substantially improve the way the families of police officers and firefighters who die in the line of duty are cared for during the most difficult moments of their grief.

First, the bill authorizes the Director of the Bureau of Justice Assistance to expend not less than \$150,000 out of the Public Safety Officers' Benefits program to maintain and enhance national peer support and counseling programs to assist families of public safety officers who have died in the line of duty.

Current law limits or caps the amount the Director can spend for this purpose to \$150,000. This change will not require any new funding. It simply allows the Justice Department to spend more of the funding it now receives on these support services.

The need to assist the families of fallen police officers and firefighters is far greater than the cap will allow. Organizations such as Concerns for Police Survivors and the National Fallen Firefighters Foundation are attempting to reach hundreds of family members each year who suffer the horrible tragedy of losing a loved one employed in public safety. Among the many services provided by Concerns for Police Survivors are grief seminars, training for line-of-duty death notification, and special programs for the children of fallen police officers.

H.R. 3565 will reduce the current backlog of cases pending before the Public Safety Officers' Benefits Office by authorizing the expenditure of PSOB program funds on outside hearing officers. Under current law, the PSOB Office must wait an unreasonably long period of time for the availability of a Justice Department hearing officer to hear the appeal of a family member whose application has been turned down.

By permitting the PSOB Office to use its program funds to pay various expenses related to the appeals of rejected death and disability claims, we will shorten the agonizing wait of family members attempting to be heard on their claims. Again, this change does not increase the overall cost of the PSOB program.

Mr. Speaker, as I said in the committee markup, there is nothing that

we can do to fully heal the emotional wounds of husbands, wives, children, moms, and dads caused by a police officer's or firefighter's death in the line of duty. It is a crushing blow. With this legislation, we can only hope that there might be greater solace found in the most severe moments of otherwise very severe pain. Given the sacrifice public safety officers willingly make in the devotion to their communities, we can do nothing less.

I wanted to thank the gentleman from New York (Mr. SCHUMER), the ranking member of the Subcommittee on Crime, and the other original co-sponsors of this bill for their support. This bill was approved unanimously by both the Subcommittee on Crime and the full Committee on the Judiciary.

It is my hope and expectation that the House will approve this bill today and that the other body will work quickly so that the President can put a signature on it in time for National Police Week and the National Peace Officers' Memorial Service. This would be a small but meaningful demonstration of this Congress' support for our Nation's public safety officers and their family.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the work of the gentleman from Florida (Mr. McCOLLUM) on this legislation, along with the gentleman from New York (Mr. SCHUMER), the ranking member.

So many of us are familiar with the line, "a thin blue line" and the words "an officer down," striking words that we have heard either by way of fiction or fact, tragic words when we hear that someone who has put their life on the line for so many of us has been injured or killed.

I believe H.R. 3565, the Care for Police Survivors Act, is the right way to go. I hope not only do we move this legislation expeditiously but we are able to stand along with those officers as we commemorate this time in May when we commemorate and acknowledge those officers who have given their lives, that we, too, in the Federal Government care about police officers.

I rise, therefore, in strong support of H.R. 3565. This bill would amend a very important and valuable program that pays benefits to the families of public safety officers who are killed or totally disabled in the line of duty.

Mr. Speaker, when I go home to the district, many times I meet with friends of mine who are police officers, many of whom I work with as a member of the City Council of the City of Houston and also as a municipal court judge.

Many times, some of them would say, we have not seen you in some of the tragedies where we would come together and worship, commemorating

the loss of life. Certainly that is not a time when I would like to see my friends. But I also have shared with them the agony of funeralizing those men and women who have lost their lives in the line of duty or tragically been injured.

I would like to be able to go home now, Mr. Speaker, and say to them that we are concerned and considerate about those tragic losses. Therefore, in supporting the Care for Police Survivors Act, in addition to cash benefits, we would have, as this program includes, counseling available to these families.

Under current law, there is a cap on the amount that can be spent for such counseling. The demand for counseling services is greater than can be met under the cap, and so this bill lifts the cap.

There is already sufficient money in the Department of Justice budget to pay for counseling for all affected families, so this bill will not require any additional appropriations. The bill is supported by the Department of Justice as well as by the National Association of Police Officers, which represents nearly 300,000 police officers, and the American Federation of State, County, and Municipal Employees, which represents more than 100,000 local correctional officers.

These brave men and women put their lives at risk to protect the rest of us, and the benefits provided under this program are the least we can do in return.

Just a couple weeks ago, one of our deputy sheriffs, a woman, lost her life. A few weeks ago as well, Officer Higgins was shot and was down. She survived, but she is now in a rehabilitation process. I would like to think that this bill would help her and her family go through the next couple of months of her rehabilitation and, yes, her coming back into full force, full activity, and a good quality of life. We must recognize those and those left behind.

So, therefore, I commend the gentleman from Florida (Mr. MCCOLLUM) the chairman, and the gentleman from New York (Mr. SCHUMER), the ranking member, for their sponsorship of this bill, and I urge my colleagues to support it.

Mr. Speaker, I rise in strong support of H.R. 3565. This bill would amend a very important and valuable program that pays benefits to the families of public safety officers who are killed or totally disabled in the line of duty.

In addition to cash benefits, this program makes counseling available to these families—however, under current law, there is a cap on the amount that can be spent for such counseling. The demand for counseling services is greater than can be met under the cap, and so this bill lifts the cap. There is already sufficient money in the Department of Justice budget to pay for counseling for all affected families, so this bill will not require any additional appropriations.

The bill is supported by the Department of Justice, as well as by the National Association of Police Officers, which represents nearly 300,000 police officers, and the American Federation of State, County and Municipal Employees (AFSCME), which represents more than 100,000 local correctional officers. These brave men and women put their lives at risk to protect the rest of us, and the benefits provided under this program are the least we can do in return.

I commend Chairman MCCOLLUM and ranking member SCHUMER for their sponsorship of this bill, and I urge my colleagues to support it.

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

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

Mr. Speaker, I simply want to acknowledge what the gentleman has said about listing the strong support the police officer organizations have for this bill. I think the one she did not mention that I want to add to the list, maybe it is a neglect on your list there, is the Fraternal Order of Police. They also have strongly endorsed this bill.

Mr. Speaker, I have no further request for time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me simply say that I am glad that the gentleman from Florida added the Fraternal Order of Police. I think we are safe to say that this bill is supported by a multitude of police and law enforcement agencies and certainly our local communities.

Mr. ETHERIDGE. Mr. Speaker, I rise today in support of this important legislation that will benefit the survivors of public safety officers who have been killed in the line of duty.

Sadly, my state of North Carolina has experienced a rash of violence against our brave men and women in law enforcement. In recent months, five officers have been killed in and around my Second Congressional District. These tragic crimes have occurred in our smallest towns and in our biggest cities. It is an outrage that those whose service keeps our streets and communities safe and protects our citizens must pay the ultimate price in the line of duty.

To honor their sacrifices and assist their families, last year I established the North Carolina Law Enforcement Survivors Scholarship Fund to assist the families of my state's officers who fall in service to the people. I strongly opposed the Congressional pay raise this House passed last year, and I donated the raise I would have received to create this fund. The scholarship will help cover costs such as books and room and board for higher education for the children and spouses of these local heroes who make the ultimate sacrifice. This scholarship is the least we can do to honor their memories.

H.R. 3565 represents an appropriate action by Congress to assist the families of public safety officers who have been killed in the line of duty. This bill authorizes the Bureau of Justice Assistance (BJA) to spend no less than

\$150,000 each year to provide counseling and peer support programs for victims' families. The measure also permits BJA to use funds in its mandatory appropriation to administer the appeals of claims for benefits by the family members of slain officers. I urge the House to pass H.R. 3565.

Mr. Speaker, law enforcement officers put their lives on the line each and every day to provide us with safe streets and communities. Our values demand that we tend to the families of those heroes who sacrifice so much for the greater good.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have no further speakers, and I am happy to yield back the balance of my time.

□ 1430

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and pass the bill, H.R. 3565.

The question was taken.

Mr. MCCOLLUM. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

ALTERNATIVE DISPUTE RESOLUTION ACT OF 1998

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3528) to amend title 28, United States Code, with respect to the use of alternative dispute resolution processes in United States district courts, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3528

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 "Alternative Dispute Resolution Act of 1998".

SEC. 2. ALTERNATIVE DISPUTE RESOLUTION PROCESSES TO BE AUTHORIZED IN ALL DISTRICT COURTS.

Section 651 of title 28, United States Code, is amended to read as follows:

"§ 651. Authorization of alternative dispute resolution

"(a) DEFINITION.—For purposes of this chapter, an alternative dispute resolution process includes any process or procedure, other than an adjudication by a presiding judge, in which a neutral third party participates to assist in the resolution of issues in controversy, through processes such as early neutral evaluation, mediation, minitrial, and arbitration as provided in sections 654 through 658.

"(b) AUTHORITY.—Each United States district court shall authorize, by local rule adopted under section 2071(b), the use of alternative dispute resolution processes in all civil actions, including adversary proceedings in bankruptcy, in accordance with

this chapter, except that the use of arbitration may be authorized only as provided in section 654. Each United States district court shall devise and implement its own alternative dispute resolution program, by local rule adopted under section 2071(b), to encourage and promote the use of alternative dispute resolution in its district.

“(c) EXISTING ALTERNATIVE DISPUTE RESOLUTION PROGRAMS.—In those courts where an alternative dispute resolution program is in place on the date of the enactment of the Alternative Dispute Resolution Act of 1998, the court shall examine the effectiveness of that program and adopt such improvements to the program as are consistent with the provisions and purposes of this chapter.

“(d) ADMINISTRATION OF ALTERNATIVE DISPUTE RESOLUTION PROGRAMS.—Each United States district court shall designate an employee, or a judicial officer, who is knowledgeable in alternative dispute resolution practices and processes to implement, administer, oversee, and evaluate the court's alternative dispute resolution program. Such person may also be responsible for recruiting, screening, and training attorneys to serve as neutrals and arbitrators in the court's alternative dispute resolution program.

“(e) TITLE 9 NOT AFFECTED.—This chapter shall not affect title 9.

“(f) PROGRAM SUPPORT.—The Federal Judicial Center and the Administrative Office of the United States Courts are authorized to assist the district courts in the establishment and improvement of alternative dispute resolution programs by identifying particular practices employed in successful programs and providing additional assistance as needed and appropriate.”.

SEC. 3. JURISDICTION.

Section 652 of title 28, United States Code, is amended to read as follows:

“§ 652. Jurisdiction

“(a) CONSIDERATION OF ALTERNATIVE DISPUTE RESOLUTION IN APPROPRIATE CASES.—Notwithstanding any provision of law to the contrary and except as provided in subsections (b) and (c), each district court shall, by local rule adopted under section 2071(b), require that litigants in all civil cases consider the use of an alternative dispute resolution process at an appropriate stage in the litigation. Each district court shall provide litigants in all civil cases with at least one alternative dispute resolution process, including, but not limited to, mediation, early neutral evaluation, minitrial, and arbitration as authorized in sections 654 through 658. Any district court that elects to require the use of alternative dispute resolution in certain cases may do so only with respect to mediation, early neutral evaluation, and, if the parties consent, arbitration.

“(b) ACTIONS EXEMPTED FROM CONSIDERATION OF ALTERNATIVE DISPUTE RESOLUTION.—Each district court may exempt from the requirements of this section specific cases or categories of cases in which use of alternative dispute resolution would not be appropriate. In defining these exemptions, each district court shall consult with members of the bar, including the United States Attorney for that district.

“(c) AUTHORITY OF THE ATTORNEY GENERAL.—Nothing in this section shall alter or conflict with the authority of the Attorney General to conduct litigation on behalf of the United States, with the authority of any Federal agency authorized to conduct litigation in the United States courts, or with any delegation of litigation authority by the Attorney General.

“(d) CONFIDENTIALITY PROVISIONS.—Until such time as rules are adopted under chapter 131 of this title providing for the confidentiality of alternative dispute resolution processes under this chapter, each district court shall, by local rule adopted under section 2071(b), provide for the confidentiality of the alternative dispute resolution processes and to prohibit disclosure of confidential dispute resolution communications.”.

SEC. 4. MEDIATORS AND NEUTRAL EVALUATORS.

Section 653 of title 28, United States Code, is amended to read as follows:

“§ 653. Neutrals

“(a) PANEL OF NEUTRALS.—Each district court that authorizes the use of alternative dispute resolution processes shall adopt appropriate processes for making neutrals available for use by the parties for each category of process offered. Each district court shall promulgate its own procedures and criteria for the selection of neutrals on its panels.

“(b) QUALIFICATIONS AND TRAINING.—Each person serving as a neutral in an alternative dispute resolution process should be qualified and trained to serve as a neutral in the appropriate alternative dispute resolution process. For this purpose, the district court may use, among others, magistrate judges who have been trained to serve as neutrals in alternative dispute resolution processes, professional neutrals from the private sector, and persons who have been trained to serve as neutrals in alternative dispute resolution processes. Until such time as rules are adopted under chapter 131 of this title relating to the disqualification of neutrals, each district court shall issue rules under section 2071(b) relating to the disqualification of neutrals (including, where appropriate, disqualification under section 455 of this title, other applicable law, and professional responsibility standards).”.

SEC. 5. ACTIONS REFERRED TO ARBITRATION.

Section 654 of title 28, United States Code, is amended to read as follows:

“§ 654. Arbitration

“(a) REFERRAL OF ACTIONS TO ARBITRATION.—Notwithstanding any provision of law to the contrary and except as provided in subsections (b) and (c) of section 652 and subsection (d) of this section, a district court may allow the referral to arbitration of any civil action (including any adversary proceeding in bankruptcy) pending before it, except that referral to arbitration may not be made where—

“(1) the action is based on an alleged violation of a right secured by the Constitution of the United States;

“(2) jurisdiction is based in whole or in part on section 1343 of this title; or

“(3) the relief sought consists of money damages in an amount greater than \$150,000.

“(b) SAFEGUARDS IN CONSENT CASES.—Until such time as rules are adopted under chapter 131 of this title relating to procedures described in this subsection, the district court shall, by local rule adopted under section 2071(b), establish procedures to ensure that any civil action in which arbitration by consent is allowed under subsection (a)—

“(1) consent to arbitration is freely and knowingly obtained; and

“(2) no party or attorney is prejudiced for refusing to participate in arbitration.

“(c) PRESUMPTIONS.—For purposes of subsection (a)(3), a district court may presume damages are not in excess of \$150,000 unless counsel certifies that damages exceed such amount.

“(d) EXISTING PROGRAMS.—Nothing in this section is deemed to affect any action in

which arbitration is conducted pursuant to section 906 of the Judicial Improvements and Access to Justice Act (Public Law 100-102), as in effect prior to the date of its repeal.”.

SEC. 6. ARBITRATORS.

Section 655 of title 28, United States Code, is amended to read as follows:

“§ 655. Arbitrators

“(a) POWERS OF ARBITRATORS.—An arbitrator to whom an action is referred under section 654 shall have the power, within the judicial district of the district court which referred the action to arbitration—

“(1) to conduct arbitration hearings;

“(2) to administer oaths and affirmations; and

“(3) to make awards.

“(b) STANDARDS FOR CERTIFICATION.—Each district court that authorizes arbitration shall establish standards for the certification of arbitrators and shall certify arbitrators to perform services in accordance with such standards and this chapter. The standards shall include provisions requiring that any arbitrator—

“(1) shall take the oath or affirmation described in section 453; and

“(2) shall be subject to the disqualification rules under section 455.

“(c) IMMUNITY.—All individuals serving as arbitrators in an alternative dispute resolution program under this chapter are performing quasi-judicial functions and are entitled to the immunities and protections that the law accords to persons serving in such capacity.”.

SEC. 7. SUBPOENAS.

Section 656 of title 28, United States Code, is amended to read as follows:

“§ 656. Subpoenas

“Rule 45 of the Federal Rules of Civil Procedure (relating to subpoenas) applies to subpoenas for the attendance of witnesses and the production of documentary evidence at an arbitration hearing under this chapter.”.

SEC. 8. ARBITRATION AWARD AND JUDGMENT.

Section 657 of title 28, United States Code, is amended to read as follows:

“§ 657. Arbitration award and judgment

“(a) FILING AND EFFECT OF ARBITRATION AWARD.—An arbitration award made by an arbitrator under this chapter, along with proof of service of such award on the other party by the prevailing party or by the plaintiff, shall be filed promptly after the arbitration hearing is concluded with the clerk of the district court that referred the case to arbitration. Such award shall be entered as the judgment of the court after the time has expired for requesting a trial de novo. The judgment so entered shall be subject to the same provisions of law and shall have the same force and effect as a judgment of the court in a civil action, except that the judgment shall not be subject to review in any other court by appeal or otherwise.

“(b) SEALING OF ARBITRATION AWARD.—The district court shall provide, by local rule adopted under section 2071(b), that the contents of any arbitration award made under this chapter shall not be made known to any judge who might be assigned to the case until the district court has entered final judgment in the action or the action has otherwise terminated.

“(c) TRIAL DE NOVO OF ARBITRATION AWARDS.—

“(1) TIME FOR FILING DEMAND.—Within 30 days after the filing of an arbitration award with a district court under subsection (a), any party may file a written demand for a trial de novo in the district court.

"(2) ACTION RESTORED TO COURT DOCKET.—Upon a demand for a trial de novo, the action shall be restored to the docket of the court and treated for all purposes as if it had not been referred to arbitration.

"(3) EXCLUSION OF EVIDENCE OF ARBITRATION.—The court shall not admit at the trial de novo any evidence that there has been an arbitration proceeding, the nature or amount of any award, or any other matter concerning the conduct of the arbitration proceeding, unless—

"(A) the evidence would otherwise be admissible in the court under the Federal Rules of Evidence; or

"(B) the parties have otherwise stipulated."

SEC. 9. COMPENSATION OF ARBITRATORS AND NEUTRALS.

Section 658 of title 28, United States Code, is amended to read as follows:

"§658. Compensation of arbitrators and neutrals

"(a) COMPENSATION.—The district court shall, subject to regulations approved by the Judicial Conference of the United States, establish the amount of compensation, if any, that each arbitrator or neutral shall receive for services rendered in each case under this chapter.

"(b) TRANSPORTATION ALLOWANCES.—Under regulations prescribed by the Director of the Administrative Office of the United States Courts, a district court may reimburse arbitrators for actual transportation expenses necessarily incurred in the performance of duties under this chapter."

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out chapter 44 of title 28, United States Code, as amended by this Act.

SEC. 11. CONFORMING AMENDMENTS.

(a) LIMITATION ON MONEY DAMAGES.—Section 901 of the Judicial Improvements and Access to Justice Act (28 U.S.C. 652 note) is amended by striking subsection (c).

(b) OTHER CONFORMING AMENDMENTS.—(1) The chapter heading for chapter 44 of title 28, United States Code, is amended to read as follows:

"CHAPTER 44—ALTERNATIVE DISPUTE RESOLUTION".

(2) The table of contents for chapter 44 of title 28, United States Code, is amended to read as follows:

- "Sec.
 "651. Authorization of alternative dispute resolution.
 "652. Jurisdiction.
 "653. Neutrals.
 "654. Arbitration.
 "655. Arbitrators.
 "656. Subpoenas.
 "657. Arbitration award and judgment.
 "658. Compensation of arbitrators and neutrals."

(3) The item relating to chapter 44 in the table of chapters for Part III of title 28, United States Code, is amended to read as follows:

"44. Alternative Dispute Resolution ... 651".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentlewoman from Texas (Ms. JACKSON-LEE) 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 to revise and extend their remarks on 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. 3528 is designed to address the problem of high case loads burdening the Federal courts. This legislation will provide a quicker, more efficient method by which to resolve some Federal cases when the parties or the courts so choose.

H.R. 3528 directs each Federal trial court to establish some form of alternative dispute resolution, popularly referred to as ADR, which could include arbitration, mediation, mini trials, early neutral evaluation, or some combination of those for certain civil cases. The bill also provides for the confidentiality of the alternative dispute resolution process and prohibits the disclosure of such confidential communications. The version considered today furthermore includes several noncontroversial technical amendments which are supported by the Judicial Conference as well as the Department of Justice.

This legislation will provide the Federal courts with the tools necessary to present quality alternatives to expensive Federal litigation. In sum, this is a good bill, Mr. Speaker, that will offer our citizens a reasonable and cost-effective alternative to expensive Federal litigation while still guaranteeing their right to have their day in court.

I want to thank at this time, Mr. Speaker, the cooperation of the gentleman from Massachusetts (Mr. BARNEY FRANK), the ranking member on the Subcommittee on Courts and Intellectual Property.

And let me say this as well, Mr. Speaker: The high numbers reflected by the numerous backlogs represent far more than faceless statistics. They represent citizens, real people anxiously awaiting their day in court.

I urge my colleagues, Mr. Speaker, to pass H.R. 3528.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me first of all thank the gentleman from North Carolina (Mr. COBLE) for his leadership. These are extremely important issues, and I would like to rise on behalf of my Democratic colleagues and certainly our ranking member, the gentleman from Massachusetts (Mr. FRANK), on these issues, and particularly to emphasize that we in the Committee on the Judiciary should be at the highlight, if my colleagues will, of emphasizing or making sure that justice is facilitated.

I rise in support of H.R. 3528, the Alternative Dispute Resolution Act of 1998. And as I stated, I commend the chairman, the gentleman from North Carolina (Mr. COBLE), and the ranking member, the gentleman from Massachusetts (Mr. FRANK), again of the Subcommittee on Courts and Intellectual Property of the House Committee on the Judiciary, for their work in getting this important legislation to the floor of the House today.

Alternative dispute resolution, whether mediation, neutral evaluation, arbitration, mini trial, or any other fair procedure that the courts can oversee which makes litigation less burdensome to both the participants and the system, is in my view welcome and something that we should support.

As a former municipal court judge, the gentleman from North Carolina (Mr. COBLE), who was on the bench on that night court, if my colleagues have ever seen that, hours from 4 to 12 midnight with maybe 300 cases per docket, I am well aware of the importance, one, of justice even at the local municipal court level, but also the importance of ensuring that people find their way into the court system in a fair and honest manner.

I am also very much in support of, as a former member and director of the State Bar of Texas, of the value of alternative dispute resolution. So I hope that my colleagues will take the words that I offer in addition to support of this legislation, and certainly might engage the chairman in his concern for these issues, as well.

But I do believe that, as a member of the House Committee on the Judiciary, it is extremely important that we concern ourselves with the lack of the processing of appointments to the judiciary that we are facing in this Congress, this 105th Congress. It is extremely important in the State of Texas where the Fifth Circuit has remained vacant, the Southern District has a vacancy, and we are extremely backlogged. The kinds of, if I might say, shenanigans that are going on in the other body with respect to judicial appointments is something that we have a responsibility to address.

Certainly the Alternative Dispute Resolution Act of 1998 that has our overwhelming support will help to, if my colleagues will, bring some sort of calm and some sort of movement on cases, but I do believe we are long overdue in moving the log jam of appointments as offered by the White House.

Let me proceed by saying that in doing this legislation I want to commend my colleagues on the Committee on the Judiciary for reporting out a bill that brings about the appropriate standards for Federal courts throughout the Nation to continue to develop workable alternative dispute resolution methods, and I am pleased that the members of the committee have

worked with the Judicial Conference and the Department of Justice to craft legislation which is not objected to by those important institutions.

Just a year ago we funeralized Judge Black in the Southern District. He was a strong supporter of alternative dispute resolution, which gives me certainly the comfort that we are doing the right thing in engaging the Judicial Conference and working with them.

So I do support the legislation before us. I urge my colleagues to do the same so that I can and we can work together to continue to try to improve access to our nation's courts, lower the cost of litigation, and expedite the process for all. And in so doing, Mr. Speaker, I would certainly ask that we give due consideration to moving the unfortunate log jam that does not allow us to move the appointments so aptly appointed and judge-qualified to fill the many vacancies throughout this Nation. It certainly changes the course of justice without that.

Mr. Speaker, I rise in support of H.R. 3528, the Alternative Dispute Resolution Act of 1998, and commend Chairman COBLE and ranking member FRANK of the Courts and Intellectual Property Subcommittee of the House Judiciary Committee for their work in getting this important legislation to the floor of the House today.

Alternative dispute resolution, whether mediation, neutral evaluation, arbitration, mini trial, or any other fair procedure that the courts can oversee which make litigation less burdensome to both the participants and the system, is in my view welcome and something that we should support.

I commend my colleagues on the Judiciary Committee for reporting out a bill which provides the appropriate standards for Federal courts throughout the Nation to continue to develop workable alternative dispute resolution methods, and I am pleased that the members of the committee have worked with the Judicial Conference and the Department of Justice to craft legislation which is not objected to by those important institutions.

I support the legislation before us. I urge my colleagues to do the same, so that we can work together to continue to try to improve access to our Nation's courts, lower the costs of litigation, and expedite the process for all.

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

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

Mr. Speaker, before I yield back, I failed to mention this earlier. About five or six days ago I received a detailed letter from my chief judge in the Middle District of North Carolina, and I will not read it in its entirety, but I will allude to what he said about ADR.

He wrote to me: "This has been a significant benefit to litigants and the public and has been met with approval by the bar. You indicate," referring to me, "that you are a big supporter of ADR programs. We have had a very successful ADR program in this district for several years."

Now the Middle District of North Carolina of course does not have a corner on that market. Many districts have practiced the ADR exercise for some time, but this would just swing wide the gate and bring all districts in, and I know what Judge Bullock wrote to me would be echoed by district court judges across the land.

Mr. Speaker, I said before it is a good bill, I urge its passage, and I ask the gentlewoman from Texas if she is prepared to yield back.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, I thank the gentlewoman from Texas for yielding this time to me, and I thank the gentleman from North Carolina (Mr. COBLE), the chairman, and the gentleman from Massachusetts (Mr. FRANK), the ranking member, for their work on this bill.

I rise today in support of H.R. 3528, the Alternative Dispute Resolution Act of 1998. Because I have seen firsthand the successful use of alternative dispute resolution in my own County of San Diego, California, I am a diehard fan of ADR, as we often call it.

Let me share with my colleagues the wildly successful example of the San Diego Mediation Center. This service has grown from humble beginnings in the community of Golden Hill in my congressional district to a county-wide service offering mediation, arbitration, facilitation, training, credentialing, internships and a speakers bureau to the citizens of San Diego County.

Since 1983 the San Diego Mediation Center has provided a voluntary and peaceful process for resolving disputes. Alternative dispute resolution is available for neighbors, businesses, private citizens, courts, the legal community, municipalities, government agencies, schools, professional groups, homeowner associations, churches and families.

With an agreement rate of 80 percent and a compliance rate of 85 percent the agreements forged through the mediation process have promoted goodwill in the community, reduced the load on the courts, and in some cases prevented violence.

More than 10,000 volunteer hours are donated to the service each year by the 200 volunteer mediators who receive intensive mediation training from the center. There is an extensive waiting list of potential volunteers who are hoping for the opportunity to receive training and to become mediators. Public trainings in dispute resolution are also given several times each year by the training staff of the mediation center.

The work of the mediation center is well received and highly respected in San Diego. Recently recognized by the San Diego County Taxpayers Associa-

tion with its Golden Watchdog Award, the mediation center has saved the taxpayers of San Diego \$3.7 million by cutting direct costs to the San Diego Small Claims, Municipal and Superior Courts.

Mr. Speaker, the work of the San Diego Mediation Center and hundreds of other alternative dispute resolution services throughout the country reduces judiciary case loads and offers disputants an inexpensive and more satisfying way to resolve disputes rather than litigation. For that reason, I applaud H.R. 3528, that will extend this option to litigants in district court civil cases.

I urge my colleagues to support this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

I am prepared to yield back after I make one closing comment, and I do want this to be particularly acknowledged, I say to the gentleman from North Carolina (Mr. COBLE), that I recognize the hard work that has been put into this bill.

My plea is particularly parallel to this legislation. It certainly does not take away from my very strong support of this legislation. But again I raise up the very deep concern that I believe that the judicial appointments that proceed through the other body have been held hostage. I call to this body's attention a nominee by the name of Judge Massiah-Jackson. Several other nominees for the bench have been held in absolute and outrageous hostage situations.

I believe that the alternative dispute resolution system is excellent and is needed in this legislation, is something of great importance to the Nation, but we will not do the job that we are supposed to do if we do not proceed filling the vacancies that are so crucial to the justice system in this country.

With that, Mr. Speaker, I applaud the gentleman from North Carolina (Mr. COBLE), and I certainly applaud the ranking member, the gentleman from Massachusetts (Mr. FRANK), for their wisdom and vision on this legislation.

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

Mr. Speaker, I thank the gentlewoman for her generous comments and for her help on this.

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 North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 3528, as amended.

The question was taken.

Mr. COBLE. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's

prior announcement, further proceedings on this motion will be postponed.

□ 1445

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION REAUTHORIZATION ACT OF 1998

Mr. BLILEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2691) to reauthorize and improve the operations of the National Highway Traffic Safety Administration, as amended.

The Clerk read as follows:

H.R. 2691

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Highway Traffic Safety Administration Reauthorization Act of 1998".

SEC. 2. AUTHORIZATIONS OF APPROPRIATIONS.

(a) MOTOR VEHICLE SAFETY ACTIVITIES.—Section 30104 of title 49, United States Code, is amended to read as follows:

"§ 30104. Authorization of appropriations

"There is authorized to be appropriated to the Secretary \$81,200,000 for the National Highway Traffic Safety Administration to carry out this part in each fiscal year beginning in fiscal year 1999 and ending in fiscal year 2001."

(b) MOTOR VEHICLE INFORMATION ACTIVITIES.—Section 32102 of title 49, United States Code, is amended to read as follows:

"§ 32102. Authorization of appropriations

"There is authorized to be appropriated to the Secretary \$6,200,000 for the National Highway Traffic Safety Administration to carry out this part in each fiscal year beginning in fiscal year 1999 and ending in fiscal year 2001."

SEC. 3. RESTRICTIONS ON LOBBYING ACTIVITIES.

(a) AMENDMENT.—Subchapter I of chapter 301 of title 49, United States Code, is amended by adding at the end the following:

"§ 30105. Restriction on lobbying activities

"No funds appropriated to the Secretary pursuant to section 30104 or 32102 may be available for any activity specifically designed to urge a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislature."

(b) CLERICAL AMENDMENT.—The table of contents in subchapter I of chapter 301 of title 49, United States Code, is amended by adding at the end the following:

"30105. Restriction on lobbying activities."

SEC. 4. RISK AND BENEFIT DISCLOSURE.

(a) IN GENERAL.—Within one year of the date of the enactment of this Act, the Secretary of Transportation shall communicate to the public information regarding the reasonable risks and benefits of any major device or element of design to be installed on or in a motor vehicle or motor vehicle equipment in compliance with a motor vehicle safety standard issued under section 30111 of title 49, United States Code, determined by the Secretary to be important to the protection of motor vehicle occupants.

(b) NOTICE AND COMMENT.—In carrying out subsection (a), the Secretary of Transportation shall provide notice that the Sec-

retary is considering the means for carrying out subsection (a) and shall provide opportunity for comment on—

(1) the extent to which the information to be communicated under subsection (a) can be communicated in a manner which is scientifically objective and which relies upon scientific findings; and

(2) the extent to which such information can be made available to consumers in a clear and easily understandable format through the Internet, public libraries, and such other means as the Secretary may deem appropriate.

(c) NO REQUIREMENT.—Unless the Secretary of Transportation determines that it is essential to ensuring motor vehicle safety, the Secretary may not require a manufacturer or distributor to distribute any statement of reasonable risks and benefits which the Secretary is to communicate under subsection (a).

SEC. 5. OCCUPANT PROTECTION PREFERENCES.

Section 30111 of title 49, United States Code is amended by inserting after subsection (e) the following:

"(f) SPECIAL CONSIDERATIONS RELATING TO OCCUPANT PROTECTION.—When prescribing or revising a motor vehicle safety standard under this section or section 30127 relating to the protection of motor vehicle occupants under this chapter, the Secretary shall, to the extent relevant and practicable, design such standard to protect improperly restrained and positioned occupants only to the extent that such a design would not substantially increase the risk of injury to properly restrained and positioned occupants."

SEC. 6. ODOMETERS.

(a) TRANSFERS OF NEW MOTOR VEHICLES.—Section 32705(a) of title 49, United States Code, is amended by adding at the end the following:

"(4)(A) This subsection shall apply to all transfers of motor vehicles (unless otherwise exempted by the Secretary by regulation), except in the case of transfers of new motor vehicles from a vehicle manufacturer jointly to a dealer and a person engaged in the business of renting or leasing vehicles for a period of 30 days or less.

"(B) For purposes of subparagraph (A), the term 'new motor vehicle' means any motor vehicle driven with no more than the limited use necessary in moving, transporting, or road testing such vehicle prior to delivery from the vehicle manufacturer to a dealer, but in no event shall the odometer reading of such vehicle exceed 300 miles."

(b) EXEMPTED VEHICLES.—Section 32705(a) of title 49, United States Code, as amended by subsection (a), is amended by adding at the end the following new paragraph:

"(5) The Secretary may exempt such classes or categories of vehicles as the Secretary deems appropriate from these requirements. Until such time as the Secretary amends or modifies the regulations set forth in 49 CFR 580.6, such regulations shall have full force and effect."

SEC. 7. INTERNATIONAL HARMONIZATION.

(a) AMENDMENT.—Subchapter III of chapter 301 of title 49, United States Code, is amended by adding at the end the following:

"§ 30148. International motor vehicle safety outreach

"(a) ACTIVITIES.—The Secretary is authorized, in consultation with the Secretaries of State and Commerce where appropriate, to engage in activities that improve worldwide motor vehicle safety through appropriate activities. Such activities may include—

"(1) promoting the adoption of international and national vehicle standards that

are harmonized with, functionally equivalent to, or compatible with United States vehicle standards;

"(2) participating in efforts to foster an international acceptance of globally harmonized or functionally equivalent or compatible motor vehicle regulations and standards to otherwise improve international highway and motor vehicle safety;

"(3) promoting international cooperative programs for conducting research, development, demonstration projects, training, and other forms of technology transfer and exchange, including safety conferences, seminars, and expositions to enhance international motor vehicle safety; and

"(4) providing technical assistance to other countries relating to their adoption of United States vehicle regulations or standards functionally equivalent to United States vehicle standards.

(b) COOPERATION.—The Secretary may carry out the authority granted by this section, in cooperation with appropriate United States Government agencies, any State or local agency, and any authority, association, institution, corporation (profit or nonprofit), foreign government, multinational institution, or any other organization or person.

(c) CONSIDERATION.—When engaging in activities to improve worldwide motor vehicle safety, the Secretary shall ensure that these activities maintain or improve the level of safety of motor vehicles and motor vehicle equipment sold in the United States.

(d) PUBLIC MEETINGS AND INFORMATION.—To ensure public awareness of, and opportunity to comment on, decision-making meetings concerning the adoption of a globally harmonized motor vehicle regulation or standard, described in subsection (a)(2), by an international body or representatives of any foreign nation the Secretary shall—

"(1) not less than quarterly, provide notice of, and hold a public meeting to receive comments on the subject matter of, any decision-making meetings scheduled to be held with an international body or representatives of any foreign nation before the next public meeting required to be held under this paragraph; and

"(2) make available to the public any relevant information and records, including any proposed text, concerning the matter of any decision-making meetings scheduled with an international body or representatives of any foreign nation as those materials become available."

(b) CLERICAL AMENDMENT.—The table of contents in subchapter III of chapter 301 of title 49, United States Code, is amended by adding at the end the following:

"30148. International motor vehicle safety outreach."

SEC. 8. MISCELLANEOUS AMENDMENTS.

(a) NOTIFICATION OF DEFECTS AND NON-COMPLIANCE.—Sections 30118(d) and 30120(h) of title 49, United States Code, are each amended by striking the second sentence.

(b) REMEDIES FOR DEFECTS AND NONCOMPLIANCE.—Section 30120(i)(1) of title 49, United States Code, is amended by inserting "(including retailers of motor vehicle equipment)" after "dealer" the first time it appears.

(c) TIRES.—Section 30123 of title 49, United States Code, is amended by striking subsections (a), (b), and (c) and by redesignating subsections (d), (e), and (f), as subsections (a), (b), and (c), respectively.

(d) AUTOMATIC OCCUPANT CRASH PROTECTION AND SEAT BELT USE.—Section 30127(g)(1) of title 49, United States Code, is amended by striking "every 6 months" and inserting "annually".

(e) MISCELLANEOUS.—

(1) DEFINITIONS.—

(A) COUNTRY OF ORIGIN.—Section 32304(a)(3)(B) of title 49, United States Code, is amended by inserting before the period the following: “, plus the assembly and labor costs incurred for the final assembly of such engines and transmissions”.

(B) FINAL ASSEMBLY PLACE.—Section 32304(a)(5) of title 49, United States Code, is amended by adding at the end the following: “Such term does not include facilities for engine and transmission fabrication and assembly and the facilities for fabrication of motor vehicle equipment component parts which are produced at the same final assembly place using forming processes such as stamping, machining, or molding processes.”.

(C) OUTSIDE SUPPLIER CONTENT REPORTING.—Section 32304(a)(9)(A) of title 49, United States Code, is amended to read as follows:

“(A) for an outside supplier—

“(i) the full purchase price of passenger motor vehicle equipment whose purchase price contains at least 70 percent value added in the United States and Canada; or

“(ii) that portion of the purchase price of passenger motor vehicle equipment containing less than 70 percent value added in the United States and Canada that is attributable to the percent value added in the United States and Canada when such percent is expressed to the nearest 5 percent; and”.

(2) COUNTRY OF ASSEMBLY.—Section 32304(d) of title 49, United States Code, is amended by adding at the end the following: “A manufacturer may add to the label required under subsection (b) a line stating the country in which vehicle assembly was completed.”.

(3) VEHICLE CONTENT PERCENTAGE BY ASSEMBLY PLANT.—Section 32304 of title 49, United States Code, is amended by redesignating subsections (c) through (f) as subsections (f) through (i), respectively, and by adding after subsection (b) the following:

“(c) VEHICLE CONTENT PERCENTAGE BY ASSEMBLY PLANT.—A manufacturer may display separately on the label required by subsection (b) the domestic content of a vehicle based on the assembly plant. Such display shall occur after the matter required to be in the label by subsection (b)(1)(A).”.

(4) SUPPLIERS FAILING TO REPORT.—Section 32304 of title 49, United States Code, is amended by adding after subsection (c), as added by paragraph (3), the following:

“(d) VALUE ADDED DETERMINATION.—If a manufacturer or allied supplier requests information in a timely manner from one or more of its outside suppliers concerning the U.S./Canadian content of particular equipment, but does not receive that information despite a good faith effort to obtain it, the manufacturer or allied supplier may make its own good faith value added determinations, subject to the following:

“(1) The manufacturer or allied supplier shall make the same value added determinations as would be made by the outside supplier, that is, whether 70 percent or more of the value of equipment is added in the United States and/or Canada.

“(2) The manufacturer or allied supplier shall consider the amount of value added and the location in which the value was added for all of the stages that the outside supplier would be required to consider.

“(3) The manufacturer or allied supplier may determine that the value added in the United States and/or Canada is 70 percent or more only if it has a good faith basis to make that determination.

“(4) A manufacturer and its allied suppliers may, on a combined basis, make value

added determinations for no more than 10 percent, by value, of a carline's total parts content from outside suppliers.

“(5) Value added determinations made by a manufacturer or allied supplier under this paragraph shall have the same effect as if they were made by the outside supplier.

“(6) This provision does not affect the obligation of outside suppliers to provide the requested information.”.

(5) ACCOUNTING FOR THE VALUE OF SMALL PARTS.—Section 32304 of title 49, United States Code, is amended by adding after subsection (d), as added by paragraph (4), the following:

“(e) SMALL PARTS.—The country of origin of nuts, bolts, clips, screws, pins, braces, gasoline, oil, blackout, phosphate rinse, windshield washer fluid, fasteners, tire assembly fluid, rivets, adhesives, and grommets, of any system, subassembly, or component installed in a vehicle shall be considered to be the country in which such parts were included in the final assembly of such vehicle.”.

(f) STUDY.—The National Highway Traffic Safety Administration shall conduct a study of the benefits to motor vehicle drivers of a regulation to require the installation in a motor vehicle of an interior device to release the trunk lid. Not later than 18 months after the date of the enactment of this Act, the Administration shall submit a report on the results of the study to the Committee on Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 9. IMPORTATION OF MOTOR VEHICLE FOR SHOW OR DISPLAY.

(a) IMPORTATION OF NONCOMPLYING MOTOR VEHICLES.—Section 30114 of title 49, United States Code, is amended by striking “or competitive racing events” and inserting “competitive racing events, show, or display”.

(b) TRANSITION RULE.—A person who is the owner of a motor vehicle located in the United States on the date of enactment of this Act may seek an exemption under section 30114 of title 49, United States Code, as amended by subsection (a) of this section, for a period of 6 months after the date regulations of the Secretary of Transportation promulgated in response to such amendment take effect.

THE SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the rule, the gentleman from Virginia (Mr. BLILEY) and the gentleman from Pennsylvania (Mr. KLINK) each will control 20 minutes.

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

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

Mr. Speaker, today I rise in strong support of H.R. 2691, the National Highway Traffic Safety Administration Reauthorization Act. This legislation represents the Committee on Commerce's commitment to the regular business of reauthorizing the agencies within our jurisdiction. The legislation before the House has benefitted from the input of the administration, consumers groups, manufacturers and automobile dealers.

In our oversight of NHTSA, we discovered a number of agency operations that required Congressional action. This was particularly true with regard to air bags. All of us were concerned

when the first stories about air bag injuries surfaced. After all, these safety devices were mandated by Congress. We learned that in almost every instance, people injured by air bags were either not wearing a seat belt or were seated too close to the air bag. The committee found that NHTSA could have made more information available to consumers sooner about the potential risk of injury from air bags. The bill includes a provision intended to provide consumers with more information about the safety equipment installed on motor vehicles.

We also found that the air bag safety standard may have put at risk those passengers who wear their seat belts. To encourage greater seat belt use, this legislation directs the Secretary to continue efforts to focus on injuries to both belted and unbelted passengers, but to ensure that belted passengers are not penalized for buckling up.

Second, as many of us know, the committee has obtained copies of contracts issued by the agency for the purpose of lobbying State legislators. Federal agencies should not be permitted to lobby State officials, any more than they should be permitted to lobby Members of Congress. Therefore, this legislation contains language requiring that the agency apply the same standard used in dealing with the Congress to its dealing with State and local legislators.

NHTSA will still be permitted to promote safety and testify at the State and local level, but it will be prohibited from actually asking State officials to vote in a particular way. This language was carefully crafted and reflects the serious consideration given to the issue.

Finally, the bill contains a number of other miscellaneous amendments to the agency's authorizing statutes. Chief among these is language providing the agency with authority to participate in international safety standard setting efforts. This provision, which was requested by the administration, ensures that any efforts to change U.S. safety standards will only result in safer and better vehicles for American consumers.

In the 7 years since NHTSA was last authorized, U.S. consumers have become increasingly conscious of the safety of their automobiles. Where automobile manufacturers once regarded safety as an afterthought, they now actively compete for customers on the basis of safety features. Our work as legislators must continue to encourage the market to innovate and build safer cars. I believe that this legislation meets that goal.

Before closing, I would like to acknowledge the work of several members of the committee. First, the gentleman from Louisiana (Mr. TAUZIN) the chairman of the subcommittee, deserves much of the credit for his work

on this bill. This legislation reflects his desire to ensure that all groups have an opportunity to be heard on issues of importance.

The gentleman from Illinois (Mr. SHIMKUS) should also be commended for his fine work on the State lobbying provisions. Finally, my good friend the gentleman from Michigan (Mr. DINGELL) and his staff worked with us at every step. I appreciate the spirit of cooperation which led to this bill being reported by unanimous voice vote.

Mr. Speaker, I believe that H.R. 2691 will go a long way toward ensuring that safer vehicles travel on our Nation's highways. I urge my colleagues to support this well-balanced legislation.

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

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

Mr. Speaker, I would like to stand today to support the reauthorization of the National Highway Traffic Safety Administration, commonly referred to as NHTSA.

First of all, I would like to thank my colleagues, my good friends in the majority, the gentleman from Virginia (Chairman BLILEY) and the gentleman from Louisiana (Chairman TAUZIN), for all of their good work on this bill, and I want to commend them and their staffs for their willingness to listen to everyone in the process of writing this bill.

For those of you who do not know, Mr. Speaker, the National Highway Traffic Safety Administration is a branch of the Federal Government that has a very serious charge. They are charged with a mission of reducing traffic accidents and deaths and reducing injuries and economic losses resulting from those accidents by making sure the vehicles that we drive are in fact safe to drive.

Some of my colleagues on this side may have some questions about how a few specific provisions, such as the risk and benefit disclosure and the occupant protection preferences, will work in the real world of regulation. Nevertheless, these would represent good faith efforts to address the problems that we have discovered with air bag deployments.

I would like to thank my good friend, the gentleman from Ohio (Mr. OXLEY), for bringing his concerns about the American Automobile Labeling Act before the committee. Congress passed the American Automobile Labeling Act to give American consumers information about where the parts that go into the vehicles that they purchased were actually made. Many have criticized how the labeling act actually calculates domestic contents.

After looking into the issue, I came to the conclusion that those complaints about the accuracy of the labeling act were a valid complaint, and

that is why I offered, with the full support of my dear friend the gentleman from Michigan (Mr. DINGELL), an amendment in the committee markup to address those concerns by making the labeling act a more accurate reflection of domestic content, and I am pleased that the committee endorsed our approach.

Mr. Speaker, we last authorized NHTSA's part of ISTEA back in 1991. This is a straightforward and bipartisan reauthorization bill that deserves the support of the entire Congress, and I would urge its adoption.

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

Mr. DINGELL. Mr. Speaker, I thank my good friend for yielding time to me.

Mr. Speaker, I rise in support of H.R. 2691, the National Highway Traffic Safety Administration Reauthorization Act 1998. The bill authorizes \$87.4 million over the next three years so that NHTSA can continue promoting highway safety and reducing death and injuries from vehicular accidents.

At the outset I would like to thank and commend the chairman of both the committee and the subcommittee for the rare and welcome bipartisan way in which they have handled consideration of this legislation. Issues of concern raised by the Members on this side of the aisle have been addressed and the bill was reported by the committee by voice vote.

Concern was raised during the hearings that the bill's restrictions on lobbying were too tough and would prohibit NHTSA from providing important advice to State and local governments. As a result, provisions in this bill relating to lobbying have been modified so that NHTSA is now subject to the same restrictions at the State and local levels as it is at the Federal level.

The legislation also contains important provisions that allow foreign manufacturers to account more fully for U.S. content of parts used to produce automobiles sold in the United States. Under the bill, suppliers can report U.S. content to the nearest 5 percent rather than getting no credit if the part has less than 70 percent U.S. content. This provision was carefully crafted so as not to interfere with the accounting of U.S. auto parts under the U.S.-Japan auto agreement.

The bill also requires NHTSA to disclose to the public the risks and benefits of the equipment and design features required to be installed on motor vehicles pursuant to NHTSA regulations. It also authorizes NHTSA to promote adoption of U.S. safety standards by auto producers in other countries. It also allows NHTSA to design occupant protection standards to protect unbelted occupants only if such standards do not result in a substantial increase in the risk of injury to the properly restrained occupant.

Mr. Speaker, again I want to thank the managers of the bill for their cooperation and fairness. I want to express my appreciation to the majority for their kindness in this matter. I believe this a good bill, it deserves the support of our colleagues, and I urge my colleagues to vote for the legislation.

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

Mr. BLILEY. 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 Virginia (Mr. BLILEY) that the House suspend the rules and pass the bill, H.R. 2691, 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. BLILEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2691, as amended.

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

There was no objection.

RECESS

The SPEAKER pro tempore. There being no further business for the moment, pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5 p.m.

Accordingly (at 2 o'clock and 56 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 5 p.m.

PRIVATE CALENDAR

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

RUTH HAIRSTON

The Clerk called the bill (H.R. 2729) for the private relief of Ruth Hairston by waiver of a filing deadline for appeal from a ruling relating to her application for a survivor annuity.

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

H.R. 2729

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

SECTION 1. WAIVER OF DEADLINE FOR APPEAL.

For purposes of a petition by Mrs. Ruth Hairston for review of the final order issued October 31, 1995, by the Merit Systems Protection Board with respect to its docket number SF-0831-95-0754-1-1, the 30-day filing deadline in section 7703(b)(1) of title 5, United States Code, is waived.

Ms. MILLENDER-MCDONALD. Madam Speaker, I rise in support of H.R. 2729, a Private Bill For the Relief of Ruth Hairston Relating to Her Application for a Survivor Annuity. I introduced this legislation in an attempt to provide relief for my constituent, Mrs. Ruth Hairston.

This legislation seeks a waiver of the 30-day period to file an appeal to the U.S. Court of Appeals. Mrs. Hairston requested reconsideration from the Office of Personnel Management (OPM) on May 26, 1995 of their decision to deny her survivor annuity benefits under the Civil Service Retirement System as the "former spouse" of Paul Hairston. The Hairstons were married for more than 45 years when their marriage ended in divorce on March 16, 1987. Mr. Hairston had almost 35 years of civil service when he retired on June 11, 1990. When he retired, he selected a survivor annuity for Mrs. Hairston with a reduced annuity for himself.

Mrs. Hairston started to receive retirement annuity payments in 1988 but these payments were stopped after Mr. Hairston's death on February 22, 1995, because it was concluded that she was not entitled to benefits as a "former spouse." When Mr. Hairston retired, there was no statutory provision which would have allowed Mrs. Hairston to receive a survivor annuity as a divorcee (former spouse). However, the Civil Service Retirement Spouse Act of 1985 changed this, and allowed Mr. Hairston to elect a survivor annuity within two years following the divorce.

Mr. Hairston did not make a formal request for Mrs. Hairston to receive a survivor annuity after the divorce (as a former spouse), neither did he make an annuity adjustment to stop Mrs. Hairston from receiving the larger portion of his retirement annuity which were due to her under community assets. He was informed that he was still being charged for a survivor annuity after his divorce and that he no longer had to allow Mrs. Hairston to have the larger portion of his annuity, yet he did not change this. The fact that Mr. Hairston did not change this annuity arrangement establishes an "intent" for Mrs. Hairston to receive a survivor benefit after his death. Intent is one of the grounds to excuse the failure of Mr. Hairston to make a formal election (Valee versus Office of Personnel Management).

On October 31, 1995 the Merit Systems Protection Board upheld the OPM decision to deny Mrs. Hairston a survivor annuity. At the time, Mrs. Hairston was severely ill and under doctor's care and could not file a timely appeal to the U.S. Court of Appeals. Mrs. Hairston remains in poor health and faces eviction from her home because of her inability to meet her financial obligations. She desperately needs the survivor's annuity she deserves. It is because of these extreme circumstances that re-

lief through private legislation is necessary. Therefore, I commend my colleagues for supporting this bill and providing Mrs. Hairston with an opportunity to appeal the denial of her survivor's annuity.

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

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

CALL OF THE HOUSE

Mr. SENSENBRENNER. Madam Speaker, I move a call of the House.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER) for the purpose of moving a call of all the House under clause 6(e) of rule XV.

A call of the House was ordered. The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 99]

ANSWERED "PRESENT"—389

- Abercrombie
- Aderholt
- Allen
- Andrews
- Armye
- Bachus
- Baesler
- Baker
- Baldacci
- Ballenger
- Barcia
- Barr
- Barrett (NE)
- Barrett (WI)
- Bartlett
- Barton
- Bass
- Becerra
- Bentsen
- Bereuter
- Berry
- Billbray
- Billrakis
- Bishop
- Blagojevich
- Bliley
- Blumenauer
- Blunt
- Boehert
- Boehner
- Bonilla
- Bonior
- Borski
- Boswell
- Boucher
- Boyd
- Brady
- Brown (FL)
- Brown (OH)
- Bryant
- Bunning
- Burr
- Burton
- Buyer
- Callahan
- Calvert
- Camp
- Campbell
- Canady
- Capps
- Cardin
- Carson
- Castle
- Chabot
- Chenoweth
- Clay
- Clayton
- Clement
- Clyburn
- Coble
- Coburn
- Collins
- Combest
- Condit
- Conyers
- Cook
- Cooksey
- Costello
- Cox
- Coyne
- Cramer
- Crane
- Crapo
- Cubin
- Cummings
- Cunningham
- Davis (FL)
- Davis (IL)
- Davis (VA)
- Deal
- DeFazio
- DeGette
- Delahunt
- DeLauro
- DeLay
- Deutsch
- Diaz-Balart
- Dickey
- Dicks
- Dingell
- Doggett
- Dooley
- Doolittle
- Doyle
- Dreier
- Duncan
- Dunn
- Edwards
- Ehlers
- Ehrlich
- Emerson
- Engel
- English
- Ensign
- Eshoo
- Etheridge
- Evans
- Everett
- Ewing
- Farr
- Fattah
- Fazio
- Flner
- Foley
- Forbes
- Fossella
- Fowler
- Fox
- Franks (NJ)
- Frelinghuysen
- Frost
- Furse
- Gallegly
- Ganske
- Gejdenson
- Gekas
- Gephardt
- Gibbons
- Gilchrest
- Gillmor
- Gilman
- Goode
- Goodlatte
- Goodling
- Gordon
- Goss
- Graham
- Granger
- Green
- Gutierrez
- Gutknecht
- Hall (OH)
- Hall (TX)
- Hamilton
- Hansen
- Harman
- Hastert
- Hastings (FL)
- Hastings (WA)
- Hayworth
- Hefley
- Heger
- Hill
- Hilleary
- Hilliard
- Hinchee
- Hinojosa
- Hobson
- Hoekstra
- Holden
- Hooley
- Horn
- Hostettler
- Houghton
- Hoyer
- Hulshof
- Hunter
- Hutchinson
- Hyde
- Jackson (IL)
- Jackson-Lee (TX)
- Jefferson
- Jenkins
- Johnson (CT)
- Johnson (WI)
- Johnson, E. B.
- Johnson, Sam
- Jones
- Kanjorski
- Kaptur
- Kasich
- Kelly
- Kennedy (RI)
- Kennelly
- Kildee
- Kilpatrick
- Kim
- Kind (WI)
- King (NY)
- Kingston
- Kleczka
- Klink
- Klug
- Knollenberg
- Kolbe
- Kucinich
- LaFalce
- LaHood
- Lampson
- Lantos
- Largent
- Latham
- Lazio
- Leach
- Levin
- Lewis (CA)
- Lewis (KY)
- Linder
- Lipinski
- Livingston
- LoBiondo
- Lofgren
- Lowe
- Lucas
- Luther
- Maloney (CT)
- Manton
- Manzullo
- Markey
- Martinez
- Mascara
- McCarthy (MO)
- McCarthy (NY)
- McCollum
- McCrery
- McDermott
- McGovern
- McHale
- McHugh
- McInnis
- McIntosh
- McIntyre
- McKeon
- McKinney
- McNulty
- Meek (FL)
- Meeks (NY)
- Menendez
- Metcalf
- Mica
- Millender
- McDonald
- Miller (CA)
- Miller (FL)
- Minge
- Mink
- Moakley
- Mollohan
- Moran (KS)
- Moran (VA)
- Morella
- Myrick
- Nadler
- Neal
- Nethercutt
- Neumann
- Ney
- Northup
- Norwood
- Nussle
- Oberstar
- Obey
- Olver
- Ortiz
- Oxley
- Packard
- Pallone
- Pappas
- Parker
- Pascrell
- Pastor
- Paul
- Payne
- Pease
- Pelosi
- Peterson (MN)
- Peterson (PA)
- Petri
- Pickering
- Pickett
- Pitts
- Pombo
- Pomeroy
- Porter
- Portman
- Poshard
- Pryce (OH)
- Quinn
- Radanovich
- Rahall
- Ramstad
- Rangel
- Redmond
- Regula
- Reyes
- Riley
- Rivers
- Rodriguez
- Roemer
- Rogan
- Rogers
- Rohrabacher
- Ros-Lehtinen
- Rothman
- Roukema
- Roybal-Allard
- Royce
- Ryun
- Sabo
- Salmon
- Sanchez
- Sanders
- Sandlin
- Sanford
- Sawyer
- Saxton
- Schaefer, Dan
- Schaffer, Bob
- Schumer
- Scott
- Sensenbrenner
- Serrano
- Sessions
- Shadegg
- Shaw
- Shays
- Sherman
- Shimkus
- Shuster
- Siskis
- Skaggs
- Skeen
- Skelton
- Slaughter
- Smith (MI)
- Smith (NJ)
- Smith (TX)
- Smith, Adam
- Smith, Linda
- Snowbarger
- Snyder
- Solomon
- Souder
- Spence
- Stabenow
- Stearns
- Stenholm
- Stokes
- Strickland
- Stump
- Stupak
- Sununu
- Talent
- Tanner
- Tauscher
- Tauzin
- Taylor (MS)
- Taylor (NC)
- Thomas
- Thompson
- Thornberry
- Thune
- Thurman
- Tiahrt
- Torres
- Traficant
- Turner
- Upton
- Velázquez
- Vento
- Visclosky
- Walsh
- Wamp
- Waters
- Watt (NC)
- Watts (OK)
- Waxman
- Weldon (FL)
- Weldon (PA)
- Weller
- Wexler
- Weygand
- White
- Whitfield
- Wicker
- Wolf
- Woolsey
- Wynn
- Yates
- Young (AK)

□ 1732

The SPEAKER. On this rollcall, 389 Members have recorded their presence by electronic device, a quorum.

Under the rule, further proceedings under the call are dispensed with.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The Speaker laid before the House the following communication from the Clerk of the House of Representatives,

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, April 15, 1998.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the original Certificate of Election received from the Honorable Bill Jones, Secretary of State, State of California, indicating that, according to the semi-official canvas of votes cast in the Special Primary held April 7, 1998, the Honorable Mary Bono was elected Representative in Congress for the Forty-fourth Congressional District, State of California.

With warm regards,

ROBIN H. CARLE,
Clerk.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The Speaker laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, April 15, 1998.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the original Certificate of Election received from the Honorable Bill Jones, Secretary of State, State of California, indicating that, according to the semi-official canvas of votes cast in the Special Primary held April 7, 1998, the Honorable Barbara Lee was elected Representative in Congress for the Ninth Congressional District, State of California.

With warm regards,

ROBIN H. CARLE,
Clerk.

SWEARING IN OF THE HONORABLE
MARY BONO AND THE HONORABLE
BARBARA LEE OF CALIFORNIA AS MEMBERS OF THE
HOUSE

The SPEAKER. The Members-elect will come forward, accompanied by the California delegation, and raise their right hands.

Mrs. Bono and Ms. Lee of California appeared at the bar of the House and took the oath of office as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you will take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations. You are a Member of the House of Representatives.

INTRODUCTION OF HON. MARY
BONO OF CALIFORNIA TO THE
HOUSE

(Mr. LEWIS of California asked and was given permission to address the House for 1 minute.)

Mr. LEWIS of California. Mr. Speaker, I would like to take just a moment of our time today to introduce a friend to all of my colleagues. Her name is MARY. It used to be Mary Whitaker. Then she met a guy named Sonny, and after a short time he convinced her to change her name to Bono.

I want you to know, MARY, that all of us in this Chamber loved and admired Sonny. Of course, we still do; and, like you, we miss him dearly. But today we are here as a family to say welcome to you and to Chesare and Chianna and to all the other little Whitakers who are here.

MARY, after winning a stunning victory on April 7, you have earned your own place in Congress. We know that you will bring a strong voice, a woman's voice, to your job. Every bit as important to me, you will bring a mother's voice to the House.

The citizens of California's 44th congressional district are fortunate to have you as their voice in Congress. They are lucky to have you on their side.

MARY, just one last thought from this friend. Sonny would be so very proud of you today. I know in my heart that he is looking down upon us at this moment and he is smiling. So, MARY, it is my privilege to say to my colleagues, welcome to Congresswoman MARY BONO.

COMMON SENSE APPROACH TO
SERVING PEOPLE OF THIS NATION

(Mrs. BONO asked and was given permission to address the House for 1 minute.)

Mrs. BONO. Mr. Speaker, I want first to express thanks to my wonderful family for being with me on this special day. It is an honor and a privilege to share this moment with my mother and father, Karen and Clay Whitaker, my children Chianna and Chesare, my godson William Rodriguez, and all the other members of my family, along with the many friends and staff who are here today. Your help and support have made this possible.

However, one person who is not with us today is very much in my thoughts and always in my heart. His wisdom and his guidance helped me prepare for the difficult road I have traveled, and his spirit is giving me the strength to meet the many challenges that lie before me.

Sonny was an incredible force in my life, and many of you who served with him will recall the impact he had on everyone who met him. I want to thank each of you and the thousands of people from around the world who ex-

pressed their sympathy and love on his passing for your generous words of tribute and praise.

As I stand here in the people's House, I understand why this Chamber held so much meaning for my late husband. More than any of his other accomplishments, and there were many, Sonny's service to the people of California's 44th district was his proudest achievement. I will do my best to live up to the legacy that he has left and continue to bring his common sense approach to serving the people of this great Nation.

Over the past few months, I have come to know well the people of the 44th district. It has been a privilege to share time with them, to listen to their concerns and to their dreams. I understand what it is like to be a single mother trying her best to raise young children in a difficult situation. I am concerned that we need to do more to provide our youth with an education that offers them hope for the future.

I have heard from senior citizens and veterans who served our country and are now in need of our support. I have witnessed firsthand the challenges facing our law enforcement, especially in their war against drugs and gang violence. And I have been inspired by the hundreds of people in our community who daily make a difference, asking for no recognition, just a little help.

I believe that the people of the 44th district sent me to Congress for much the same reason that they sent Sonny, because they knew they could trust me to do the very best I could do. While I have much to learn, I know if I serve honestly and honorably, I will fulfill that trust.

There are many difficult and complex issues facing our Nation, and there are very few simple solutions. However, every child knows that you cannot spend more than you have. We must continue to show fiscal responsibility in our Nation's budget. Tax reform needs to be enacted to provide relief to individuals and small businesses. And it is imperative that we maintain a strong national defense, for without it there will be no peace.

I do not come before you today with solutions, only resolve. It is my great honor to have this opportunity to serve, and I thank from the bottom of my heart all the voters from the 44th District of California. Thank you, and God bless.

INTRODUCTION OF HON. BARBARA
LEE OF CALIFORNIA TO THE
HOUSE

(Ms. ROYBAL-ALLARD asked and was given permission to address the House for 1 minute.)

Ms. ROYBAL-ALLARD. Mr. Speaker, it is my privilege to introduce a friend and now a new colleague, BARBARA LEE, as the new representative of California's 9th Congressional District.

Congratulations, BARBARA. And we are all delighted to welcome you to Congress. BARBARA, of course, is not unfamiliar with this Chamber or these halls. Her years of dedicated service to the people of California's 9th Congressional District began with her service as the senior adviser and also as chief of staff of our former colleague and dear friend, Ron Dellums.

□ 1745

Although we will miss you, Ron, we know that BARBARA is well prepared to step into your shoes and to blaze new trails of her own.

BARBARA is and will continue to be an effective representative for her constituents. In the 7 years that she served in California State legislature, 67 of her bills and resolutions were signed by the Governor, impacting a broad spectrum of community concerns; including public safety, education, environmental protections, labor, health, and women's and children's issues.

I was privileged to work with BARBARA in the California State Assembly from 1990 to 1992. More recently, I had the pleasure of working with BARBARA on Team California, our delegation's State/Federal working group.

Through my work with BARBARA, I know her to be an energetic and extremely effective and dedicated advocate for her community, and an enthusiastic and prolific legislator.

BARBARA is a staunch advocate for job creation and economic development because she recognizes the positive impact that jobs have on the community's quality of life. In the same vein, BARBARA has worked with Federal, State, and local governments to create local and economic community development at decommissioned military bases.

BARBARA has also been committed to developing closer economic, political, and cultural ties between the State of California and Africa; a role that she will no doubt continue and expand upon when she is here in Congress.

It is worth noting that, with BARBARA's election, a record 12 out of California's 29 Democratic House Members are female. Now, this number is especially significant when you consider that it was a mere 10 years ago that there were only 12 Democratic women in the entire Congress.

Welcome, BARBARA. I know that you will have a productive and a distinguished career in Congress. We look forward to working with you on behalf of the State of California and the Nation as a whole. So please join me in welcoming Congresswoman BARBARA LEE.

ACCEPTING THE CHALLENGE TO CONTINUE TO BE A LONG-DISTANCE RUNNER FOR ECONOMIC, SOCIAL, AND POLITICAL JUSTICE

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

Ms. LEE of California. Mr. Speaker, first, to Congresswoman LUCILLE ROYBAL-ALLARD, to Mr. GEPHARDT, Mr. BONIOR, to the entire California delegation, to all of the Members of this great institution, I am grateful for your support and for your leadership as we move into the next millennium.

I would like to pay special recognition, first, to my family; to my mother, Mildred Massey; and to my father, Garvin Tutt; and to all of my family for their consistent support and their love. They instilled in me at an early age a deep sense of passion for justice. And I am extremely grateful to each and every one of my family members. And I want to take this opportunity to publicly tell them that I love you very, very much.

I had the opportunity to be here for several years, in fact, 8 years. My children, Tony and Craig, were able to attend schools here in this great District. So in a way, we are coming back to our second home.

I say to my predecessor, my friend and political mentor, the Honorable Ron Dellums, your legacy is one that will live forever, not only in this great institution, or in the Ninth Congressional District, but it will live forever throughout the world, throughout the world.

I thank you for your confidence in me. I accept the challenge to continue to be a long-distance runner for economic, social, and political justice. In contemplating what I wanted to say at this very magnificent and glorious yet very humbling moment in my life, I reflected upon the great economic recovery that we are experiencing in this country. But my heart and my head and the facts keep telling me that this recovery has been for some, but not for all.

So as we move into the next century, I intend to continue to challenge those policies which continue to widen the gap between the rich and the poor. But I also intend to provide solutions for new and creative ways to increase the standard of living for all, not just for some.

I want to ensure that all of our children have access to a good public education; that we do enact universal and accessible health care for all; and to ensure the solvency of our Social Security system; that we support economic development efforts which create good jobs that pay a livable wage with benefits for working men and women; that we protect our globe and the wilderness and ensure clean air, and clean water, and create more public transportation systems; and that we protect a wom-

an's right to reproductive choice. In addition, I shall continue to maintain the high standard of constituent services and responsiveness to local needs established by my predecessor.

As we witness the world's becoming smaller and smaller, our efforts to encourage fair and free trade, respect for human rights abroad, and a truly effective foreign assistance program is really a must on my agenda.

Finally, a fundamental basic principle that I bring to the United States Congress is the fact that we provide, and should provide, equal opportunities for everyone, and shatter the walls of discrimination based upon race, national origin, gender, age, disability, and sexual orientation.

So I look forward to our national debates, and yes; sometimes our struggles. For my grandchildren, Jordan and Joshua, and for the children of this country and the world, I pledge to myself and to you to the effort to do the right thing, and to leave them a better future.

I thank the people of the Ninth Congressional District for this honor. I do not take it lightly. I accept it with a sense of excitement and optimism. I look forward to working with all of my colleagues in discharging this awesome responsibility.

As my first act, I would like to sign the discharge petition to have a full and fair debate on campaign finance reform. Thank you, and may God bless you.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 111, TAX LIMITATION CONSTITUTIONAL AMENDMENT

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 105-488) on the resolution (H. Res. 407) providing for consideration of the joint resolution (H.J. Res. 111) proposing an amendment to the Constitution of the United States with respect to tax limitations, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to clause 5, rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today, in the order in which that motion was entertained.

The votes will be taken in the following order:

H.R. 3565, by the yeas and nays, and H.R. 3528, by the yeas and nays.

CARE FOR POLICE SURVIVORS ACT OF 1998

The SPEAKER. The pending business is the question of suspending the rules and passing the bill, H.R. 3565.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and pass the bill, H.R. 3565, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 403, nays 8, not voting 21, as follows:

[Roll No. 100]

YEAS—403

Abercrombie	Davis (IL)	Hilleary
Aderholt	Davis (VA)	Hilliard
Allen	Deal	Hinchee
Andrews	DeFazio	Hinojosa
Archer	DeGette	Hobson
Armey	Delahunt	Hoekstra
Bachus	DeLauro	Holden
Baesler	DeLay	Hooley
Baker	Deutsch	Horn
Baldacci	Diaz-Balart	Hostettler
Ballenger	Dickey	Houghton
Barcia	Dicks	Hoyer
Barr	Dingell	Hulshof
Barrett (NE)	Doggett	Hunter
Barrett (WI)	Dooley	Hutchinson
Bartlett	Doolittle	Hyde
Barton	Doyle	Jackson (IL)
Bass	Dreier	Jackson-Lee
Becerra	Duncan	(TX)
Bentsen	Dunn	Jefferson
Bereuter	Edwards	Jenkins
Berman	Ehlers	Johnson (CT)
Berry	Ehrlich	Johnson (WI)
Billbray	Emerson	Johnson, E. B.
Billrakis	Engel	Johnson, Sam
Bishop	English	Jones
Blagojevich	Ensign	Kanjorski
Bliley	Eshoo	Kaptur
Blumenauer	Etheridge	Kasich
Blunt	Evans	Kelly
Boehlert	Everett	Kennedy (RI)
Boehner	Ewing	Kennelly
Bonilla	Farr	Kildee
Bonior	Fattah	Kilpatrick
Bono	Fawell	Klim
Borski	Fazio	Kind (WI)
Boswell	Filner	King (NY)
Boucher	Foley	Klecza
Boyd	Forbes	Klink
Brady	Ford	Klug
Brown (FL)	Fossella	Knollenberg
Brown (OH)	Fowler	Kolbe
Bryant	Fox	Kucinich
Bunning	Frank (MA)	LaFalce
Burr	Franks (NJ)	LaHood
Burton	Frelinghuysen	Lampson
Buyer	Frost	Lantos
Callahan	Furse	Largent
Calvert	Gallegly	Latham
Camp	Ganske	LaTourette
Canady	Gejdenson	Lazio
Capps	Gekas	Leach
Cardin	Gephardt	Lee
Carson	Gibbons	Levin
Castle	Gilchrest	Lewis (CA)
Chabot	Gillmor	Lewis (GA)
Chambliss	Gilman	Lewis (KY)
Clay	Goode	Linder
Clayton	Goodlatte	Lipinski
Clement	Goodling	Livingston
Clyburn	Gordon	LoBlundo
Coble	Goss	Lofgren
Collins	Graham	Lowey
Combest	Granger	Lucas
Condit	Green	Luther
Conyers	Gutierrez	Maloney (CT)
Cook	Gutknecht	Manton
Cooksey	Hall (OH)	Manzullo
Costello	Hall (TX)	Markey
Cox	Hamilton	Martinez
Coyne	Hansen	Mascara
Cramer	Harman	Matsui
Crane	Hastert	McCarthy (MO)
Crapo	Hastings (FL)	McCarthy (NY)
Cubin	Hastings (WA)	McCollum
Cummings	Hayworth	McCrary
Cunningham	Hefley	McDade
Danner	Herger	McDermott
Davis (FL)	Hill	McGovern

McHale	Pomeroy	Smith, Adam
McHugh	Porter	Smith, Linda
McInnis	Portman	Snowbarger
McIntosh	Poshard	Snyder
McIntyre	Price (NC)	Solomon
McKeon	Pryce (OH)	Souder
McKinney	Quinn	Spence
McNulty	Radanovich	Spratt
Meek (FL)	Rahall	Stabenow
Meeks (NY)	Ramstad	Stark
Menendez	Rangel	Stearns
Metcalf	Redmond	Stenholm
Mica	Regula	Stokes
Millender-	Reyes	Strickland
McDonald	Riggs	Stump
Miller (CA)	Riley	Stupak
Miller (FL)	Rivers	Sununu
Minge	Rodriguez	Talent
Mink	Roemer	Tanner
Moakley	Rogan	Tauscher
Mollohan	Rogers	Tauzin
Moran (KS)	Rohrabacher	Taylor (MS)
Moran (VA)	Ros-Lehtinen	Taylor (NC)
Morella	Rothman	Thomas
Murtha	Roukema	Thompson
Myrick	Roybal-Allard	Thornberry
Nadler	Royce	Thune
Neal	Ryun	Thurman
Nethercutt	Sabo	Tiahrt
Neumann	Salmon	Tierney
Ney	Sanchez	Torres
Northup	Sanders	Traffant
Norwood	Sandlin	Turner
Nussle	Sawyer	Upton
Oberstar	Saxton	Velázquez
Obey	Schaefer, Dan	Vento
Olver	Schaffer, Bob	Visclosky
Ortiz	Schumer	Walsh
Owens	Scott	Waters
Oxley	Sensenbrenner	Watt (NC)
Packard	Serrano	Watts (OK)
Pallone	Sessions	Waxman
Pappas	Shadegg	Weldon (FL)
Parker	Shaw	Weldon (PA)
Pascrell	Shays	Weller
Pastor	Sherman	Wexler
Payne	Shimkus	Weygand
Pease	Shuster	White
Pelosi	Sisisky	Whitfield
Peterson (MN)	Skaggs	Wicker
Peterson (PA)	Skeen	Wise
Petri	Skelton	Wolf
Pickering	Slaughter	Woolsey
Pickett	Smith (MI)	Wynn
Pitts	Smith (NJ)	Yates
Pombo	Smith (TX)	Young (AK)

NAYS—8

Campbell	Kingston	Scarborough
Chenoweth	Paul	Wamp
Coburn	Sanford	

NOT VOTING—21

Ackerman	Greenwood	Meehan
Bateman	Hefner	Paxon
Brown (CA)	Inglis	Rush
Cannon	Istook	Smith (OR)
Christensen	John	Towns
Dixon	Kennedy (MA)	Watkins
Gonzalez	Maloney (NY)	Young (FL)

□ 1817

Mr. WAMP and Mr. SCARBOROUGH changed their vote from "yea" to "nay."

So (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.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the provisions of clause 5 of rule I, the Chair announces that she will reduce to a minimum of 5 minutes the period of time within which a vote by electronic de-

vice may be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

ALTERNATIVE DISPUTE
RESOLUTION ACT OF 1998

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3528, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. 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. 3528, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 2, not voting 25, as follows:

[Roll No. 101]

YEAS—405

Abercrombie	Clyburn	Franks (NJ)
Aderholt	Coble	Frelinghuysen
Allen	Coburn	Frost
Andrews	Collins	Furse
Archer	Combest	Gallegly
Armey	Condit	Ganske
Bachus	Cook	Gejdenson
Baesler	Cooksey	Gekas
Baker	Costello	Gephardt
Baldacci	Cox	Gibbons
Ballenger	Coyne	Gilchrest
Barcia	Cramer	Gillmor
Barr	Crane	Gilman
Barrett (NE)	Crapo	Goode
Barrett (WI)	Cubin	Goodlatte
Bartlett	Cummings	Goodling
Barton	Cunningham	Gordon
Bass	Danner	Goss
Becerra	Davis (FL)	Graham
Bentsen	Davis (IL)	Granger
Bereuter	Deal	Green
Berman	DeFazio	Gutierrez
Berry	DeGette	Gutknecht
Bilbray	Delahunt	Hall (OH)
Bilirakis	DeLauro	Hall (TX)
Bishop	DeLay	Hamilton
Blagojevich	Deutsch	Hansen
Bliley	Diaz-Balart	Harman
Blumenauer	Dickey	Hastert
Blunt	Dicks	Hastings (FL)
Boehner	Dingell	Hastings (WA)
Bonilla	Doggett	Hayworth
Bonior	Dooley	Hefley
Bono	Doolittle	Herger
Borski	Doyle	Hill
Boswell	Dreier	Hilleary
Boucher	Duncan	Hilliard
Boyd	Dunn	Hinchee
Brady	Edwards	Hinojosa
Brown (FL)	Ehlers	Hobson
Brown (OH)	Ehrlich	Hoekstra
Bryant	Emerson	Holden
Bunning	Engel	Hooley
Burr	English	Horn
Burton	Ensign	Hostettler
Buyer	Eshoo	Houghton
Callahan	Etheridge	Hoyer
Calvert	Evans	Hulshof
Camp	Everett	Hunter
Campbell	Ewing	Hutchinson
Canady	Farr	Hyde
Capps	Fattah	Jackson (IL)
Cardin	Fawell	Jackson-Lee
Carson	Fazio	(TX)
Castle	Filner	Jefferson
Chabot	Foley	Jenkins
Chambliss	Forbes	Johnson (CT)
Chenoweth	Fossella	Johnson (WI)
Clay	Fowler	Johnson, E. B.
Clayton	Fox	Johnson, Sam
Clement	Frank (MA)	Jones

Kanjorski	Moran (KS)	Scott
Kaptur	Moran (VA)	Sensenbrenner
Kasich	Morella	Serrano
Kelly	Murtha	Sessions
Kennedy (RI)	Myrick	Shadegg
Kennelly	Nadler	Shaw
Kildee	Neal	Shays
Killpatrick	Nethercutt	Sherman
Kim	Neumann	Shimkus
Kind (WI)	Ney	Shuster
King (NY)	Northup	Sisk
Kingston	Norwood	Sisk
Kleczka	Nussle	Skeel
Klink	Oberstar	Skelton
Klug	Obey	Smith (MI)
Knollenberg	Oliver	Smith (NJ)
Kolbe	Ortiz	Smith (TX)
Kucinich	Owens	Smith, Adam
LaFalce	Oxley	Smith, Linda
LaHood	Packard	Snowberger
Lampson	Pallone	Snyder
Lantos	Pappas	Solomon
Largent	Parker	Souder
Latham	Pascarell	Spence
LaTourette	Pastor	Spratt
Lazio	Paul	Stabenow
Leach	Payne	Stark
Lee	Pease	Stearns
Levin	Pelosi	Stenholm
Lewis (CA)	Peterson (MN)	Stokes
Lewis (GA)	Peterson (PA)	Strickland
Lewis (KY)	Petri	Stump
Linder	Pickering	Stupak
Lipinski	Pickett	Sununu
Livingston	Pitts	Talent
LoBlundo	Pombo	Tanner
Lofgren	Pomeroy	Tauscher
Lowe	Porter	Tauzin
Lucas	Portman	Taylor (MS)
Luther	Poshard	Taylor (NC)
Maloney (CT)	Price (NC)	Thomas
Maloney (NY)	Pryce (OH)	Thompson
Manton	Quinn	Thornberry
Manzullo	Radanovich	Thune
Markey	Rahall	Thurman
Martinez	Ramstad	Tiahrt
Mascara	Rangel	Tierney
Matsui	Regula	Torres
McCarthy (MO)	Reyes	Towns
McCarthy (NY)	Riggs	Trafficant
McCollum	Riley	Turner
McDade	Rivers	Upton
McDermott	Rodriguez	Velázquez
McGovern	Roemer	Vento
McHale	Rogan	Visclosky
McHugh	Rogers	Walsh
McInnis	Rohrabacher	Wamp
McIntosh	Ros-Lehtinen	Waters
McIntyre	Rothman	Watt (NC)
McKeon	Roukema	Watts (OK)
McKinney	Roybal-Allard	Waxman
McNulty	Royce	Weldon (PA)
Meek (FL)	Ryun	Weller
Meeks (NY)	Sabo	Wexler
Menendez	Salmon	Weygand
Metcalfe	Sánchez	White
Mica	Sanders	Whitfield
Millender	Sandlin	Wicker
McDonald	Sanford	Wise
Miller (CA)	Sawyer	Wolf
Miller (FL)	Saxton	Woolsey
Minge	Scarborough	Wynn
Mink	Schaefer, Dan	Yates
Moakley	Schaffer, Bob	Young (AK)
Mollohan	Schumer	

NAYS—2

Boehlert Slaughter

NOT VOTING—25

Ackerman	Gonzalez	Paxon
Bateman	Greenwood	Redmond
Brown (CA)	Hefner	Rush
Cannon	Inglis	Smith (OR)
Christensen	Istook	Watkins
Conyers	John	Weldon (FL)
Davis (VA)	Kennedy (MA)	Young (FL)
Dixon	McCrery	
Ford	Meehan	

□ 1826

So (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.

PARENTS NEED TO PAY MORE ATTENTION TO DRUG USE OF CHILDREN

(Mr. MCCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. MCCOLLUM. Madam Speaker, yesterday I was looking around for something and could not find it, but today I found it, the editorial in the Wall Street Journal entitled "The Dope on Spring." I commend it to my colleagues to read about marijuana and the fact that our parents of our kids today are not paying enough attention to drug use in this country.

It says, 71 percent of teenagers said in a recent poll by Partnership for a Drug-Free America that they had friends who use marijuana, and half of them admitted that they did. This editorial points that fact out.

It also points out that only 21 percent of parents believe that their own children partake in it. The facts are, the Journal goes on to say, that, as opposed to 25 or 30 years ago today, even soft drugs like marijuana can be as much as 10 times more potent than the joints that parents toked. That is because of hydroponic strains and a lot of other things.

They also point out, though, that polls show that 82 percent of these parents believe drugs are a serious problem nationally, but only 6 percent think the problems exist in their local high schools. They go on to say, earth to parents, it is spring, and it may be time for a chat.

I would suggest everybody needs to take a chat with a youngster today, and I commend your reading this Wall Street Journal editorial.

The text of the Wall Street Journal editorial is as follows:

[From the Wall Street Journal]

REVIEW & OUTLOOK—THE DOPE ON SPRING

About this time last year, a forwarded email message was making the rounds of college campuses. "Don't forget," the message advised, "the appropriate greeting is 'hi, how are you?' not 'how high are you?'"

This month, while grown-ups were busy preparing tax returns, a lot of their college-attending children were partaking in the annual springtime bacchanalian festivals either in warmer climes or in on-campus celebrations of some meaningful date in their school's history. On these occasions many of the students ingest a cornucopia of drugs that most of their parents (despite imagined babyboomer sophistication) have never heard of.

Nor does it seem they have much interest in knowing what's going on. Despite all the attention given to drug abuse, parents are apparently disinclined to believe that their kids are using drugs. In a study released last week by the Partnership for a Drug-Free America, 71% of teenagers said they "had

friends who use" marijuana and almost half admitted they themselves had tried it. But only 21% of parents thought that their little angels might partake (admittedly even that must go down as a higher percentage than their own parents would have conceded).

In fact, this is a drug "culture" with frightening differences from the glory days of 25 or 30 years ago. Today even "soft" drugs like marijuana can be as much as 10 times more potent than the joints their parents toked. Because of crackdowns or smuggling, the neighborhood greenhouse business has flourished: New strains like "hydroponic," where the plants are grown without soil and "wet"—marijuana soaked in formaldehyde—have been increasing the drug's potency exponentially. Meanwhile, drug use among teenagers has doubled since 1990.

Other drugs, like methamphetamine, are also the product of basement alchemy, often involving youths producing it, which in turn introduces some of them to criminal enterprises. There are substantial profit margins in this new underworld for chemists who turn over-the-counter cold medicines into a particularly wicked concoction called "ice," "crank" or speed." Costing \$5 to \$25 a dose, it offers a high similar to powder cocaine, which retails at upward of \$100 a gram, but it is much more accessible to a middle-schooler's allowance. And these laboratories are proliferating.

Something else that's new: The spread of black-market pharmaceuticals like Ritalin and Ephedrine, which have become a hot commodity in many suburban neighborhoods. Last November, a group of suburban middle-schoolers got hauled in by Virginia police when the principal caught a seventh grader selling his Ritalin prescription to his pals. Other favorites come right off the store shelves: Krylon gold paint for inhaling and whipped-cream cans for nitrous oxide.

Last April, a 16-year old in a Chicago suburb was caught with 37 grams of marijuana, some opium and paraphernalia stashed in his parents house. A 15-year-old set up shop selling pot, PCP, Ecstasy and Special K in an affluent District of Columbia suburb. These aren't just the kids from the wrong side of the tracks. Ask any college student about the prevalence and diversity of the new chemical culture. You'll get an education.

For the '70s generation, famous for its hedonistic experimentalism, the statistics suggest a willful ignorance. Parents disbelieve, perhaps because they're afraid to find out the truth. Polls show that 82% believe drugs are a "serious problem nationally," but only 6% think the problem exists in their local high school.

The baby-boomers' self-indulgence has come home to roots, only this time there's no ideological crutch. What's becoming increasingly obvious is that Gen-X drug use involves teenagers who've rejected their parents' political ideals but adopted their libertinism. A 1995 study by the University of Michigan revealed that after a 13-year lull, teenage drug use had climbed three years in a row. Yet nearly one kid in three claimed that his or her parents have never discussed drugs with them. Only a quarter say it's a topic of frequent conversation.

Earth to parents: It's spring, and it may be time for a chat.

□ 1830

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. EMERSON). Under the Speaker's announced policy of January 7, 1997, and

under a previous order of the House, the following Members will be recognized for 5 minutes each.

RANDOM DRUG TESTING OF HOUSE MEMBERS AND STAFF IS ILL-ADVISED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Madam Speaker, the House is about to implement rule changes that will require random drug testing of all House Members and staff. Drug usage in this country, both legal and illegal, is a major problem and deserves serious attention. However, the proposal to test randomly individuals as a method to cut down on drug usage is ill-advised and should not be done.

The real issue here is not drugs but rather the issues of privacy, due process, probable cause and the fourth amendment. We are dealing with a constitutional issue of the utmost importance. It raises the question of whether or not we understand the overriding principle of the fourth amendment.

A broader but related question is whether or not it is the government's role to mold behavior, any more than it is the government's role to mold, regulate, tax and impede voluntary economic contractual arrangements.

No one advocates prior restraint to regulate journalistic expression, even though great harm has come over the century from the promotion of authoritarian ideas. Likewise, we do not advocate the regulation of political expression and religious beliefs, however bizarre and potentially harmful they may seem.

Yet we casually assume it is the role of government to regulate personal behavior to make one act more responsibly. A large number of us in this Chamber do not call for the regulation or banning of guns because someone might use a gun in an illegal fashion. We argue that it is the criminal that needs regulated and refuse to call for diminishing the freedom of law-abiding citizens because some individual might commit a crime with a gun.

Random drug testing is based on the same assumption made by anti-gun proponents. Unreasonable efforts at identifying the occasional and improbable drug user should not replace respect for our privacy. It is not worth it.

While some Members are more interested in regulating economic transactions in order to make a fairer society, there are others here who are more anxious to regulate personal behavior to make a good society. But both cling to the failed notion that governments, politicians and bureaucrats know what is best for everyone. If we casually allow our persons to be searched, why is it less important that our conversations, our papers and our telephones

not be monitored as well? Vital information regarding drugs might be obtained in this manner as well. Especially we who champion the cause of limited government ought not be the promoters of the roving eye of Big Brother.

If we embark on this course to check randomly all congressional personnel for possible drug usage, it might be noted that the two most dangerous and destructive drugs in this country are alcohol and nicotine. To not include these in the efforts to do good is inconsistent, to say the least. Unfortunately, the administration is now pursuing an anti-tobacco policy that will be even less successful than the ill-fated Federal war on drugs.

I have one question for my colleagues: If we have so little respect for our own privacy, our own liberty and our own innocence, how can we be expected to protect the liberties, the privacy and the innocence of our constituents, which we have sworn an oath to do?

Those promoting these drug testing rules are well motivated, just as are those who promote economic welfare legislation. Members with good intentions attempting to solve social problems perversely use government power and inevitably hurt innocent people while rarely doing anything to prevent the anticipated destructive behavior of a few.

It is said that if one has nothing to hide, why object to testing? Because, quite simply, we have something to keep: our freedom, our privacy and the fourth amendment. The only answer to solving problems like this is to encourage purely voluntary drug testing, whereby each individual and each Member of the House makes the information available to those who are worried about issues like this.

VOUCHER PLAN RAISES UNREASONABLE EXPECTATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Madam Speaker, in anticipation of bringing a bill to the floor, the Republican majority is pouring thousands of dollars into ads for a voucher bill. But I challenge them to use that to send some of the 7,500 kids they want to help to parochial schools, as they claim they want to do.

This is a political exercise. It has become a political perennial, because it comes every year. This year it is an election year charade. We know it is a charade because the President has promised to veto. If the majority is sincere, I challenge them to sit down with me and write a bill that can be signed.

This year a bill of this kind is a real insult because we have a real shot at

exponential improvement in the D.C. public schools, finally.

One good example is the Summer Stars program about to begin. We will become the first big city school system to eliminate social promotion and replace it not only with a remedial program but with a program in the summer that helps youngsters catch up so they do not fail in the first place. A rigorous academic program is going to be put in place. Our youngsters are going to have to read 25 books next year in order to pass the grade.

Want to help? There are ways to make a real difference for the many and not merely the few. It is cruel to raise the expectations of 75 youngsters for 2,000 school vouchers. It is cruel because there are two insurmountable barriers, and we know they are insurmountable. First is the veto, but, second, no serious constitutional scholar believes public school vouchers are constitutional.

As I speak, there are two injunctions on public school vouchers right now. Two courts in Wisconsin have stopped public school vouchers with injunctions on constitutional grounds. An appeals court in Ohio has stopped public school vouchers on constitutional grounds.

D.C. schools need help. If Members want to raise people's expectations and then let them fall, they should go do it in their own districts. Do not come in and do it to my folks. I challenge the majority, if they want to see D.C. kids go to parochial schools, I will join Members in raising private funds to send them to private schools.

Everyone knows what they are doing. They are preparing for a \$1 billion raid on the public Treasury to take money that would go to public schools and give it to private and parochial schools. We are not going to let them do it. Either the President will stop them or the courts will stop them. Meanwhile, they are playing with the lives of the people I represent.

I ask Members to stand back and instead come forward and join me in truly helping youngsters who are crying out for help but cannot get it, as Members know they cannot, in the way they have chosen.

We can work together. No one has even come to me and approached me about this issue. They would not dare go into the district of another Member without even approaching her on the district. They have not asked me if there is an approach that we can agree upon.

I can tell them that the approach that they are depending upon, a starkly partisan approach that has nothing to do with the youngsters I represent, will in fact be turned down not only by me but by those I represent. And, for them, I resent Members coming forward to raise their expectations, knowing full well that they cannot meet

them and having no intention whatsoever to meet them in yet another election year charade designed falsely to show what Members cannot show, and that is that public schools cannot be improved. Perhaps they cannot be. Neither, I assure the Members, will the courts of this great country allow us to empty the Federal Treasury of funds and put them into private schools.

If Members want to help my kids, understand that they want your help, need your help, and that their Member is willing to cooperate with others in order to get help. But I ask Members to cooperate with us, not to exercise their will on us.

TRIBUTE TO LIEUTENANT COLONEL JAMES J. LYONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. HULSHOF) is recognized for 5 minutes.

Mr. HULSHOF. Madam Speaker, I have come to the floor of the United States House of Representatives tonight to talk about big news in a small town in Missouri's Ninth Congressional District. That town is Kirksville, Missouri. For those who do not know about Kirksville, it is the home of nationally-recognized Truman State University.

Tonight my good friend, Jack Magruder, the President of Truman State, and some of his colleagues have tuned in for this tribute, because it is time, Madam Speaker, to pay tribute to a man of honor.

Tonight I am here to salute a great countryman, Lieutenant Colonel James J. Lyons. His friends call him Jim. They also call him dependable. Lieutenant Colonel James Lyons has dedicated more than 29 years to Army service.

He entered the Army as a private in the Ohio Army National Guard in 1968, completed basic training, completed Advanced Individual Training-Infantry at Fort Jackson, South Carolina; and after a period of enlisted service with the Ohio Guard, he entered Officer Candidate School at Fort Hayes, Ohio. He was commissioned a second lieutenant in 1970 and assigned to C Company, 113th Medical Battalion, where he served as ambulance platoon leader and training officer.

Lt. Col. Lyons moved to Kirksville in 1972 and was assigned to the 5503d U.S. Army Hospital in Columbia, Missouri. He served in a number of staff officer positions, including assistant personnel officer, food service officer and hospital company commander.

In 1976, he was project officer for the First Army Reserve Medical Symposium. A year later, he led the quartering party which organized the 901st Medical Detachment which, Madam Speaker, was the first Army Reserve Medical Unit in northern Missouri.

Subsequently, he served as that unit's training officer and executive officer.

In 1988, Lt. Col. Lyons helped establish the 303d Field Hospital in Kirksville. He also served as that unit's executive officer and deployable medical systems project officer.

Lt. Col. Lyons was selected to be the first commander for the newly formed 4207th U.S. Army Hospital in 1995, a position he has held until his military retirement.

Lt. Col. Lyons' awards and decorations are many. They include the Meritorious Service Medal, the Army Commendation Medal with three Oak Leaf Clusters, the Humanitarian Service Medal for work with Cuban refugees, the National Defense Service Medal with one Oak Leaf Cluster, the Reserve Components Achievement Medal with two Oak Leaf Clusters, as well as the Armed Forces Reserve Medal and the Expert Rifle Marksmanship badge.

But not only has Lt. Col. Lyons distinguished himself in the military arena. He has also challenged himself academically. Lyons holds a Bachelor's degree in psychology from Fordham University and a Master's and Ph.D. in psychology from Ohio State University. He has been a faculty member at Truman State since 1972 and has served as the head of the Division of Social Science since 1979.

His friend, George Melloh, refers to him as the linchpin of Truman State University, giving Lyons much credit for putting Truman State's name on the map.

Also of importance, Madam Speaker, is how Lt. Col. Lyons has maintained careers in both the military and academic fields while earning honors in both. Kathy Reick, the dean of admissions at Truman State, points out that it takes a very special talent and a very special person to work with faculty during the week and with military on the weekends. The same approach to management and administration certainly does not work with both groups.

□ 1845

Yet Lyons' colleagues from both the faculty and military praise him for his dedication, for his effectiveness, and for his good judgment.

While Lt. Col. Lyons will retire from the military next month, he will continue to serve in the leadership of the social science department of Truman State University. We thank Lt. Col. Lyons for his service to his community, to his country, and we wish him the best of luck.

SUBSTANCE ABUSE TREATMENT PARITY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. RAMSTAD) is recognized for 5 minutes.

Mr. RAMSTAD. Madam Speaker, "Minnesota nice" took a hard hit last

week. Within a few blocks of downtown Minneapolis, the body of a 77-year-old woman was found wrapped in plastic, stuffed in a cardboard box in a bedroom closet of her own apartment.

Why was "Miss Annie," as her friends and the small children she befriended in the neighborhood called her, so cavalierly and heartlessly murdered and her body left to rot? Apparently, she had become a mere inconvenience to the drug users and dealers who had literally commandeered her apartment. And as I found out from nearby residents, such hostage takeovers are not uncommon in the Phillips neighborhood of Minneapolis.

During a tour last week at the invitation of frustrated victims of the crime and drug epidemic in this area of our community, neighborhood residents told me of their constant fears living in crack-infested areas where drug dealers and violence dominate their daily lives.

Boarded up, abandoned buildings; drug dealers and crack houses on every block; and gang members and prostitutes readily adapting to the environment. As the exodus of community stakeholders, landlords, small business people and law-abiding residents continues, prospects for a better future dwindle.

Madam Speaker, do not tell the residents of the Phillips neighborhood in Minneapolis that crime statistics are down. They are literally trapped in the vicious cycle of crime and drugs that has gripped America for too long. As person after person after person told me last week in this neighborhood where Miss Annie was savagely murdered, these people are literally without hope.

Madam Speaker, no child, no neighborhood, and no community in America should be without hope. If we are truly serious about addressing the crime and drug epidemic in America, we must first acknowledge what every cop, every treatment professional, and every corrections person in America knows: 80 percent of all crimes are tied to drugs and/or alcohol addiction. 26 million Americans are addicted to drugs or alcohol. One hundred fifty thousand Americans died last year from chemical addiction. Eighty percent of the 1.4 million men and women in American prisons tonight are there because of drugs and/or alcohol. They are addicts.

Madam Speaker, Congress must provide a comprehensive strategy to address the crime and drug epidemic in America. We need to provide consequences for criminals and treatment for alcoholics and addicts. We need to go after the 7 percent of the violent criminals who are committing 70 percent of the violent crimes and lock them up. But we also need to break the cycle of chemical dependency that is causing the bulk of criminal behavior in America.

Of the 26 million American alcoholics and addicts, approximately 16 million of them are covered by health insurance plans. But only 2 percent of them, of this 16 million who had health insurance, are getting treatment for their addiction.

As the recent five-part Public Television documentary by Bill Moyers pointed out, it is time to put chemical dependency treatment on par with other diseases. It is time to knock down the barriers to chemical dependency treatment created by certain health insurers that discriminate against alcoholics and addicts. It is time to treat chemical dependency as the disease that it is, as the disease that it has been recognized to be by the American Medical Association since 1956. It is time to provide access to treatment to deal with America's number one public health and public safety problem.

Senator WELLSTONE and I have introduced the Substance Abuse Treatment Parity Act to provide equal access to chemical dependency treatment with treatment for other diseases covered by health plans. As a recovering alcoholic myself, Madam Speaker, I know firsthand the value of treatment. As someone who stays close to other recovering people and chemical dependency professionals in Minnesota and across the country, I have been alarmed by the dwindling access to treatment for people who need help. The current system either blocks access for people who are chemically dependent or extremely limits their treatment experience.

Providing access to treatment is not only the right thing to do, but the cost-effective thing to do. All the actuarial studies, all the empirical evidence show that treatment parity will actually save money in the long run.

Providing treatment for alcoholics and addicts covered by health insurance will raise premiums in the worst case scenario by one-half of 1 percent. In other words, for \$1.35 per month, or the cost of a cup of coffee, we can treat 16 million chemically addicted persons in our country. For every dollar we invest in treatment, we will save \$7 in costs down the road.

Madam Speaker, I urge my colleagues to join the 56 other Members of the House who have already cosponsored H.R. 2409. The people of America cannot afford to wait any longer.

ANTISMOKING ZEALOTS SHOULD FIGHT ILLEGAL DRUGS WITH EQUAL FERVOR

The SPEAKER pro tempore (Mr. HULSHOF). Under a previous order of the House, the gentleman from Kentucky (Mr. WHITFIELD) is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Speaker, there has been a lot of discussion recently about efforts to reduce teenage smok-

ing in America, and all of us in the Congress recently returned from our Easter recess in which we went back home to work and talk to constituents about problems facing them.

In my district I met with a lot of young people, a lot of educators, and it became quite obvious to me that, yes, teenage smoking is a problem. But it is not nearly the problem in America that is caused by the use of illegal drugs and alcohol among young people today. As a matter of fact, if we visit any juvenile facility around the United States, on the average 63 percent of juveniles in every juvenile facility were using drugs on a regular basis before going to that facility.

I firmly believe that while teenage smoking is a problem, the major problem facing teenagers today is the use of illegal drugs and alcohol. Yet despite that, the mobilization against a single legal industry, the tobacco industry, by a President, a Vice President, a former FDA commissioner, Surgeon General, trial lawyers, 40 State attorneys general, and other organized groups may be a first in America.

The wartime fervor with which the antitobacco movement pursues its aims, its deployment of extreme measures, including punitive legislation and coordinated lawsuits, is unprecedented in our country. The issue is much more than simply teenage smoking and the reduction of teenage smoking. These groups want to punish this industry.

Now, last July representatives of the tobacco companies sat down with 40 State attorneys general and various trial lawyers and various health care groups and under the auspices of the White House to see if they could reach an agreement to reduce teenage smoking in America. And they did reach an agreement, and it was a historic agreement in many ways. And yet I would say that I doubt that 1 percent of the American people know what the tobacco industry agreed to do in those negotiations. I want like to review that for the American people this evening.

First of all, the tobacco industry agreed that they would pay \$368 billion every 25 years forever. And from that money, some would go to the States to reimburse them for Medicaid costs, but a lot of the money would go for programs to help teenagers be educated about tobacco, to help teenagers stop smoking this product and maybe not even begin to smoke it.

Second of all, the industry agreed that the FDA, the Food and Drug Administration, would be able to regulate tobacco, going far beyond the FDA rules to regulate tobacco initiated by former Commissioner Kessler. The agreement went far beyond that.

In addition, the industry agreed that a third-party entity, a health care entity, would be able to set goals to reduce teenage smoking each year by a certain percentage point. And if the indus-

try were not able to reach that goal, if the goal was not reached, the industry would pay \$80 million per 1 percentage point that that target was missed. That is even considering that the industry does not necessarily control teenage smoking. Yes, we live in a country that even teenagers have some responsibility and can make a decision of are they going to use the product or not, knowing full well that it is not healthful to use. But the industry agreed they would pay \$80 million for every percentage point missed.

In addition, they agreed to pay \$5 billion a year into a trust fund for payments to pay off court judgments. In addition, they said that they would voluntarily sign consent decrees waiving their constitutional right to advertise their product.

In addition, they said they would sign consent decrees to voluntarily waive their right to lobby the Congress. Every constituent, every citizen in America has a right to lobby the Congress, to petition government, and they agreed to give that up too.

But despite all of those things, the antitobacco groups now are going forward and saying "We want more out of this industry." I want to urge them to focus more on helping us reduce teenage smoking and the use of illegal drugs and stop trying to punish an industry.

THE BALANCED BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin (Mr. NEUMANN) is recognized for 60 minutes as the designee of the majority leader.

Mr. NEUMANN. Mr. Speaker, I rise tonight to talk about an issue that is very much on the forefront in America. We are hearing a lot about the fact that the budget is finally balanced. We know that in 1995 when many of us came here there was this discussion that we were going to balance the budget by the year 2002, and now we are hearing in America that the budget is balanced today.

That is good news for the American people, and I would like to spend most of the hour tonight talking about what it actually means to have a balanced budget and how Social Security fits into this discussion. And I guess most important of all, like I found out in my town hall meetings back home, we had 14 of them over the last week, how it is that Washington's idea and definition of a balanced budget, albeit the same since 1969, is very different than what the people in Wisconsin think and probably what most of America thinks in terms of a budget being balanced.

I thought I would start with a chart that shows what it was like in 1995 when we first got here. In 1995 when we first got here, the President made a

budget projection and he presented us his version of what we should be doing. This red line shows where the deficit was headed in 1995 when we got here, if we had played golf, basketball and tennis instead of doing our job. But we did not play golf, basketball and tennis. We fought hard to get Washington spending under control.

Over a two-year period of time we brought the growth rate of Washington spending down by virtually 50 percent. In two short years it came from 5.2 percent, that is how fast it was growing when we got here, down to 2.8 percent. That is how fast it is growing today.

This yellow line on the chart shows what happened in our first 12 months in office, and my colleagues can see the deficit projections were coming down already after only 12 months in office.

The green line shows what we had hoped to accomplish, and that is the plan that we laid out when we got here to get to a balanced budget by the year 2002. And virtually all of America heard about it, but our constituents said, "I do not believe they are going to do it." That is what they said back home.

The facts are in, and for the last 12 months running we not only got to a balanced budget by 2002, we are actually there four years ahead of schedule. Remember, this is the Washington definition of a balanced budget. For the last 12 months running, the United States Government spent less money than they had in their checkbook for the first time since 1969.

Now, when I get into this discussion about how this relates to Social Security, many of us are not going to like the Washington definition very well. But this should in no way take credit away from the fact that this has been done for the first time since 1969.

□ 1900

In 1969, I was a sophomore in high school dating the young lady who now happens to be my wife so I know that was a long time ago, the last time this actually happened, and America should be cheering for this. We have come so far in such a short period of time.

I would like to focus on what this actually means because there seems to be a lot of disagreement, and Lord only knows, a lot of misunderstanding on exactly what this means when we say we have a balanced budget. I would like to start with exactly what Washington's definition of a balanced budget is.

I come from the business world. This is the first office I have ever held. We were a home-building business. We would not have defined it in the same way that Washington does out there in the business world. Washington looks at the total number of dollars coming in, at the total amount of taxes the American people pay. They add up all of that money coming in. Then they look at their checkbook, and they fig-

ure out how many checks they wrote out. And at the end of the year, for the first time there was actually more money coming in than what they wrote out in checks.

Again, make no mistake, this side of the picture, the dollars coming in, is clearly a result of a strong economy. So let us not give any politicians credit for these dollars coming in because, in fact, that is the hard work of the American people. That is the people that get up in the morning, go to work every day of the week, and earn a salary, and then send taxes to Washington. It is their money that we are talking about. And with the economy very strong, welfare reform was passed, able-bodied welfare recipients have returned to the work force. Those folks started paying taxes in, and that is why the amount of money coming in has been very strong.

But that is not the end of the picture. On the other side, the money going out, the rate at which that money is going out, the growth rate has been slowed by 50 percent in these 3 short years.

Together those two things have led us to a point where we have what Washington calls a balanced budget. I would like to go further with the definition because it is important that everyone understands exactly what they mean by a balanced budget so we understand just how far we have to go. And the rest of this discussion should in no way take any credit away from the fact that this has actually happened for the first time since 1969.

To understand what actually is happening in this budgetary process, I would encourage my colleagues to think of a pension fund, and think of a business running a pension fund; only in this case the pension fund is Social Security.

What I have on this board is the total dollars coming in being collected out of the American taxpayers' paycheck for Social Security. We are collecting \$480 billion for Social Security this year; that is, when you look at your pay stub, if you are out there, a hard-working American, you look at your pay stub, that money coming in for Social Security equals \$480 billion. The total amount being paid back out to our senior citizens in benefits is \$382 billion.

This is not really hard to understand. It is very much like your checkbook if you sit down at your kitchen table. If you have \$480 in your checkbook, and you write out a 382-dollar check, your checks do not bounce. It works fine. As a matter of fact, you have \$98 billion left in your checkbook.

What is going on in Social Security is that \$98 is supposed to be put into a savings account. We all know that people in my age group, the baby-boom generation is rapidly heading toward retirement, and there is lots of us. As a matter of fact, there is lots more of us than there are seniors today.

When we get to the retirement years, since there are so many of us, it means there will be more money going out than what there is coming in. It is exactly the opposite of the picture that we have today. The idea is this \$98 billion goes into a savings account, and it is much like we do in our own family. When there is more money going out than what we have coming in, we then go to that savings account, get the money out, and Social Security works. That is how Social Security is supposed to work today.

Now, I would like to point out that these two numbers, they turn around in about the year 2012. So from now through 2012, we have more money coming into the system than what we are paying back out. As a matter of fact, the rest is supposed to go into a savings account.

When I am in my town hall meetings back home in Wisconsin, it did not matter if I was in Beloit, Janesville, Kenosha, Racine or Burlington, wherever I was, I would ask the question, what do you suppose Washington does with that \$98 billion that they have extra coming in from Social Security? They would all start laughing, and they would say, well, obviously they spend it. The right answer; that is exactly correct. The American people understand that, and they know that is what is going on out here.

Let me be very specific on how it works out here. That extra \$98 billion comes in. Think of this middle circle as the big government checkbook because that is where it goes. It gets deposited directly into the big government checkbook. Washington then writes checks out of their big government checkbook. Remember the first picture we had up here. When the dollars in equals the dollars out, we call that a balanced budget.

You see, however, what is wrong with that picture. That balanced budget, those dollars going into the big government checkbook, those dollars going into that checkbook, include this Social Security surplus. When they look at the dollars going out of that checkbook, it does not include a check going down here to the Social Security Trust Fund. So when we talk about a balanced budget in Washington, D.C., please do not shoot the messenger; this is the way it has been defined for many, many years before I got here, all the way back to 1969. They have defined this thing to be, with these extra dollars coming in, if we can just get this checkbook so we are not writing out more checks than what we are taking in, we are going to call that a balanced budget. That has been the definition.

Remember, since 1969, we have not even balanced the budget even utilizing the extra money coming from Social Security. So while it is an important and a first step forward, I think most

people in America would understand and realize that in order to truly balance the budget, we need to write a check out of that checkbook down here to the Social Security Trust Fund so that there is actually real money in the Social Security Trust Fund.

What we do today, that \$98 billion goes into the big government checkbook. They spend all the money out of the big government checkbook. And since there is no money left to put a check down here, we simply write an IOU to the Social Security Trust Fund. That IOU, let me be very technical about it, that IOU is called a nonnegotiable treasury bond.

A nonnegotiable treasury bond is very simply something that cannot be sold. The problem with this is if you have got a bond in there that cannot be sold, and we get to the year 2012, remember that is the year where there is more money going out because us baby-boom generation people are getting there so there is more money going out than what there is coming in. If this thing is full of IOUs, nonnegotiable, nonmarketable treasury bonds, the question that most logical thinking people would ask is: Where are they going to get the money from in 2012 to keep Social Security going?

There is only three possible answers to that: One is they can raise taxes on the American workers. That is a bad idea. The second one is they can simply borrow more money, and that is a bad idea because that makes the situation worse for our children. The third one, of course, is to reduce spending elsewhere in Washington, and I mean I think that is a great idea. But the problem with that idea is, what is the probability of it actually happening as opposed to simply going out and borrowing the money.

The real point here, what needs to be done in Washington, D.C., and we have written the legislation to do it; I see my good friend from Minnesota has joined me, and in spite of the tie he has on, I am going to invite him into this conversation. But I would like to just point out that we have written legislation that would specifically take that \$98 billion extra that is coming from Social Security and put it directly down here into the Social Security Trust Fund.

The bill is called the Social Security Preservation Act. It is H.R. 857, and it effectively stops the government from spending money that is supposed to be set aside for Social Security. This means when we get to the year 2012, the government can go down here to the Social Security Trust Fund; we will have negotiable treasury bonds; that is, a treasury bond that anybody can go to their local bank and buy.

When I was at our town hall meetings, I asked our seniors if they knew what a treasury bond was. I would say at every meeting we had three or four

that actually owned treasury bonds because they had bought them at their local bank. What we are suggesting we do is put that right down here in nonnegotiable treasury bonds, regular T bills that you can buy at your local bank. Then, when 2012 gets here, we simply go to the trust fund, sell the treasury bond, get the money, and Social Security is solvent.

I need to be very specific on this, though, because while that solves the problem in 2012, this works much like your home checkbook. If you overdraw your checkbook this month, you go to your savings account and you get the money, and you put it in your checkbook and make good, everything is fine. But then next month, you overdraw your checkbook again, go to the savings account, get the money, and everything is fine. But if you keep doing that month after month after month, which is what happens in Social Security beyond the year 2012, eventually what would happen to your savings account, of course, is you would run out of money.

In the Social Security system, even if all of the money is in the trust fund that is supposed to be there, including repayment of the money that was supposed to have been put there in the first place, even if all of that money is there, their savings account reaches zero in the year 2029. So that is why we are hearing all of this discussion about Social Security today. Two thousand twelve, we are okay if there is really money in the Social Security Trust Fund.

If H.R. 857, the Social Security Preservation Act passes, and the trust fund is full of real money, we are okay in the year 2012. But our savings account runs out of money, much as your personal savings account would eventually run out of money if you kept overdrawing your checkbook; the Social Security Trust Fund savings account also runs out of money in the year 2029.

I yield to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. I would like to thank the gentleman for yielding to me, and despite the tie, I am delighted to be with you tonight. I just want you to know my brother gave me this tie so if he is watching back home, he will know what you had to say about it.

Mr. NEUMANN. That was a compliment.

Mr. GUTKNECHT. I want to congratulate you for all that you have done; not so much just in balancing the budget, because I think members of the Committee on the Budget, and you also are on the important Committee on Appropriations. I do not know of anybody who has fought more to balance the budget, to fight wasteful Washington spending than you have.

I am glad you are talking a little tonight about Social Security and Medicare and seniors issues because you are

not only a cosponsor of the Social Security Preservation Act, but you are also a very important proponent of trying to solve the notch issue. I know that I and many of my colleagues, I expect, I heard you mention that you had town hall meetings during the Easter break as well. Almost everywhere I went when I met with seniors, someone raised the issue of the notch baby problem. And I do not know if you spent any time talking about that, but this is really an issue, particularly now, I think, that at least we are moving towards a surplus using the old accounting method here in Washington; that maybe this is the time, this is the year we can finally do something to bring about some fairness to those folks who are called notch babies.

I have a particular interest, perhaps a parochial interest, if you will, in this issue because my father is a notch baby. Every so often when I am home for a family reunion or weekend, whatever, he reminds me that notch babies have been treated unfairly by the system. And up until this point there have not been many Members in this House, or in this city, who have been willing to seriously deal with the issue.

I just wanted to congratulate you. I am a proud cosponsor of H.R. 3008 for the first time giving some kind of lump sum payments, and I think the bill originally called for a \$5,000 lump sum payment. I am not certain if ultimately that will be the number, but clearly the time has come to recognize the inequity and perhaps you want to talk a little bit tonight about the notch-baby problem. I suspect there are many people who are watching who have a very strong interest in it.

Mr. NEUMANN. Well, when we wrote the notch bill, we wrote it very different this time. As a matter of fact, when I have been on the floor of the House sometimes Members have said this has been discussed before, and we cannot do anything about it. But we wrote the notch bill very different this time than in the past.

In the past, when they proposed fixes to the notch problem, and let me make it very clear, I have got the numbers in my office on this. The notch babies are not getting an equitable monthly payment in Social Security when compared to other people who have paid exactly the same amount into the system. When we wrote the notch bill this time, we went to other parts of the budget and we said, look, this is not right what is happening to seniors here. We are going to reduce spending over here in order to provide the money necessary to correct the notch problem that is very real.

And the bill we wrote does two things. It gives our senior citizens the option of one of two things: They can either correct their monthly payment, or get to a monthly payment that is approximately equal to other people

who have paid the same amount into the system, or they can take the \$5,000 lump sum payment paid over a 4-year period of time. It would be their choice as to which one of these two that they were to receive.

But the gentleman is absolutely correct. The senior citizens that were born in those years that are commonly called the notch babies, they are certainly not receiving a fair payment back in the Social Security system. I personally think it is high time something got done about it. The group that came in in 1995, this is really the first time we are starting to discuss this in depth. The problem should be fixed and it should be fixed today.

Mr. GUTKNECHT. Just for the Members who may not know, these are principally people born between the years 1917 and 1926. And there is almost something cynical about this.

Most of my seniors are not particularly cynical people, but it does almost seem as if Members of Congress in the past said, well, if we just let this thing go eventually all of these people will die off, and it is not a problem anymore. I hope that we are bigger than that. I hope we are better than that. I think, hopefully, we can find the funds this year within the budget to take care of those people.

I would also like to talk a little bit about how important and the work that has gone, and I am not certain how many of your slides you have shown tonight talking about the seriousness of the debt and how far we have come. I think we need to remind ourselves once in a while that under the old accounting standards, and going back to about 1964, and what we call the unified budget, we have literally taken those excess Social Security funds and used them to mask the deficit.

Now, some people say that happened because people back in the mid-1960s wanted to hide the cost both of the Vietnam War as well as the great society. And this was a way of being able to spend the money without having to recognize the trust fund obligations that we had ultimately to Social Security. So I think the time has come, because we have come so far with balancing the budget. We have eliminated over 300 programs. We have cut the rate of growth in Federal spending in the last 3 years by almost 50 percent. We are closer today, and probably you have done a better job even than the Congressional Budget Office in terms of predicting where we would be relative to the balance and ultimately to a surplus.

□ 1915

Mr. NEUMANN. Mr. Speaker, reclaiming my time, if we look at what is happening in America today and we look at the revenue growth rate and the spending growth rate, and to most

American citizens they do not want to know about all that stuff, that is our job to know that stuff, but when we look at what is actually happening out there today, the surpluses, by the old definition, will exceed the amount of money that is necessary to be put aside for Social Security in the near term.

Let me make this very, very clear. Even setting Social Security money aside, we will be running surpluses by the year 2000, 2001 as large as \$250 billion. Take out the Social Security money and we still have got a \$150 billion surplus by the year 2001 or thereabouts. And I think it is very important that the American people engage in this debate right now as to what they would like to see done with this surplus.

And, again, let us be real about this. If we go into a recession, this is not going to happen. If we have a war, this is not going to happen. But if things keep going the way they are right now today, if we do not have a major economic downturn, we are looking at surpluses that are large enough to set aside the Social Security money the way we should and still have about \$150 billion left over.

Mr. GUTKNECHT. If the gentleman would yield further, though, there is one more caveat that he did not mention; and that is that we do not return to spending normally. The pressure to spend in this town, the propensity of Washington to spend money that is not ours, it is so easy to spend other people's money and it is even easier to spend the money of people who are not yet born.

We have our friend the gentleman from South Dakota (Mr. THUNE) joining us.

I want to share one more thought. All of us are no more than one generation removed from the farm, and this is something I talked about in some of my town hall meetings in terms of balancing the budget and ultimately paying off some of that national debt. And my colleague and I are cosponsors of a bill which, ultimately, if we could get the Congress to agree to it, would actually pay off the debt. Let me share before we yield to our friend from South Dakota.

Historically, particularly people out in the farm understand this, that the American dream was to pay off the mortgage and leave our kids the farm. And what Congress had been doing for the last 30 years is we have been literally selling off the farm and leaving our kids with the mortgage. And it is time that that change.

Mr. NEUMANN. That is what this picture really shows. This picture shows the growing debt facing the United States of America. From 1960 to 1980, it did not grow very much. But from 1980, that is where that huge growth rate has been. Where we go to with this discussion of surpluses be-

yond the Social Security money, that is, even if we set the Social Security money aside, is still a surplus of \$150 billion. What it does is put us in a position where we can start dealing with paying back some of this debt. We can start dealing with putting the money back into the Social Security Trust Fund that has been taken out basically over the last 15 years.

It is important to note when we look at this debt picture that part of the red that we are seeing in this debt picture is the Social Security Trust Fund money that has been taken out over the last 15 years. So, as we start repaying the Federal debt, we can also put the money back into the Social Security Trust Fund.

I guess if I were to look at this surplus personally, I would say we have three major problems facing the United States of America, and my colleagues might join me in this. I think the three problems we have facing America, economically at least, are the debt of \$5½ trillion, and we ought to be making payments on the debt, much like people would make payments on their own home mortgage.

Taxes are too high in America. Americans pay \$37 out of every \$100 they earn in taxes at some form of government level today. Would it not be nice if we could get that back to where it was in 1955, say to \$25 out of every \$100 they earn?

And the third problem is the Social Security system. Because even if we are paying down debt, getting all the money into the trust fund that belongs there, we still have the long-term problem out in 2029 where, ultimately, the Social Security savings account runs out of money.

So those are three problems that need to be fixed, and the debt needs to be repaid. Taxes are too high, and they need to be brought down, and we need to restore the Social Security Trust Fund. And, of course, the gentleman is a cosponsor of a bill, the National Debt Repayment Act, that literally takes the surpluses and divides it equally amongst those three categories for purposes of paying down debt, restoring long-term Social Security and lowering taxes on Americans.

I yield to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Speaker, I want to thank the gentleman from Wisconsin for yielding, and I would suspect, and the gentleman from Minnesota here, my colleague to the east, and I would guess that their congressional districts are not very much unlike my State of South Dakota, and I represent the entire State.

But I would like to credit the gentleman from Wisconsin for the exemplary leadership he has taken on this issue. Because I think one of the reasons that we are having this discussion today is that the class that my two colleagues came in with back in 1995 got

this spending situation into control and basically injected a new discipline into the process out here, and I think that has helped propel us to where we are both in terms of the economy and what we are going to be able to do to address the debt situation.

In fact, the gentleman from Minnesota made the comment earlier that there is CBO and OMB and there is always this raging debate about whose numbers are more accurate, and I think we ought to have the Neumann rule. The Neumann law would be the one that works, because I think he has proven in the past to be the most accurate predictor of what some of these economic assumptions and what some of these budget numbers are going to be.

But let me just say, because I think it is very important to note what my colleagues are attempting to do here, and that is to put us on a path to fiscal responsibility in the future so we do not end up selling the farm out from beneath our children and grandchildren.

Many of the proposals that the gentleman from Wisconsin, I am a cosponsor of one as our friend from Minnesota, address this issue in a very systematic way and start working down debt, paying down debt, lowering taxes and again in a very systematic, disciplined and deliberate way, so that in the next 30 years we will have eliminated this.

It is a novel concept in this town to talk about spending only 99 percent of what you take in; and, ultimately, what we are going to have to do if we are going to get this under control is limit the amount the Federal Government takes in the first place. Because both my colleagues have noted that once it ends up in this town, it is going to get spent; and the only way we can avoid that is to leave the money at home and make the Federal budget smaller and the family budget bigger. And, again, I think that has been the objective of many of us here in this Congress.

It was interesting to me because, as I traveled the State of South Dakota this last week, I heard a lot about commodity prices; and there was a concern about wheat and corn. I am sure my colleagues all heard that, too, some about transportation funding, because that is important in my State, a number of issues that were brought up.

But I walked into a gas station in Aberdeen, South Dakota; and as I was going up to pay for the gas, the lady at the checkout said, "You know, Congressman, working families need lower taxes." She went on to explain that she and her husband both work. They are raising children. They are trying to educate their children. They are trying to put away a little money for retirement. And she understands full well that the way that we liberate and help

working families in this country is not by forcing more government solutions down their throat but by allowing them to keep more of what they earn so the decisions about their daily lives, the things that affect them, like education, like retirement, like health care, like child care, are decisions that they are able to make.

That again I think is the direction in which the gentleman from Wisconsin in his legislation moves this country, and that is a very positive one. Because, again, I believe it shifts power and control and authority out of this city and back home; and that is something that the liberals have a big time with.

Mr. NEUMANN. In one of my town hall meetings, and my colleague mentioned this, bring the taxes down, we had a person sitting there and he was clearly not what we would call a supporter of Mark Neumann, and he said, "We don't need lower taxes. We don't need tax cuts. We need higher paying jobs." And I am thinking to myself, higher paying jobs, is that not for more money in our take-home paycheck and is that not exactly what the tax cuts do is provide more take-home pay for those workers? But somehow they have got this ingrained message we need higher paying jobs.

Well, the facts are, the reason they need higher paying jobs is because the Government overtaxes them. If the Government would let them keep more of their own money, it effectively creates a higher paying job by letting them keep more of their own money.

That family my colleague was talking about, did he go through the tax cuts we just passed to them? How many kids do they have?

Mr. THUNE. Well, I should have. I did not ask specifically how many. But I should have walked through the things that happened last year and how she and her family are going to benefit from that.

You go across the board in my State of South Dakota, because we are basically small businesses, farmers, ranchers, and you look at the death tax and rolling that back and the capital gains tax and rolling that back and the family credit and Hope scholarship, all of these things were done with an eye toward allowing working families to have more control over their own future.

Mr. NEUMANN. Let us be very, very specific. Let us assume that this young lady that my colleague talked to at the gas station had three kids. Next year, when they figure out their taxes and their family and they get to the bottom line, they subtract off \$1,200, \$400 for each one of those children under the age of 17. That was the tax cut package that was signed into law last year. If they have some in college, they will get to the bottom line of their taxes and for a freshman or sophomore they subtract off \$1,500 to help pay for that college tuition.

I had a bunch of high school seniors out here in the last couple weeks from a couple of our different high schools around and I asked them, did you know that next year when you go to pay your college tuition your parents are going to get a \$1,500 tax credit? That is, they figure out how much they would have sent to Washington and they subtract \$1,500 off the bottom line to help pay for their college. A lot of them do not even know about it yet, but this is there and available. Juniors and seniors, it is 20 percent of the first \$5,000, or \$1,000.

My colleague mentioned the capital gains, rolling it back. Let us be very specific. The amazing thing to me in our town hall meetings, and, remember, this is not Republicans in our town hall meetings. This is Republicans, Independents, Democrats. It is Americans, which is exactly the way town hall meetings should be. They are open and publicized and everybody comes.

When I asked the question, "How many in this room own a stock, a bond, or mutual fund or participate in a 401(k) retirement plan," it is amazing. I would say it is 99 percent in those rooms. And the next thing I say is, "By the way, I hope if you invested in stocks or bonds or mutual funds you made a profit, because that is what your investment is all about and that is right."

The capital gains tax reduction that we passed last year means that if they make a profit, say they make \$100 selling some stock they own, instead of sending \$28 out of that \$100 to Washington, they send \$20. And if they are earning less than \$40,000 a year, and it is amazing again, the number of people earning less than \$40,000 a year that have also invested in stocks and bonds, if they are earning less than \$40,000 a year, instead of sending Washington \$15 out of the \$100 they made, they only send them \$10.

So these capital gains, I like to put it in real family perspective. Let me bring a Janesville family in since we talked about a South Dakota family. They have got two kids at home and a freshman in college. This family, when they go to do their taxes next year, they subtract off \$400 for each one of the kids that are still home and \$1,500 for the college freshman. That is a total of \$2,300 that they keep in their home, in their family, instead of sending it to Washington.

I always like to ask the next question. The next question I always ask them is, "So who do you suppose could spend this money better, us out here in Washington or you in your family in your own home?" And there is just a chuckle around the room because we all know the answer to that question.

Mr. GUTKNECHT. I think sometimes we have to remind ourselves, and I know that my colleague was back in South Dakota and was probably watching some of the debates when we first

got into this fight about balancing the budget and allowing families to keep more of their own money while we were trying to save Medicare and a lot of the critics and cynics on the other side said, first of all, you cannot do it. You cannot balance the budget. You certainly cannot balance the budget and provide tax relief. And, above all, you cannot balance the budget, provide tax relief, and save Medicare.

Then sometimes the cynics said, well, if you give these tax cuts it will only benefit the wealthy and particularly as it relates to capital gains. I mean, that was the argument. I am sure my colleague heard it. There were ads run. There was almost hysteria around this town that if you provide capital gains tax relief, it will not do much for the economy but it will help the wealthy.

Well, we did not pay attention to the cynics. We did not pay attention to the critics. We had to ignore them. And, ultimately, what happened? Well, we are balancing the budget. We have the healthiest economy we have seen in 30 years, the lowest unemployment rate.

And perhaps the best news of all, partly because of our welfare reform, and I know the governor in Wisconsin has probably done more than almost any other governor, we have done a good job in Minnesota, and I think they have done a good job in South Dakota as well. But nationally, when we passed welfare reform and sent a lot of the decision-making back to the States and all that we did was require work, personal responsibility and encourage families to stay together, that was welfare reform. We block granted it. We ended the Federal entitlement, which existed for 60 years.

And a lot of the critics and cynics on the other side said, "You are going to pull the rug out from these people. People will starve. People will be thrown out in the streets."

Well, let us look at the facts. Let us look at what has happened. 2.2 million American families have moved off of welfare roles and onto payrolls.

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I will tell the gentleman a story from my district. I was meeting with some teachers. After school, we talked about Title 1, and we talked about some educational programs.

Finally, one of the teachers said, you know, of all of the things you guys have done since you went to Washington, I think the most important is this welfare reform. I said, really. Tell me about that.

She said, well, let me tell you about one of my students. Let us call him Johnny. All of a sudden, Johnny started to behave better. He had a better attitude. He was a better student. He even carried himself better. Finally, she said, I asked Johnny, is there something different at your house? Johnny said, yeah, my dad got a job.

We forget sometimes, those of us who have had at least one job since we were 15 years old, that a job is more than the way we earn our living. A job helps improve and affect our entire life, and it affects everybody in the family.

Through a stronger economy, by lowering capital gains tax rates, by allowing families to keep more of what they earn, by encouraging work and personal responsibility, the great news is, not only have we saved money, but we have saved people. We have saved families. We have saved kids from one more generation of dependency and despair.

Mr. Speaker, I yield back to my friend from Wisconsin.

Mr. NEUMANN. Mr. Speaker, a very exciting thing. When I was in our district and I toured one of the centers where they help people leave the welfare and get into the workforce, they did not talk to those families about the first job or only the first job they were going to get. At this work center, they talked to them about the first job and showed them how, if they were successful at the first job, they could have a second job, and how then there was a promotion waiting. They literally went to the fourth job for these families that were leaving welfare.

If citizens stay on welfare, they are destined to receive only what the government decides to give them. But if they go into the workforce, they have the opportunity to receive a job promotion and create a better life for themselves and their family. That is what welfare reform is all about. That is the exciting thing in welfare reform.

Mr. THUNE. Mr. Speaker, if the gentleman would yield, I would also add, and I think, again, it is something that my colleagues all were responsible for doing when they came here back in 1995 to reform the welfare system. But it started with a principle, and that is that the welfare program ought not to be measured, its success ought not to be measured by how many people we get on welfare but how many people we get off. And that is a value. Hard work is a value and personal responsibility. That translates into a public policy which has produced the exact results that we thought it would.

I think that is a great tribute to the work that my colleagues did when they got here. Of course, we in 1996 and 1997 and following, we were able to join them and continue down that road.

I think, in many respects, if we look at the success in the economy, and there has been a lot of talk about who should get credit for the booming economy. The President says it was his budget. It was his 1993 budget which, of course, included \$250 billion in tax increases which I have a hard time thinking have a lot to do with an economic recovery.

Since the Republicans took control, since this majority took over in 1995 and we made some of the tough deci-

sions on fiscal policy and getting our fiscal house in order, the markets have recognized that. We look at what the markets have done. But before the election in 1994, the DOW was at about 3800 points; today, it is over 9000.

So to suggest for a moment that that was all a result of the 1993 tax increase I think begs the question. The question is: What about all the hard work that was done by this Congress when they came in, made those hard fiscal choices, which the markets recognize, interest rates started coming down? And the general attitude in this town, for a change, was, we are going to do what we can to lower the tax burden so people can make investments, keep more of what they earn. That unleashed a whole new round of investment. We are seeing the renaissance of a lot of that decision making.

I think, frankly, in fairness, we need to give credit where credit is due. Those of us who joined this Congress back in 1995 deserve a great deal of credit.

Mr. NEUMANN. Mr. Speaker, reclaiming my time, I think what the gentleman talks about, and I showed this chart earlier this evening, but when he talks about what happened, and they said the 1993 tax increase somehow solved this problem. This is in 1995, 2 years after the tax increase, where the deficit was going when we got here. This is the President's budget proposal in April of 1995. This is where the deficit was going.

It is not the tax increase that solved the problem. It was a combination of a strong economy coupled with controlled Washington spending, getting the growth rate of Washington spending under control.

The yellow line is our first 12 months here, the green line is what we hope to do, and the blue line, reaching balanced budget 4 years ahead of schedule, is what has actually happened.

Mr. GUTKNECHT. Mr. Speaker, if the gentleman would yield, the truth of the matter is the facts speak very loudly. In fact, I often quote John Adams, one of the people who helped write our Constitution. He said, facts are stubborn things, and the facts are overwhelming. That is that if tax increases alone would have balanced the budget, we would have had a huge surplus long ago.

As the gentleman indicated earlier, when Washington gets its hands on the money, the history has always been that it spends it. Not only does it spend it, but let me give my colleagues one more statistic that people forget.

On the last 30 years, on average, for every dollar that Congress took in, it spent an average of \$1.22. Since we took control, since the Republicans took control of this Congress, that number is down to a \$1.01. I think, with this budget, it will actually be about 99 cents. If that is not a clear-cut difference, I do not know what is.

Mr. NEUMANN. Mr. Speaker, reclaiming my time, I think the other thing that needs to be kept in mind here, from 1969 to today, we have had other strong economies but never got a balanced budget. Lord only knows, we have had more than enough tax increases between 1969 and today. That is how we have got the high tax rates we have got today.

Neither the tax increases nor the strong economy, by themselves, have led us to a balanced budget. It has been the controlling of Washington spending coupled with that.

We talked about some solutions here like welfare and getting us to a balanced budget. I want to drop back to Social Security for a minute because, long term, we still have this Social Security problem that, even if we get the money in the Social Security Trust Fund by passing the Social Security Preservation Act, in the year 2029, they still run out of money. The Social Security Preservation Act solves it from 2012 to 2029.

I would like to, just for a minute, focus on some of the discussion that is going on here. I found when I was talking to the American people and I said Democrat Senator PATRICK MOYNIHAN has a plan on the table, everybody knew who Democratic Senator PATRICK MOYNIHAN was. They had very little knowledge of what his plan was, other than he was a person who usually worked with seniors.

I think it is important, and let me be very specific about this, I do not support this plan, but I think it is important that the American people understand what it is that Democrat Senator PATRICK MOYNIHAN is proposing, because it is the number one plan in terms of solves Social Security. It goes back to the old ways.

Here is what it does. It first lowers the cost of living adjustments to senior citizens by 1 percent. I found all our seniors in our town hall meeting knew what the cost of living adjustments were. The plan lowers cost of living adjustments by 1 percent.

It increases the retirement age from 67 to 70. It raises the taxes on Social Security benefits. And here is how he does this in the plan. He looks at how much is paid into Social Security over the years. Anything we get out over and above that amount is 100 percent taxable.

So it is a monumental tax increase on our seniors. It lowers the benefits being paid to our seniors up front by recomputing the number of years from which we base our initial payment.

The part that he is getting a lot of support for, and even some of my conservative friends are supporting him, because it takes the 12.4 percent Social Security tax that is being paid today and it lowers it to 10.4. That is where the support is coming from.

A lot of people are seeing that reduction from 12.4 to 10.4 as something that

is good. His idea is that, if people get that extra 2 percent in their pocket, they can put it away and take care of themselves in their own retirement.

That sounds very good, but we need to understand that, if that happens, we no longer have solvency past the year 2012, and the system is now bankrupt in the year 2012. So I do not support this plan. But I think it is important that the American people have the opportunity to understand what is in the plan.

I would like to give my colleagues some modern thinking. This new Congress that has come out here and solved Medicare without raising the taxes by looking at things like diabetes and realizing that it was much cheaper and much better for our senior citizens to provide preventive care than it was to wait until a senior citizen got very sick because of diabetes, solving Medicare problems with common sense solutions that did not just throw money at the problem.

There is a proposal out here right now, and I am not 100 percent ready to say I support it, but let me just go through the proposal because it is so different than anything else that has been talked about in terms of solving the Social Security problem.

Here is what the proposal does. It says, first, we are going to set aside the money that is coming in for Social Security today. So we take that extra money that is coming in, we put it in a savings account. We solve the short-term problem in Social Security immediately by putting that money away.

We then look at surpluses over and above that amount of money for Social Security. So Social Security goes on just exactly as it is today. We look at surpluses above that amount that is coming in. We take those surpluses, and we take part of the surplus, and we give it to each American over the age of 18.

Every American is getting their share of it over the age of 18, seniors and nonseniors. The catch here is that, if they are under 65, they get their share of the surplus in the form of a check to a 401(k) type savings account. The only stipulation, it is their money, they decide where they invest it, they can put it in a stock or bond or mutual fund or CD, where they invest it is their decision, but the only stipulation is they cannot take the money out until they reach age 65.

So we look at the surpluses over and above Social Security. We divide a part of those surpluses amongst all Americans over the age of 18. If citizens are under 65, they get a check. The check goes to their 401(k) plan. The only stipulation is they cannot take the money out until they retire.

What if they are over 65? If they are over 65, they simply get their share of the surplus in the form of a check. Because, of course, if they are over 65, it

would not make sense to set up this 401(k).

Even though it is completely separate from Social Security, here is how that helped solved the long-term Social Security problems. For seniors today or for younger people when they reach 65 and start drawing on this account, half of whatever they get counts back against what they would have gotten in Social Security, and the other half is simply theirs to keep.

Again, the idea here is we look at surpluses over and above the Social Security surplus. We divide it up amongst the American people.

I talked to my brother about this, and he says, you know, Mark, my company is doing really well. We have a pension and profit-sharing plan. This is sort of like America is doing real well right now. If America is doing real well, I mentioned before, that within 3 or 4 years even, setting Social Security aside, we could look at surpluses of \$150 billion.

Let me translate that. \$150 billion is roughly \$600 for every person over the age of 18. So that \$600 check, or part of that check, depending on how much we allocate to Social Security, would simply go into that 401(k) plan on behalf of everybody under the age of 16 or directly to the senior citizens for those that are over 65.

Again, half of whatever they get, either when they start drawing it at 65 or half of that check that they are getting today if they are over 65, counts back to that Social Security. That is how we solve the long-term Social Security problems.

When we look at that next to the idea of cutting the cost of living adjustment or raising taxes on seniors, these ideas are common-sense, straightforward, business-sector solutions to a very difficult problem. It is done without raising taxes on the American people.

Mr. THUNE. Mr. Speaker, if the gentleman would yield, I did a lot of talking about that very proposal just to get a feedback and reaction from the people of South Dakota as to what they thought about that. Because, as the gentleman noted, we have to do something to address this very serious problem in the years as we get down the road. Today, obviously, the gentleman has laid out a plan which would protect us, but, ultimately, we have to do something that is consistent with a couple of principles which he mentioned.

First of all, we have to save this system. There are so many people. In my State of South Dakota, for example, we have an elderly population very dependent upon it. And to make the basic statement that they will be protected, the safety net is there, they will continue to receive Social Security benefits as they are today and then even perhaps, in addition to that, with respect to whatever the surplus check

might be, but that we do not touch that aspect of it.

But what we allow is we say the surplus that comes into Washington, rather than allowing Washington to spend it, because, once it comes in here, as we mentioned earlier, somehow Washington will find a way to spend it, that the only way that is consistent with our values, and that is allowing more people in this country to keep more of what they earn, to make decisions about their future, to put it in a retirement account, a Social Security plus account that will accumulate, get the benefit of compound interest, and, over time, we would dramatically increase the amount of retirement income that people who are paying in today would receive.

Again, I think, ultimately, that is something that merits serious consideration. The gentleman said it is a proposal. It is something that has been laid out there. But when we compare it with the alternative, the Democrat alternative, which is a tax increase on seniors, clearly this is something which not only protects people who are currently on the program but allows us to harness the surplus dollars that are going to come in and put them to work for the people of this country.

Mr. NEUMANN. Mr. Speaker, there are two other benefits that I would like to point out in this plan.

If there is a 20-year-old today and he started putting money into this plan and his account grew and at age 45, for whatever reason, something happened, he is married, he has got a couple kids, and he dies, whatever money is in that account is passed on to his spouse or his kids. It is his money. It does not go anywhere else. It is his money. It would literally be passed on to his spouse.

The other wonderful thing in this plan, as far as I can see, is that it makes each and every American citizen tied into helping us control Washington spending. Because, as both of my colleagues have mentioned, if this spending goes back out of control like it was when we got here, there are not going to be any surpluses.

The key here is keeping that spending under control. If every American citizen is getting a piece of that surplus, like my brother says, pension and profit sharing, if every American citizen is tied into that surplus, we will quickly get their support to help us keep Washington spending under control.

To me, that is what government should be all about. It should be all about the American people being actively involved in the decisions we make. They will provide the impetus necessary for us to keep this spending under control.

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Mr. GUTKNECHT. I really think that for many years we labored under some

unwritten law, if you will, that no good deed goes unpunished. If you worked you were punished, if you saved you were punished, if you invested you were punished, if you grew a business and hired people, you were punished.

In fact, even in the Medicare system those areas, regions of the country, and I think we all come from areas where we have had relatively low health care costs, as a result, in terms of the Medicare reimbursement schedule we were punished. And that was really the unwritten rule of Washington, and what we are trying to do is change that and try to reverse some of those perverse incentives.

And if we do that I think that long term, and as you say, if we can come up with a Medicare system and a Social Security system which uses market principles and the doctrine of enlightened self-interest to get more people to feel as if they are stakeholders in the system, in the long run we will have a better system which provides more value to consumers or to Social Security people, recipients of Medicare treatments, whatever. And that is what we are really trying to do, is reverse those age-old perverse incentives which have been created here in Washington.

Mr. NEUMANN. I think at this point if we could, we have been talking a lot about these economic problems and the solutions, and I think we have hit on the three economic problems facing America.

We must restore the Social Security system. Our seniors have a right to get up in the morning knowing their Social Security is safe.

We need to pay down the Federal debt. Our children deserve to inherit a debt free Nation and reduce the tax burden on American workers.

I would like to jump over to the social side for just a minute, and I would like to talk about a couple issues over on the social side and I would like to start with education, because we recently received a report that tells us that our kids are number 21 in the world in education. And I want to talk about a vision for our Nation's future that does not bring us back to the top 10, I want to talk about a vision for America that brings our kids back to number 1 in the world, and I think that should be our target. Not back into the top 10 in the world; I want our kids to be the best educated kids in the entire world, and that should be our goal.

But you know where we get into conflict here, and we are hearing this in the news today, we get into this conflict that somehow the right way to get education problems solved is for Washington to come running into the picture and Washington to develop new spending programs. Washington is going to hire new teachers and Washington is going to build new schools.

What that means is Washington is taking control of the education sys-

tem, and I think that is exactly what has led us to number 21 in the world. If we want to turn the education system around, the right answer is to get the parents back involved in the education process of their kids.

Parents should be choosing where their kids are going to school, what their kids are learning and how it is going to be taught. If we really want to solve the education problems facing the United States of America, we need to re-empower our parents to be actively involved in where the kids go to school, what they are taught and how it is taught.

There is a side benefit, and this came out in a study that was recently published out here. They looked at 12,000 teenagers across America, this was in the Washington Times, I believe it was April 10, but they looked at 12,000 teenagers across America. And as you might expect, if you look at 12,000 teenagers you find some with crime, you got drug problems, you got teen pregnancy, you got teen smoking, you got all the social problems that we hear about Washington trying to solve.

But when they looked at this study of 12,000 teenagers and they looked at crime, they found the number one predictor of whether a student or a teenager was going to be involved in crime was parental involvement with the child. They found the number one predictor of whether a student was going to be involved in drugs was the parental involvement in that teenager's life. Teen pregnancy, same thing. The number one predictor of whether or not a teenager was going to be involved with teen pregnancy: parental involvement and the like. Teen smoking, same thing.

So when you really look at this and when we think about these concepts that we are talking about here tonight, getting education back up to number one in the world, how do you do that? You get the parents back involved in the decision-making process in education. The outcome will solve a lot of other problems that Washington thinks the right answer is throwing money at. The right answer is not throwing money at it; the right answer is getting parents back involved in the lives of the kids.

And I do not think Washington should mandate that parents have to spend 2 hours a day with their kids, although it might not be a bad idea. That is not what I think we should do. But what I do think we should do is relate this to the other side of this discussion we have had.

When the tax rate went from \$25 out of every \$100 that people earned to \$37 out of every \$100 people earned, that meant in many cases the parent was going to be forced to take a second and even a third job, and when the parents are working at that second and third job, that means that when they get

home they are either too tired or there is no time to spend with those kids. So when we talk about reducing the tax rate on American workers, what we are really talking about here is getting it back to a point where the families do not have to take that second job, so at least we empower the parents to have the opportunity to be more actively involved with their teenagers so that those teenagers are less likely to be involved in drugs, crimes, teen pregnancy, teen smoking, lots of the other social ills facing America.

That is how this whole vision for America ties together. If we can get the tax rate down, empower the parents to at least have the opportunity to make the decision to get back in their kids' lives, we will see a lot of other solutions.

I want to give a very specific example, and this is a case I am very familiar with. It is about good friends of ours. Christmas time comes in this family, and they are a middle income family, it is a true story. They live from paycheck to paycheck, but they are a middle income family. When Christmas comes, the mother in the house takes a second job. You know why she takes a second job? Because that is how they pay for their Christmas presents.

Now just think about a different picture for a minute. Instead of this mother leaving her home and leaving her family at this most important time of the year, instead of doing that, if we could bring this tax rate down so they could just keep that extra \$12 out of every hundred they earn in their home in the first place, that mother does not have to take that job. It is a second job in this case. She does not have to take the second job, and when she does not take the second job, she has more time available to spend with the kids.

More time available with the kids on the part of a parent is the single most important factor in determining whether we will have crime problems, drug problems, teen pregnancy, teen smoking, all of these things that we here in Washington somehow think that we here in Washington can solve. It is baloney. The way to solve these problems is get the parents and empower the parents to be actively involved in their kids' lives. It is the most important thing that we can do, and it is how the economic discussion ties directly into the social problems facing America today.

Mr. THUNE. If the gentleman will yield on that, you made one comment there which I think is really very much on the mark. You know our children need a learning environment that is safe and drug-free, and we are losing the war on drugs in America today, and we are not seeing leadership in trying to snuff that out. And we need to have leadership at the presidential level, at the congressional level, at the commu-

nity level, at the schools, in the families and the churches to address what has become a very, very serious issue.

And again a case in point in my home State of South Dakota, and we have often thought that we are somewhat immune from a lot of these problems that you see in bigger cities. But the fact of the matter is that a lot of the small communities across South Dakota are having to come to grips with the fact that drugs are not only accessible, they are readily available, and that kids are regularly using them.

And there is a small town for which just recently the survey was done and of the high school kids, 28 percent, almost a third, said they used drugs more than 4 times a month. That is a staggering statistic in South Dakota and certainly across this Nation. We have a very serious problem that we need to eradicate.

And frankly again it is not going to be, I do not think necessarily a bill that we pass, but it is going to take leadership that we all have to be a part of in community antidrug coalitions and school-based programs and really going after this in the same way that we have common enemies in the past. Because in my view it is a very, very serious insidious threat to the future of our country, to the future of our young people, and something that we are not attacking head-on and we need to, and it starts at the top.

Mr. NEUMANN. Reclaiming my time, and I would just go back to this survey, and I would keep going back to what the survey found: The single most important determining factor in whether or not a teenager is going to be involved with drugs is the involvement of the parent in the teenager's life. The right answers to these problems are empowering our parents. That is our role. Get us out of their way so they are not sending all their money out here in taxes, they do not have to take that second job; get out of the way so the parents can spend more time with their kids.

And, I mean, I am not naive enough to think that all of a sudden we lower taxes, parents spend more time with kids and all the problems go away. I mean, I am not that naive. But when you start looking at how you actually go about turning around a Nation that has been headed in the wrong direction, certainly parental involvement in the kids' lives ought to be our top priority.

And one more thing on this social side that I think is very important. Five years ago we did not even know about this topic, but we know as a Nation about it today. It is partial-birth abortions. And if you start looking at America and where we are today and where we are going to, if we turn our back on this issue, I do not see how we can solve the rest of the social issues facing our Nation.

A partial-birth abortion is a third trimester, seventh, eighth or ninth

month abortion where the baby is literally partially delivered and then at the last second the baby is killed. I just do not understand how we as a Nation can go on allowing this to happen now that we know about it. Frankly, when I was elected I did not know what it was, but I know now. And when you start looking at these social ills facing America, I think we have to accept that that is part of the problem facing our country, and I think we need to end it.

I have got about a minute and a half left, and I would just like to kind of sum up this kind of vision for where we are going to. If you like, a Republican vision for the future of this great Nation that we live in. How are we going to go about restoring this Nation?

Let me go through on the economic side first very quickly. Restore the Social Security system so our seniors can get up in the morning knowing their Social Security is safe. I think every senior is entitled to that. The debt. Our children deserve a debt-free Nation, so let us start making payments on the debt much like you would repay a home mortgage. Taxes are too high on our families all across America, so let us get that tax rate back down from \$37 dollars out of every \$100, at least down to \$25 out of every \$100 that American workers work so hard to earn.

On the social side, let us get education, let us make that our top priority. Let us get education back up to number one in the world, and do this by involving the parents and giving parents the opportunity to choose where their kids go to school, what it is they are taught and how they are taught it. And when the parents get involved in the kids' lives, making those decisions about education, the automatic outcome is that extra parental involvement in the kid's life, that leads to lower crime rates, fewer drug problems, fewer teen pregnancies and less teen smoking.

This is the right direction to move America, and while we are done with this, let us make sure we end partial-birth abortions. And let us then pass this vision on to the next generation and this great Nation we live in.

Mr. GUTKNECHT. If the gentleman will yield, finally what you are really saying is what Vaclav Havel, the first freely elected Prime Minister of Czechoslovakia, said shortly after he was elected. He said in the end all politics is moral.

Balancing the budget, saving Medicare, saving Social Security and stopping partial-birth abortions in many respects are all about regaining some of that high moral ground, and if you ask Americans what is really wrong in this country, they will many times say it is the unraveling of the moral fabric of this country. And so all of the things we have talked about tonight really, at the end of the day, are about morality.

THE TOBACCO AGREEMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, tonight I want to talk about the tobacco agreement, which of course has been much in the news lately, particularly during the last 2 weeks when Congress was not in session.

As everyone knows I think by now, during the congressional recess the tobacco companies pulled out of the agreement and have essentially refused to do any future negotiation at this point on the agreement. And I think the reason they did that is because they did not like the looks of what was developing here in Congress, and basically have declared war on all legislation that does not have their blessing.

In his April 8 announcement that his company was pulling out of the agreement, RJR Nabisco CEO Stephen F. Goldstone declared, and I quote, that the legislative process as far as tobacco is concerned is broken beyond repair.

Well, Mr. Speaker, I think this declaration is wrong and it is also rather arrogant. Congress does not need and I do not believe will wait for the tobacco industry to pass legislation to protect our children. Even the Republicans I think would agree with me on that.

But what the Republicans cannot agree on and I am particularly talking about the Republican leadership, is what form tobacco legislation should take here in Congress, and particularly in the House. Big tobacco dollars have produced a fissure in the Republican Party on how to approach tobacco legislation.

Senator JOHN MCCAIN, as I think many of us know, authored legislation that was approved recently by the Senate Commerce Committee by a 19 to 1 vote, very lopsided. The Senator's bill, while not as strong as measures that are being pushed by Democrats here in the House and also in the Senate, is at least a step in the right direction, and I want to commend him for that.

Among other things his bill generates \$516 billion from the tobacco industry over 25 years, and it would raise the price of cigarettes by \$1.10 over 5 years, strengthen Federal regulation of tobacco products, and impose penalties on the tobacco companies if teen smoking rates do not decline in the coming years. And this is bitterly, this legislation by Senator MCCAIN is bitterly opposed by the tobacco industry, and after a lot of twisting, turning and flip-flopping has also been now opposed by Speaker GINGRICH as well.

□ 2000

Yesterday's New York Times, I thought, was very interesting in recounting Speaker GINGRICH's history

on tobacco since the GOP took control of the House of Representatives in 1994. The Speaker's comments on tobacco reported in the Times, the Times said in its editorial that the Speaker has been "a model of inconsistency."

I just want to read from the article that was in the New York Times, because I think it clearly illustrates whose side Speaker GINGRICH is on.

"Shortly after Republicans won control of Congress in 1994," the article says, "Mr. GINGRICH announced that his party would end an investigation of the tobacco industry that had begun under the Democrats. Mr. GINGRICH called David A. Kessler, then Commissioner of the Food and Drug Administration and the leading spokesman of the antismoking forces, a thug and a bully." This is what the Speaker said about Mr. Kessler.

I would like to point out that since that time, a steady stream of documents concerning the marketing of cigarettes towards children and the deliberate manipulation of nicotine have been flowing from the tobacco industry. The recent release of 39,000 documents in the Minnesota case will surely bring more disturbing revelations.

A lot of this has come up in the Committee on Commerce that I am a member of, and it has been reported on a bipartisan basis. So the notion that Mr. Kessler was wrong in being critical of the tobacco industry, I think, now has been totally repudiated. Clearly, Mr. Kessler was right, and there is no question that the industry was targeting children and deliberately manipulating both its marketing as well as the statements it was making about nicotine and the negative aspects of nicotine.

Continuing again in yesterday's New York Times article, it reports that early this year, after a 2-day Republican Party retreat, Mr. GINGRICH would say nothing about his position on tobacco legislation except that reducing teenage smoking was important and that lawmakers needed to be careful to avoid a contraband market in cigarettes. But a few weeks later, Mr. GINGRICH said there was no sentiment for in any way eliciting favorably to the tobacco companies.

Then, as we go on with Mr. GINGRICH's flip-flopping and changing his position, in a speech to the American Medical Association about a month ago, this was before our Congressional recess, he called for tough and sweeping tobacco legislation. In March, the Washington Post reported that Mr. GINGRICH had warned tobacco lobbyists that he would not allow Democrats "to get to the left of me on tobacco legislation."

Now, of course, this past weekend, most recently, the Speaker completely reversed himself again. In words that could have been scripted by the tobacco companies themselves, Mr. GINGRICH stated that the McCain bill was "a

very liberal, big government, big bureaucracy bill."

Mr. GINGRICH, who apparently is unaware that the bill was approved by the Senate Committee on Commerce by a 19 to 1 vote, also commented that the bill would be very hard to get through Congress.

Well, the only reason it is going to be very hard to get through Congress is because he and the other Republicans in the leadership will not allow it to get through, because, obviously, the Members on the Senate Commerce Committee overwhelmingly voted for the bill.

I yield to my colleague from Texas (Mr. DOGGETT). I would like to point out that my colleague has been in the forefront on this issue, particularly with regard to the all-important issue of not allowing the tobacco companies to start marketing overseas to children.

I am very afraid, as I know the gentleman is, that even when we pass legislation to stop teenage smoking or cut back on it, that if we do not do something in that legislation about marketing overseas, they will simply expand their operations overseas. I want to commend the gentleman.

Mr. DOGGETT. That is a concern. They wanted to give Joe Camel a passport. They have already given him one really and taken him around to addict other people's children on nicotine, just as these nicotine peddlers have addicted our children in too many cases across America.

I would reflect on some of the points the gentleman just made. I think this is important to put this in an important historical setting, and to recognize that experts that we turn to now, experts that were appointed, indeed, by Republican Presidents like Mr. Kessler, Dr. Kessler, in fact, now up at Yale, we turned to him for expertise on these subjects. A person that Speaker GINGRICH labeled a thug; as you referenced, the kind of rhetoric that unfortunately has too often characterized debates in this House.

To now suggest, and I read the same article about his comments, that the approach that the Republicans, I believe all of the Republicans on the Senate Committee on Commerce endorsed, was too liberal, is an indication of how really extreme and controlled by the tobacco lobby the leadership of this House is.

I know the gentleman from New Jersey shares my view that what we need with reference to tobacco is a genuinely conservative approach. We need to place the emphasis on conserving the health of our children, and the rejection of what is really a fairly modest step by the Senate Committee on Commerce, a step that leaves many deficiencies, as has been pointed out with reference to international tobacco, with reference to many other issues.

I think the House could improve on the steps that are important, but lacking, that Senator MCCAIN has taken, to simply condemn them and the work of Republicans and Democrats alike as too liberal, and say we need a conservative approach. While I agree with the conservative part, but the only thing liberal I have seen in this bill is the way the tobacco companies have liberally circulated campaign contributions all around this Capitol.

In fact, the gentleman from New Jersey will remember when I first got here, we had Republican leadership people passing out checks from the tobacco companies right here on this floor in such a grievous offense of the dignity of this House that they had to finally come back and pass a rule to keep themselves from doing this kind of errand running for the tobacco industry.

So I think that as important as it is to ask the tobacco companies to voluntarily restrict their advertising, so much of this is linked to the campaign finance problems that the gentleman from New Jersey and I have worked on also, and knowing that if the tobacco companies would voluntarily restrict their campaign contributions, we probably would not need to be here tonight. We would not have 3,000 children tomorrow in America becoming addicted to nicotine because of the failure to act on restrictions with regard to tobacco. Rather, we could be moving on to other issues.

Does not the gentleman from New Jersey, indeed, feel that this whole issue of tobacco is just another part of our effort to put families and children first in America like with child care and education? That this is a leading public health menace to our children, and that that is the center of this debate, rather than putting these labels on it?

Mr. PALLONE. I absolutely agree. Not that we like to throw around statistics, but there were some very good statistics that were put out by the Campaign for Tobacco-Free Kids about tobacco use among youth. If I could just mention them to give us an idea, right now, this is a very detailed survey they did that showed that 4.1 million kids age 12 to 17 are current smokers, and that smoking among high school seniors is at a 19-year high, 36.9 percent.

Since 1991, past-month smoking has increased by 35 percent among eighth graders and 43 percent among tenth graders. Basically, more than 5 million children under the age of 18 alive today will die from smoking-related disease unless current rates are reversed.

This is an epidemic getting bigger. I think a lot of people think youth smoking has gone down. It hasn't. It has actually increased.

Not too much more here, but 45 percent of white high school boys report

past-month use of tobacco; 20 percent of boys in grades 9 through 12 report past-month smokeless tobacco. Smoking by African-American high school boys increased from 14.1 percent in 1991 to 27.8 percent in 1995. Of course, we know that almost 90 percent of adult smokers begin at or before age 18. So if they start before they are 18, then they are basically the smokers who become the adult smokers of tomorrow. So this is something that has to be addressed.

Mr. DOGGETT. I know the gentleman is aware, after years of denying, I think really flat out lying about their attempts to hook children, we now know through the documents that the judges are forcing these tobacco companies to reveal to the public, after they get every big bucks lawyer in the country to go to every court of appeal and do everything they can to keep those documents secret, the documents are finally becoming to come out to show, as we found out in the State of Texas, they are targeting kids in elementary school to try to find out what would be the most effective way to hook them to nicotine. And once hooked, like to any other dangerous lethal drugs, many of these children are unable to leave the nicotine habit, and that has a tremendous effect on, really, as the gentleman described it, a public health epidemic in this country.

Mr. PALLONE. There is also a direct relationship between the amount of advertising that the company does and the percentage of the youth market that they end up with. Again, from the Campaign for Tobacco-Free Kids, 86 percent of kids who smoke prefer Marlboro, Camel and Newport, which are the three most heavily advertised brands, and Marlboro, the most heavily advertised, constitutes almost 60 percent of the youth market, but about 25 percent of the adult market.

So there is no question that this advertising is causing kids to smoke, and that there is a direct benefit from the advertising.

Mr. DOGGETT. Well, I think we know the tobacco companies would not be throwing their money away on advertising if it did not work to bring in more smokers, young smokers, to take the place of the many Americans who have died prematurely from smoking-related diseases of many types.

Just as the tobacco companies know that their campaign contributions are not being wasted, they would not be making these campaign contributions frivolously. I am sure in your history you were giving to put in perspective this now refusal to move forward in the House on reasonable public health measures to protect our children, you are probably going to cover what happened just last year when two tobacco companies were the Number 1 and the Number 2 soft money contributors to the Republican Party, and then right after they set their record of contribu-

tions, the next month, along comes this secret \$50 billion tax break.

We, in a way, have already begun to take up the tobacco settlement issues. It is just that Speaker GINGRICH and the Republican leadership thought the first issue that ought to come up was not protecting our children, but protecting the tobacco companies by giving them a \$50 billion tax break, which when it became public, they were so ashamed of, they snuck out here and repealed it last year, as you will recall.

Mr. PALLONE. One of the biggest concerns I have, and, again, I started tonight as you did saying at least Senator MCCAIN is moving in the right direction, but the liability issue is a great concern. If you look at the original proposal that the tobacco companies put forward, they had basically eliminated most of their liability.

The McCain bill doesn't go far enough, I think, and is still basically excluding them from a lot of liability. I am very concerned about a settlement that goes too far in that direction.

Mr. DOGGETT. I certainly share that concern. I believe that is one of the areas that we could make significant improvements on the work that the bipartisan group there in the Senate has begun. They have begun the work; they have moved in the right direction, but they haven't done quite enough to protect the public health of our children.

To say to an industry in this country, of all the industries that we could turn to and give some kind of special protection and say we won't hold them accountable, we will not hold them personally responsible for their deviousness, for their criminal misconduct, to say that, as is suggested by this limitation on their civil liability for these malicious acts that they have engaged in, would be to reward them for decades of abuse in creating the largest cause of preventable death in America today. And what would that say to other industries? That the worse you are, the more legal protection the Congress of the United States is going to give out?

I think it would be a signal far beyond this tobacco industry's misconduct that could have untold consequences in other areas of our life here in America.

Mr. PALLONE. The gentleman has already said it, but to repeat it again, clearly what happened here politically is that Senator MCCAIN, who is a Republican, put forth a real effort to try to move something that he felt could be adopted in the Senate and ultimately in the House, too, I think, on a bipartisan basis. That happened, of course, just before our recess.

The Speaker, Speaker GINGRICH, obviously was very scared by that, because it showed that there was support within his own party for moving legislation that the tobacco industry did

not want. So I think what we saw last weekend was his effort to say, look, tobacco, I am not going to let this happen. I am going to put a stop to it. You keep having that money flow to us, and this Republican Party is not going to allow this type of legislation to move forward.

That is what we face now, and I think that is what we are going to face for the rest of the year from this Republican leadership, unless we force their hand.

Mr. DOGGETT. I think that is right. He affirmed the same viewpoint to reflect back on his early tenure in the office of Speaker that the gentleman referred to out of the article at the beginning of his remarks, when he put a stop. We could have been moving on this and obtained some of this information months ago. Thousands of deaths ago we could have acted on this measure. But the Speaker put a stop to the investigation that was going on in the House Committee on Commerce of the misconduct of the tobacco industry.

Had it not been for vigorous action in the private sector to point out the abuse and misconduct of the tobacco industry, we would not be to this point.

□ 2015

Now it is a question of whether the Speaker can be a continued roadblock. He has been successful. I will have to give him credit where credit is due. He has managed to destroy thus far our efforts to reform the campaign finance system, blocking it in a most devious form. But whether the American people will tolerate that remains to be seen. We have our discharge petition moving along on campaign finance.

Now to add to that insult further injury by permitting the Republican leadership to block us from moving forward to deal with the problems that our young people face here and abroad with reference to nicotine addiction would be a terrible wrong. I think it is a wrong clearly that that overwhelming vote in the Senate Committee on Commerce indicates that Members, Republican and Democrat in that body, will not tolerate.

I think if the American people hear about this enough, they are going to be speaking about it to their Members, Republican and Democrat alike, saying, you cannot go home without addressing the number one public health epidemic in America today for our young people, and that is nicotine addiction, and the fact that 3,000 new addicts will be added to the rolls every day until we are able to address this problem of youth smoking.

Mr. PALLONE. I agree. I wanted to point out, and I do not know that it needs to be pointed out, but as the gentleman knows because he has been at the meetings, the Democratic Caucus has put forward legislation. We spent about 6 months, I think, having our

own hearings and meeting with people in our tobacco working group that the gentleman from California (Mr. VIC FAZIO), the chairman of our Democratic Caucus, put together, and both the gentleman and I were at many of those meetings.

The gentleman from California (Mr. FAZIO) has introduced legislation, with a lot of cosponsors on the Democratic side, and I know I am one of the cosponsors, that does not include any liability caps for the tobacco industry. It is called the Healthy Kids Act.

The legislation also calls for higher cigarette prices than the McCain bill, and of course one aspect of that that the gentleman and I have talked about a lot is some kind of limitation on the international activity of tobacco companies.

The Healthy Kids Act, the Democratic bill, includes a ban on the promotion of U.S. tobacco products abroad, and it would also require warning labels on all exported tobacco products, and fully fund international tobacco control efforts.

I cannot emphasize how important I consider control of international tobacco operations to be. I know the gentleman has introduced legislation specifically on that subject that I have cosponsored. Maybe if I could talk a little about that.

Mr. DOGGETT. Mr. Speaker, I will be expanding on this legislation this next week with a revision, including some of the provisions that have been incorporated in the Senate Committee on Commerce, but recognizing that when the tobacco companies go abroad to try to pay the penalties that they have incurred here at home, that it is just wrong for us as Americans to be projecting forth the idea that there is something American about smoking.

We see some of these billboards up in foreign countries suggesting that the western, democratic thing to do is to smoke. We see at schools, at kiosks, at clubs, we see, as the gentleman and I have been in some parts of the world, young people who look like they are barely old enough to go to elementary school passing out free cigarettes on the streets; using cigarette logos on toys, on toy cars in Buenos Aires; on arcade games in the Philippines; Marlboro labels on various kinds of children's clothes.

Those are the kinds of things that makes it pretty clear that they are targeting young people in these other countries, recognizing that many of the other countries do not even have the feeble limitations on tobacco that have existed in this country.

We now have literally a worldwide health epidemic with nicotine addiction, and I hope to expand on the action that the House considered last year, the legislation that I introduced with the gentleman's help, in addressing in a more broad form the steps we

could take to reduce this worldwide epidemic, and project our role as a superpower, frankly, in a very positive way to try to improve world health.

Mr. PALLONE. I want to commend the gentleman again for his efforts in that regard, because I know the gentleman was really the first person out there in the House, and probably in the whole Congress, to pay attention to the issue.

The amazing thing about it is that it is very easy for these tobacco companies to expand now into areas of the world that were not previously open to them because of the changes that are taking place: the demise of the Soviet Union and the countries, the former Soviet Republics, the eastern European countries that were under Russian Communist domination.

That is where the industry has targeted, because previously those governments controlled what happened more. It was a totalitarian society, and it was not possible for American companies to market tobacco. Now those countries have opened up, and they have not been prepared for the onslaught, if you will, of the tobacco industry.

It is particularly in those countries that we see this, and in others as well; India, for example. India was a very controlled economy until about 5 years ago. Now with a move towards market reforms, privatization, again, they have moved in there, because it was a previously controlled economy that is now open. So there are tremendous opportunities, and a lot of these countries just are not able. They have meager resources; they have fragile democracies, in some of the cases of the former Soviet Republics.

I was very shocked, because a couple of years ago I went to Armenia, which is a former Soviet Republic. I went into some of the poorest housing that was actually set up for refugees from the war in Karabakh, and the people had absolutely nothing. And what I would see on the walls were Marlborough posters, and the kids smoking. They had nothing, and they were smoking.

This is the insidious aspect of it, to go to these places that do not have the ability, really, to prevent or control or regulate any of this. That is what I think we are seeing. It is very tragic.

Mr. DOGGETT. Of course, I am familiar with the gentleman's leadership role on behalf of Armenia and Armenian Americans, and I am sure the gentleman has found it troubling, as he has traveled there and in some of these other former Soviet countries, that it is not only the opening up of the country economically, but there is a sense on a cultural level that there is something about smoking that connotes freedom in the western philosophy, western openness.

The tobacco companies, and I met recently with a medical director from a

health unit in Moscow, apparently are using billboards to really take advantage of this whole idea that there is something western, there is something free and democratic about smoking. That is not the kind of America that I want to project to these countries as we hopefully see them turning around to a western style of open economy and open government. Rather, we should be projecting our best.

But I think all of our concern about the international aspect does come right back to this room. Was there not also some comment within the last few days questioning whether Joe Camel was somehow even related to attempts to addict children?

Mr. PALLONE. I do not think there was any question about that. I do not know the details about what the gentleman is discussing, but there is no question in my mind about that.

Mr. DOGGETT. That the whole effort was targeted towards children?

Mr. PALLONE. No question, if we look at it. And I am very afraid that now that they have dropped the Joe Camel ads, that the new ads, I am sure the gentleman has seen some of these new Camel ads with the very bright colors and the psychedelic images. There is no question in my mind that those new ads are targeted to children as well, so this is a very difficult thing. We are challenging an industry that has the resources to do multi-million dollar campaigns to find out what works with kids, and maybe not even make it obvious to adults about what works with kids.

I know that even those new Camel ads, with all the different colors, and I cannot even describe them exactly, but there is no question that those appeal to children as well.

Mr. DOGGETT. I think that is why we need to address the issue of advertising directed to young people. They are susceptible to the many subliminal messages, the many direct messages in this advertising. I believe that one key part of the action that we need to take addresses advertising.

I know that there has been some feeling that there needed to be agreement on the part of the tobacco industry, and certainly that would be better on the advertising front in particular. But does not the gentleman agree that our responsibility as Members of Congress is not to ask what would be best for the tobacco companies, or to ask whether this is okay by them, by RJR, but that we ought to make our priority to be a conservative approach, of conserving children's health first, and seeking out the way that we can best address children's health and its protection, not how we can best protect the tobacco companies that have caused so much harm to so many Americans and people around the world?

Mr. PALLONE. No question about it. I would point out, and I do not always

like to use polls, because I do not think we should be driven here necessarily by polls, but once again, as with so many issues that have been part of our Democratic agenda over this Congress, this is an issue that the American people strongly support. They want us to try to curtail youth smoking. They think it is a very important issue.

The Campaign for Tobacco-Free Kids just did a recent telephone survey, and I am not going to get into all the details, but almost all the respondents, and they had a thousand adults who were randomly surveyed, almost all of the respondents expressed concern about tobacco used by kids. A large majority believed Congress should address this issue in the next few months, in the next 6 months.

Also, there was tremendous support for the specifics with regard to cutting back on youth smoking that the President put forward in his tobacco proposal. He of course has not specifically said that we have to have a particular bill, but he has laid out guidelines for what we should have. That is overwhelmingly supported by the main public.

I do not even need a poll to tell me, because I know when I have my town meetings and when I meet people, as we did during this last recess, this is a very important issue for them. There is no question about it.

Mr. Speaker, the gentlewoman from Connecticut (Ms. DELAURO), who, again, has been out there, Ms. DELAURO has been out there from the beginning. She has introduced legislation to address this issue that I have cosponsored. She has been really leading the message on this issue about addressing the problems of youth smoking.

Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I am delighted to join with my colleagues tonight. I apologize for being a little bit late to join them this evening. But this is, I think, a critical issue for this country and for this Congress.

Mr. Speaker, we have really a rather extraordinary opportunity, and I am sure the gentleman has talked about some of these things already, and I apologize for repetition. But the fact of the matter is that every single year cigarettes kill more Americans than AIDS, alcohol, car accidents, murder, suicide, illegal drugs, and fires combined. Three thousand kids start to smoke every day, a thousand of whom will die from a tobacco-related illness.

We know that 90 percent of adult smokers began at or before the age of 18. We are finding this daily, every single day, with the disclosed documents that are now in the public purview. This is what we are really grateful for, because for so many years all of this data in this material was being held in

some secret place, maybe, and thank God we have a court ruling that said it should see the light of day.

Those documents prove without any doubt that the tobacco industry has meticulously studied our young people, pinpointed the most appealing way to market a product to our kids.

Again, I do not know if this was mentioned. I was particularly struck by this 1984 R.J. Reynolds marketing report. For me, it says it all. It says that young people are the only source, and this is a quote, ". . . the only source of replacement smokers," and that if kids "turn away from smoking, the industry must decline, just as a population which does not give birth will eventually dwindle."

The gentlemen, like I do, go to schools all the time. When the Members look at 12-year-old youngsters, middle school kids, because this is the age at which our kids are the most susceptible, and that is where the industry has focused their \$6 billion advertising campaign, we really do look at these youngsters. They are healthy, they are bright, they are eager. They have their whole lives ahead of them.

When we look out at that audience, we see all of these qualities about these young people. What we want to do is to make sure that what we do on our jobs provides these kids with that healthy future, with that ability to become adults and to be able to take care of themselves and their families, and to lead good lives.

□ 2030

And it is interesting to note the contrast with what an R.J. Reynolds or the others that have been involved, how they view the audience, the very same audience that we are looking at. They are 12-year-olds as replacement smokers.

That is why the campaigns have been directed at this effort. And we do, I think, have a fundamental obligation, particularly with all the data, with all the information, to turn this back to focus in on underage smoking.

We have a wonderful group in the Third District in Connecticut which I represent, which we called the Kick Butts Connecticut Campaign, and they are middle school kids. These wonderful youngsters have taken upon themselves the responsibility for talking to their classmates, for going into younger grades and telling the younger kids that they should not start to smoke and what are the dangers of smoking. So we have kind of got this little army of about a hundred or so young people, middle school kids, practicing their presentations and their skits and going in with the self-confidence of talking to their peers and telling them not to smoke.

Not everyone will follow that, but a lot of those youngsters we hope will not start on this road. But the fact of

the matter is that underage smoking is against the law. That is ultimately what it is about here. And we have to do two things. We have to make sure that this industry is not going to continue to peddle this product which is killing our kids. And we need to, at the same time, be able to curtail their activities and we also need to be educating our kids about the dangers of smoking.

I will say that this RJR campaign for Camel cigarettes, which as we all know about features Joe Camel, the cartoon character, by 1991 the Journal of the American Medical Association had found out that 33 percent of 3-year-olds and 91 percent of 6-year-olds could match Joe Camel to a photo of a cigarette. Ninety-eight percent of our teens correctly identified the brand when shown Joe Camel ads.

Mr. DOGGETT. Mr. Speaker, could the gentlewoman yield on that?

Ms. DELAURO. Certainly.

Mr. DOGGETT. I was wondering how the gentlewoman would react to a statement, and we have covered many of the various outrageous statements that Speaker GINGRICH has made on the subject, but how the gentlewoman would react to a statement I understand he made this month that in order to understand what has happened with teenage smoking, this is not complicated. It has nothing to do with Joe Camel. He made that statement, apparently.

Ms. DELAURO. That is right. He did make that statement.

Mr. DOGGETT. It sounds consistent with the criticism of Dr. Kessler as a thug and some of the other comments he has made in the past.

Ms. DELAURO. Mr. Speaker, the gentleman is right. And he has had a reincarnation, which I believe has occurred primarily because I think they took him to the woodshed to talk to him about what they were going to do or not going to do in terms of financial resources, given that the tobacco industry is the single biggest source of funding to the Republican party.

And if I am correct, I would ask my colleagues to bear me out on this, it is that the Speaker was responsible for putting in a \$50 billion tax break for the cigarette companies and then when that saw the light of day, and thank God it did, we were able to pull it back.

But let me just mention about the gentleman's comment, because after Joe Camel's debut, Camel's share of smokers younger than 18 jumped from 0.5 percent to 32.8 percent. It is representing an estimated \$476 million in revenue annually.

So, quite frankly, if he knows this, then he is not telling it like it is, or he just has not done the research on the effect of Joe Camel and that advertising on our children.

Mr. DOGGETT. With that kind of money at stake, it is pretty clear why

the tobacco industry can afford to lavish such giant campaign contributions on this Congress. And it is also pretty clear that the type of addiction that is at stake here is not just the addiction of our young people to nicotine, but the addiction of some of the leadership around this place to that kind of tobacco campaign money.

Mr. PALLONE. Well, the scary thing, of course, is not only what has been mentioned, but also we can be sure, I think they may have already announced it but even if they have not, we can be sure that in the next few weeks we are going to see a massive amount of money spent by the tobacco industry on trying to persuade the American people that movement on the tobacco bill is not the right thing here in this Congress.

So now that they have decided to withdraw from any further negotiations to come to an agreement on a tobacco settlement, they are simply going to go out and spend millions and millions of dollars, I do not know how much, trying to persuade the public that we should not move the bill. And I worry about the impact of that.

I still believe that the public is so disgusted because of what has happened and what they have seen the industry do and the documents that have come out over the last 6 months that they will not be swayed by this multimillion dollar advertising campaign, because they are going to certainly make their best of it. And I would hope that that ultimately does not sway a lot of Members of this body.

I know that the Republican leadership is probably glad to see that kind of campaign begin, because this way they probably figure it is some way to support their position and not to have move legislation.

Ms. DELAURO. I think it was just a few months ago when we have seen this absolute flip-flop. The Speaker made a speech to the American Medical Association and called for, quote, tough and sweeping tobacco legislation. And last week, as my colleagues have said and I am saying, we had a bill that cleared the Senate, the Committee on Commerce in the Senate.

Folks are always saying, "Why can you not do things here in a bipartisan way? Why can you not get bipartisan support for legislation and get it passed?" Well, my friends, that is a bipartisan piece of legislation that the Senate is talking about. Some of us do not think it goes far enough. It talks about a \$1.10 addition to the cost of a pack of cigarettes. My bill on the House side, Senator KENNEDY's bill on the Senate side, adds \$1.50 to a pack of cigarettes and it takes that revenue of \$20 billion a year and puts \$10 billion into health research and \$10 billion into child care.

But nevertheless, that is a bipartisan piece of legislation here and we are al-

ways talking about how we cannot come together. We have an opportunity to come together. And yet, and I heard this with my own ears on Sunday on the talk shows, the Speaker attacking this proposed bipartisan antismoking legislation. An out-and-out attack on where people have come together in recognizing that we have to do something about underage smoking, and in addition to that, that one of the keys to this is the amount that is charged for a pack of cigarettes. Senator MCCAIN is talking about \$1.10. Some of us are talking about \$1.50.

Mr. DOGGETT. Mr. Speaker, if the gentlewoman would yield, and I have seen that adopting the approach the gentlewoman has suggested, according to the Children's Defense Fund, would save almost 200,000 lives in my State of Texas alone. And I am sure the number nationally runs into the millions of young people who will not meet an untimely death if we can discourage them from becoming nicotine addicts.

Mr. PALLONE. And every survey has shown that if we significantly increase the price of a pack of cigarettes, it is going to decrease youth smoking. What I have seen is like a 10 percent increase in cigarette prices leads to like a 7 percent drop in youth smoking, so it is almost in direct relationship, the price percentage increase versus the decrease in the percent of youth smoking.

But, my colleague from Connecticut, I mean, only the very reason why the Speaker made these statements over the weekend is because there was bipartisan legislation that was moving. And it was very easy for him while nothing was happening to say that he wanted to move legislation and it was not the Republicans' fault that it was not moving. But now that it is moving with a Republican sponsor, he has to kill it, because otherwise there will be a bipartisan consensus to pass something and that is the last thing that Speaker GINGRICH wants.

It was the movement of the McCain bill, in my opinion, that is causing the Speaker to say, whoa, we do not want anything to happen here, and he started attacking Senator MCCAIN's bill.

Ms. DELAURO. It is the last thing that his friends in the tobacco industry want. And, therefore, he has had this reversal of opinion. And it was easier to say it several months ago when this was all in the throes of talk. Now we are down to concrete business here. Now we have a piece of legislation with bipartisan support. We can move this, and it is sad.

Mr. PALLONE. It is.

Ms. DELAURO. Because we saw this same kind of effort where we had bipartisan support on campaign finance reform, and we saw what happened on this floor in the effort to thwart a vote on real campaign finance reform.

Mr. DOGGETT. And the two of course are very closely related. I think we received so many promises of when action would occur and when debate would be permitted on campaign finance. At a minimum, we ought to be offered—another broken promise here, it seems to me, from the Republican leadership—and they ought to set a firm time at which we could have a debate on the floor of this House with all of our Members present about comprehensive tobacco legislation, and let people of both parties and all political philosophies come forward with their ideas about the most comprehensive and complete way of protecting our young people.

Mr. PALLONE. I was looking again at what the President has proposed, and of course it is not a bill but he has really come out in a pretty comprehensive way in trying to address the issue of youth smoking. I do not know if we want to review that a little, but it is very important that we provide legislation that really is going to have an impact.

I think a lot of people think that: How is the Congress going to legislate cutting back on youth smoking? But the President has put forward some very specific ways to accomplish that. Of course, one has been mentioned by my colleague from Connecticut, about increasing the price of cigarettes, which is certainly a big aspect of this and will help a great deal. But if I could just mention a few things, it will only take a minute or two.

One of the things that he would like is that the legislation should actually set targets to cut teen smoking by 30 percent in five years and 50 percent in seven years and 60 percent in 10 years, and severe financial penalties would be imposed that hold the tobacco companies accountable to meet these targets. So as we move along there is a certain amount of flexibility that we maybe could increase the price of cigarettes or do other things, this whole idea of public education and counter-advertising campaign, that the legislation would provide for a nationwide effort to essentially deglamorize tobacco.

If I could just give an example from my own family, maybe I should not use it, but I do not think they will mind. But I have very young children, 4½, 3, and one that is only 6 months old. The only person that smokes in my household is my mother-in-law who comes to visit from time to time, and she is wonderful. She is always trying to cut back on her smoking and I think in the last 3 or 4 months she has not smoked at all.

But when the kids first started to be aware of it they started to emulate her. They love her. She is a wonderful woman. And we would see my youngest daughter like this, going around with the cigarette. So my wife decided this is not good. We have to deglamorize this.

What my mother-in-law decided to do was that whenever she smoked, she would go down in the basement. And the kids associated smoking with being in the basement and it was not a nice place to be. In a while it was deglamorized. After a while they would start saying, "cigarettes are bad" and "smoking is bad." They started to associate it with a bad habit, so to speak.

There are ways to get this across. We cannot take a defeatist attitude. And if we think about the President's proposals where he wants a public education program, also the restricted access of tobacco products, the kids would have a harder time buying them in terms of access behind the counter and that type of thing, all of these things can really make a difference.

Sometimes people ask me, "What are you going to do?" These things make a difference, raising the price, making it more difficult to have access, and basically conducting a public education program to make tobacco look bad.

□ 2045

Of course, you need to do it overseas as well because you know it is going to expand overseas.

Mr. DOGGETT. I think quite clearly you need to give the Food and Drug Administration, which deals with other kinds of harmful substances, lethal substances, the authority to do what it needs to do with reference to nicotine because it is such a deadly drug. It is responsible for so many lost lives.

But I think about the personal example you gave, and I believe that tomorrow morning there will be so many people around America taking car pools, as I used to do when my daughters were a little younger, and you go by at any high school in America almost, and at too many middle schools, the smoking corner. And you see bright young people with tremendous potential out there and realize that what we are talking about here in Washington, when we talk about hundreds of thousands or millions of people, they are Jane and Tom and Sally and Bill that are down there on the corner tomorrow when you see them on the way to taking the kids to school, or passing by a school on the way to work. It is their future that is at stake here.

The thought that tomorrow, and the day after that, and every day this year 3,000 young, bright people with so much potential will become addicted each day to nicotine, and that all of us working collectively here could do something about it, that is why we are here tonight talking. That is what is at stake, the lives of bright, creative young people getting misdirected in their youth on to something that stays on their backs forever and leads to their premature death and illness and destruction of them as an individual, and tremendous harm to their family, and limiting the potential of what they

can give back to their community. There is just so much at stake here.

I think we have to keep pressing Speaker GINGRICH that even though he may have these commitments to the campaign contributors, and he may feel that the person who has been a public health leader should be called a thug, and these other kind of outrageous statements; that Joe Camel does not have anything to do with our young people smoking; that despite all that, we have no choice but to keep saying we will not take no for an answer; that we are demanding a full and complete debate about the most comprehensive bipartisan public health effort we can have to reduce the danger to those young people.

Mr. PALLONE. There is no question. And I suppose another concern that I have, too, we have our work cut out for us, because we have the Republican leadership now saying that they are not going to go along with anything meaningful here, and we are going to have to do a lot of work to counteract the advertising campaign that the tobacco industry is going to begin soon.

But it is also important that we not let Speaker GINGRICH and the Republican leadership get away with some sort of cosmetic legislation here that really has no impact on youth smoking. We have to be very careful with that.

Mr. DOGGETT. It would be consistent with what they did on campaign finance; coming up with some phony proposal probably written by some tobacco companies, and paid through their high-paid lobbyists here. Some kind of complete subterfuge, as they tried in blocking campaign finance reform. We cannot let that happen with reference to the health of our children.

Ms. DELAURO. We are some of the luckiest people in the world. We have an opportunity. We have an opportunity being here, that is how I view what we do, to truly try to make a difference in people's lives. And we are given a trust mandate, if you will, from the people who send us here. They say, protect our interests.

You may not be able to do everything, but we give you our trust; we give you our vote to take there and to protect our interests. Part of those interests, a substantial part of those interests are the children of this country, the families that we represent. And I think if we do not take this opportunity to try to help in some way to make a difference in good public policy in this country, it is there, and the people are there; the majority of the people are there. We should not be thwarted by the will of a few who are prospering and their own self-aggrandizement is at stake rather than thinking about the interests of those young people that we all go to see, and we tell them how wonderful it is to be a Member of Congress, and all the things you

can do as a Member of Congress. And if we do not do this, take this opportunity to protect our kids from smoking, the Speaker of the House is culpable and those that do not want to move forward on this are culpable. I do not believe they should go to a school again and represent to children that we are here to protect their interests because we will just have sold their interests out to the highest bidder. That is the danger that lies here in the next few weeks.

Mr. DOGGETT. I know from your service on the Committee on Appropriations that we expend millions of taxpayer dollars to investigate the causes of various kinds of illnesses and diseases in America to try to improve health. Here is one that we know what the cause is. We know that nicotine addiction is the leading cause of preventable illness in America today.

We do not need any more research to find that out. In fact, some of the most powerful research was done by the tobacco companies, hidden by them, hidden by them for years, but we now finally have it. And having that, if we cannot on this leading and most obvious cause do something about it, then I think we really are shirking our responsibilities.

Mr. PALLONE. I agree. I think we are about to run out of time. I just want to thank both of you for participating in this special order tonight, and the main thing we are sending a message: The recess is over. We are back. We have gotten the message from Speaker GINGRICH that he does not want to move on this tobacco settlement. We are sending the message back to the Republican leadership that that is not acceptable to us as Democrats, and that we are going to keep fighting and keep bringing this up until they agree to move meaningful tobacco legislation.

Mr. DOGGETT. We cannot let this Congress run out of time without responding on the leading public health challenge our young people face.

Mr. PALLONE. If that is all we accomplish this year, it will be a lot.

REQUIRING A TWO-THIRDS VOTE TO RAISE TAXES

The SPEAKER pro tempore (Mr. HULSHOF). Under the Speaker's announced policy of January 7, 1997, the gentleman from Texas (Mr. BARTON) is recognized for 60 minutes as the designee of the majority leader.

Mr. BARTON of Texas. Mr. Speaker, it is my privilege this evening to speak to the Members of this body about a vote that we are going to have tomorrow morning, tomorrow afternoon to amend the Constitution requiring a two-thirds vote of the House and the Senate to raise taxes or broaden the tax base.

The exhibit to my left shows the first 1040 income tax form, which was first

used in 1914, over 83 years ago. If you look, look down the form, you can see that you paid a tax of 1 percent on income over \$20,000, 1 percent. And if you had income over \$50,000, you paid an additional, you paid 2 percent.

If you had income over \$75,000, you paid 3 percent. If you had income over \$100,000, you paid 4 percent. If you had income over \$250,000, you paid 5 percent. If you had income, net income, not gross income, over \$600,000, you paid 6 percent.

Less than 1 out of 100 American citizens had to pay any income tax the first year this 1040 form was used. Today, that is not the case. The marginal tax rate has gone up to over 40 percent. That is an increase of 4,000 percent.

If we could see the next chart, this is a chart that is through 1995, so it is actually about 3 years old now, but you can see back in 1955, the tax as a percent of income for two-income families was 27.7 percent. By 1965, it had gone up about 2 percent to a little over 29 percent. Ten years later, 1975, it had skyrocketed to 37 percent. And since that time, it has been between 37, and in 1995, it was 38.2 percent. This year, the latest year that we have numbers on, which we do not have a chart for, it is right at 39 percent. So almost 40 percent of two-earner family income is going to pay their taxes.

What does this mean? It means that the average worker is spending almost 3 hours out of every working day simply to pay Uncle Sam's taxes. For food, clothing, necessities, they spend 2 hours and 32 minutes. For the tax man, they spend 2 hours and 47 minutes, and for all other expenses, they spend 2 hours and 41 minutes. So we actually spend more time working to pay the tax man than we do to provide food, clothing and shelter for our families.

What would a two-thirds vote mean in the real world of voting here in Washington, D.C.? It means in the House of Representatives it would take 29 votes if all Members were present and voting for a tax increase. It means in the Senate, it would take 67 votes instead of the current 51 votes in the Senate and 218 votes in the House.

In the real world what that means is not too many tax increases would pass. In fact, of the last five major tax increases that we have had here on the House floor and over in the Senate, only one of them would have passed; 1982, 16 years ago, there was a Tax Equity and Fiscal Responsibility Act of 1982, passed the House with 52 percent. It passed the Senate with 52 percent. That was \$214 billion in taxes would not have been collected. That one would have failed.

In 1987, we had the Omnibus Budget Reconciliation Act, which was a \$40 billion tax increase. It passed in the House with 57 percent. It passed in the Senate with 62 percent. A little bit

closer to the two-thirds vote, but it did not get to the two-thirds vote so it would have failed.

In 1989, we did have a tax increase that would have passed muster under the two-thirds vote for a tax increase. Only \$25 billion, but it did pass the House with 68 percent of the vote, just barely passing the two-thirds vote necessary; the Senate, 93 percent. That one for \$25 billion additional tax dollars on the American people would have become law.

In 1990, we had a \$137 billion tax increase. It passed the House with 53 percent and the Senate with 55 percent, \$137 billion; it would have failed.

Most recently, in 1993, the big Clinton tax increase passed the House by two votes, 218 to 216, so that is 50.2 percent, and in the Senate it passed 51 to 49. That one would have failed. So the last five major tax increase votes we have had going back over 16 years, only one, in 1989, would have passed the two-thirds muster. So the tax burden on the American people would have been lower by a little over \$800 billion.

Supermajority would protect taxpayers from unnecessary tax increases. As I said earlier, the last big tax increase vote that we had, the 1993 Clinton tax increase, would have failed.

You may be asking yourself, this is a good idea in theory, but does it really work? Well, the answer is, it does really work. The States are using supermajority votes to require tax increases. There are 14 States, and I have got them listed here on this chart, and they have various measures requiring tax increase.

In 1992, the State of Arizona passed a State constitutional amendment for all tax increases that says if you want it to pass, it has to get a two-thirds vote in the Arizona legislature. Back in 1934, over 60 years ago, the State of Arkansas where our current President was Governor before he became President, passed a three-fourths vote requirement for any tax increase.

California, in 1978, first on property taxes and now for all tax increases, a two-thirds vote. In 1992, State of Colorado, two-thirds vote required. In Delaware, back in 1980, a three-fifths requirement for tax increases. The State of Florida, since 1971, for corporate income tax rate increases, requires a three-fifths vote; not quite as significant as the two-thirds vote that we are talking about. But still a supermajority of 60 percent.

□ 2100

The State of Louisiana, for the last 32 years, any tax increase would take a two-thirds vote. The State of Mississippi, way back in 1890, 108 years ago, requires a three-fifths vote for a tax increase. In Missouri, since 1996, only 2 years ago, a two-thirds vote for an emergency tax increase.

The State of Nevada, since 1996, a two-thirds vote for any tax increase.

And in Nevada, to amend their Constitution, they had to submit it to the people for a referendum; and the people in Nevada voted by referendum, I believe, over 70 percent to require a two-thirds vote for a tax increase.

In Oklahoma, in 1992, a three-fourths vote, 75-percent vote, for a tax increase. In Oregon, in 1996, a three-fifths or 60-percent vote for any tax increase. South Dakota, in 1996, a two-thirds vote for any tax increase. And in Washington State, in 1993, a two-thirds vote.

There are 15 other States that currently have some sort of a legislative initiative to require a supermajority vote. The State of New Jersey, where Governor Whitman has come out in favor of this, and the State of Illinois are two States right off the top of my head.

So what about these States that have these requirements, does it work? Well, let us look at the next chart.

There are some things that are true in every State. This is a study that was done on tax rates and tax revenues for the years 1980 to 1992. It compared the States that had some version of tax limitation, which I just showed my colleagues, with those that did not. And this shows the average change of per capita tax revenue.

In the supermajority States, tax revenue went up 102 percent during the 12-year period. So tax revenues went up in States that had supermajority requirement. But in States that did not have it, their taxes went up faster by an average of, the total is 121 percent of the aggregate States. So that is a difference of 19 percent.

Put another way, in States that had a supermajority requirement to raise taxes, their taxes were, on average, 19 percent lower than in those States that did not have the same requirement.

Since the taxes were not going up quite as rapidly in the supermajority States, that means the gross State products, the amount of goods and services produced in that State, went up faster than in high-tax states, 43 percent versus 35 percent, or a difference of 8 percent. So the economies of supermajority tax increase States were growing more rapidly than the economies of States that did not require supermajority for a State tax increase.

Well, consequently, if we are not raising taxes as rapidly, the legislature and the governors tend to be less willing to borrow money also. So if we look at the debt, the State government debt in the supermajority States, it did go up, unfortunately, quite a bit, 271 percent, but it did not go up as rapidly as in the States that did not have the supermajority requirement for tax increases. In those States, it went up 312 percent. That is a difference of 31 percent. Thirty-one percent is a huge difference in that time period of 12 years.

And, finally, since taxes are lower and they are going up slower and the

gross State product is expanding more rapidly and State government debt is increasing less rapidly, what does that mean? It means that the number of jobs created expands more rapidly in supermajority tax increase States. Twenty-six percent rate of growth in job creation in the supermajority States; only 21 percent in the non-supermajority States. That is a difference of 5 percent.

So if we look at the statistics, and this is a comprehensive study, it was done over a 12-year time period. From 1980 to 1992, it compared in the aggregate those States that had some version of supermajority tax increase vote in their legislatures than States that did not. Taxes went up more slowly in supermajority States. Taxes were lower in supermajority States. Consequently, their economies grew more rapidly and more jobs were created.

So we have proven in the 14 States that have served as a national laboratory for supermajority requirement for tax increases that it works. That is why on April 17, 1998, a group called the American Legislative Exchange Council, or ALEC, which is a bipartisan group of State legislatures of all 50 States, Republicans and Democrats, that meet to debate State issues and to compare their State initiatives to other State initiatives, the American Legislative Exchange Council, which represents all 50 State legislatures and has over 3,000 legislators as members, again Republican and Democrat, they endorsed the Tax Limitation Amendment that we are going to be voting on tomorrow.

I would like to read their letter. It is dated April 17, 1998. It is to Congressman JOE BARTON, that is me, U.S. House of Representatives, Washington, D.C. 20515.

DEAR CONGRESSMAN BARTON. The 3,000 State legislators who are members of the American Legislative Exchange Council, the Nation's largest bipartisan membership organization of State legislators, would like to voice their support of a Federal amendment requiring a two-thirds supermajority vote in each Chamber of Congress to pass any bill that would increase taxes.

The Federal tax burden is at a record high. This year, the average American family will spend more than 38 percent on their income on Federal, State, and local taxes, more than they will spend on food, clothing, shelter, and medical expenses combined. And we pointed that out earlier.

Tax increases fuel excessive government spending and smother economic growth and job creation. Thus, any increase in the tax burden should require a broad consensus. Taking money from hard-working Americans should not be an easy task for the tax-and-spend politicians. A supermajority requirement would make tax hikes more difficult and shift the debate from tax increases to spending cuts.

Fourteen States already require a supermajority to raise taxes. These States have demonstrated faster economic growth, higher employment growth, and experience slower tax and spending increases than the

States without a supermajority requirement. A supermajority amendment would constrain tax-and-spend policies that squash economic opportunity for American families.

Congress has a momentous opportunity to provide a brighter, more prosperous future for this great Nation. The States have shown the benefits of a supermajority requirement. Now is the time to apply this experience to the Federal Government.

Sincerely,

BOBBY HOGUE,

Speaker from Arkansas, National Chairman
for the American Legislative Exchange
Council.

This is an extremely positive endorsement and shows again that it works at the State level, it will work at the Federal level. We have got a bipartisan consensus for this legislation, this constitutional amendment.

Another group that has endorsed the Tax Limitation Amendment is the Associated Builders and Contractors, a national organization of builders and contractors from around the United States, again a bipartisan group. It is not a Republican group. It is not a Democratic group.

It says,

DEAR REPRESENTATIVE BARTON: On April 15, the House of Representatives will consider H.J. Res. 111.

Actually, we are going to consider it on April 22, because we were not in session on April 15.

This is legislation requiring a two-thirds supermajority of both Houses of Congress to pass any new tax or tax increases. On behalf of the Associated Builders and Contractors and its more than 21,000 member firms, I urge you to vote yes on H.J. Res. 111, the Tax Limitation Amendment to the Constitution.

It goes on to talk about their strong advocacy for the family and fiscal responsibility. This is signed by Charlotte W. Herbert, who is the Vice President of Government Affairs. It is dated March 20, 1998.

We have an endorsement from the National Association of Manufacturers. This is dated February 24, 1998.

On behalf of the National Association of Manufacturers, nearly 14,000 members, over 10,000 of which are small manufacturers employing fewer than 500 employees, I commend your leadership in bringing the Tax Limitation Amendment to a vote on the House floor this April. It is hard to imagine a more appropriate time to bring this important legislation to the attention of the American taxpayers.

I am enclosing a resolution adopted by the board of directors which concludes that the existing Federal tax system is beyond repair and should be replaced by a simple, low-rate system that eliminates multiple taxation. Just as importantly, underlined, this resolution concludes that procedures such as a supermajority voting requirement should be adopted to make revision both difficult and infrequent.

The National Association of Manufacturers is therefore pleased to support the Tax Limitation Amendment, which would require a two-thirds vote in the House and Senate to levy any new tax or increase the rate or base of any existing tax. This amendment would force the Congress to focus on spending reductions rather than tax increases in order

to balance the Federal budget. Such a result is completely consistent with the National Association of Manufacturers' long-standing position that, while it is critically important to eliminate the Federal budget deficit, this should be done by restraining the growth of Federal spending, not increasing taxes.

We applaud your effort to make the Tax Limitation Amendment a reality and are impressed by the bipartisan support you have garnered for it. The National Association of Manufacturers looks forward to working with you and your colleagues and staff to pass this important legislation.

This is from Paul Huard, who is the Senior Vice President for Policy and Communications for the National Association of Manufacturers, and it was dated February 24, 1998, in a letter to me.

We have the U.S. Chamber of Commerce, dated February 20, 1998. This letter of endorsement is from Bruce Josten, who is the Executive Vice President of Government Affairs.

DEAR CONGRESSMAN BARTON: The U.S. Chamber of Commerce, the world's largest business federation, representing more than 3 billion businesses and organizations of every size, sector, and region, wishes to voice its support for the Tax Limitation Amendment.

The two-thirds supermajority requirement to raise taxes in your amendment would keep the pressure on limiting government spending in order to maintain a balanced budget. Turning to tax increases first when the budget deficit returns, as they will sooner or later, is poor economic policy. The Tax Limitation Amendment would shift the burden of keeping a balanced Federal budget from the taxpayer to the big government spender.

We are looking forward to working with you on passing this legislation. Bruce Josten.

I could go on and on. We have got over 30 national organizations that have endorsed the Tax Limitation Amendment, groups that I have already mentioned, the U.S. Chamber, National Association of Manufacturers, American Builders and Contractors, the American Legislative Exchange Council.

We also have groups like Christian Coalition, Family Research Council, Americans for Tax Reform, Senior Coalition 60 Plus. So we have family groups, business groups, tax limitation groups, all kinds of groups across a broad political and public policy spectrum.

I see that one of my chief cosponsors is here, the gentleman from Arizona (Mr. SHADEGG), who led the fight in Arizona several years ago to pass tax limitation at the State level. He, along with the gentleman from Texas (Mr. HALL) and the gentleman from New Jersey (Mr. ANDREWS) and myself are the four chief sponsors of this amendment, two Republicans and two Democrats.

I will yield such time as he may consume to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for yielding. Let me

make a few remarks and then perhaps we can engage in a dialogue back and forth and make some of these points in a way that will drive them home, hopefully, to our colleagues who get to cast a historic vote tomorrow.

I raise the issue for my constituents on this question as really presenting one direct question: Should Congress be more responsible about spending the hard-earned tax dollars taken from the citizens of this great country? Simple as that. Should the Congress be more responsible about how to spend that money?

Now, we heard my colleague the gentleman from Texas (Mr. BARTON) talk about this being a Tax Limitation Amendment. It is an amendment designed to make it a little bit more difficult to raise taxes on the American people. And then I stand up, as one of the other chief sponsors of this and say, it really is about spending. Well, let me draw the link.

The problem is, when it is easy to raise taxes, as it has been in this country for too long, then we can be too casual about how we spend that money. This measure is designed to achieve a very important goal and that goal is to make us, the Members of Congress, be more responsible about the way we spend your money.

□ 2115

Because if we say that going on to the future, on into the next century, on into the horizons that lie ahead in America that we are not going to pass additional tax increases with a simple majority vote, 50 percent of the Members of this body plus 1, we are going to have to have a supermajority, we are making it that much harder, just a little more difficult to raise the taxes on the American people.

I will tell my colleague, I, JOHN SHADEGG, would like to see it much more difficult to raise taxes on the American people. I do not think we can get that far down the road, but with this measure, we can make it a little bit more difficult. I believe that is vitally important. I think it is very timely that this measure is before us right after tax day, but right after a fair amount of publicity in which the American media has reminded the American people recently that taxes in America today are at the highest level they ever have been in our history.

I think about my generation, the baby boom generation, peers of mine in their mid-forties, early fifties. They are paying more in taxes today in America than ever in the history of our Nation. I think about the generation behind us who are coming up, the Generation X'ers. They are just beginning their working careers. They are paying more in taxes today than ever in their lives.

Taxes as a proportion of our total economy are taking up more than they

ever have at any point in time. That is really a composite of two figures. Federal taxes are at their highest level since 1945, a war year at the end of World War II, when they were about one-tenth of 1 percentage point higher than they are now.

But if you combine that almost record high Federal tax level with higher State and local taxes, because State and local taxes today are dramatically higher than they were in 1945, we are taxing the American people at a rate higher than we ever had.

I would like to be here tonight talking about tax relief for the American people, and hopefully in the next few weeks we will be able to do that, but this measure is not about tax relief. It is about ensuring that before this Congress reaches into the pockets of hard-working American men and women one more time and takes out of their wallets like this one yet a few more hard-earned American dollars and says, no, we need this money for the government, we need this so that we in Congress can spend it on programs that we think are wise, and the American taxpayer who earned this dollar does not get to make that decision because the government is going to take it from them, before we do that yet one more time and ratchet up the tax level yet one more time, we ought to make it a little bit harder. We ought to make it a little bit harder to take those hard-earned dollars from American taxpayers.

My colleague, the gentleman from Texas (Mr. BARTON), pointed out that 14 States have enacted tax limitation amendments. Arizona, as my colleague pointed out, is one of those States. In 1992 we passed a tax limitation amendment in Arizona, and we required under that measure a two-thirds majority to raise State taxes in Arizona. I am very proud because I helped lead that effort in Arizona. It has had a tremendously beneficial effect on the Arizona economy.

Before we passed that, Arizona had gone through a series of tax increases. Year after year after year, the Arizona legislature had done what politicians all too often do when there is a constant demand for more money. They had passed tax increase after tax increase after tax increase. As a result of that, the Arizona economy had grown very sluggish.

Since passing this measure in Arizona, which, by the way, passed by a vote of 72 percent of the people of Arizona voting on the measure approved the adoption of this Constitutional amendment, our economy has sped up dramatically.

Mr. BARTON of Texas. Mr. Speaker, would the gentleman yield for a question?

Mr. SHADEGG. Mr. Speaker, I am happy to yield.

Mr. BARTON of Texas. Have there been any attempts to raise taxes in the

State legislature since this amendment was adopted into the Arizona Constitution?

Mr. SHADEGG. Not only have there been no attempts to raise taxes in the Arizona legislature since this measure was adopted, at least no broad-based tax increases, and because we wrote the Arizona measure in a very comprehensive fashion, no increase in fees or user fees, but in point of fact the legislature has gone the other way and they have actually cut taxes, helping to stimulate that economy. As a result of that stimulated economy, we are getting more revenues in than we did before.

Mr. BARTON of Texas. Does it take a two-thirds vote of the Arizona legislature to cut taxes?

Mr. SHADEGG. It does not take a two-thirds vote at the Arizona legislature to cut taxes. It takes a two-thirds vote of the Arizona legislature to raise taxes.

Mr. BARTON of Texas. Under our amendment which we have right here before us, would it take a two-thirds vote to cut taxes in Congress?

Mr. SHADEGG. It certainly would not. As the gentleman well knows, you can make the argument, and our colleague in the United States Senate who is carrying this makes the argument that it actually does take in the U.S. Senate a two-thirds majority to cut taxes. Because of the debate rules they have and the rules on cutting off debate, you really, as a practical matter, to be able to pass a tax relief measure over there, would have to have a two-thirds majority.

But under this tax limitation amendment, you would never have to have a two-thirds majority here in the House to enact tax relief. You would have to have a two-thirds majority to enact a tax increase yet one more time.

Mr. BARTON of Texas. So we can cut taxes by a simple majority vote, but we would have to have a two-thirds vote to raise taxes.

Mr. SHADEGG. That is exactly right. The gentleman mentioned earlier broad public support for this. I want to talk about a poll recently conducted by Americans for Hope, Growth, and Opportunity, a nationwide poll taken on this issue within the last few weeks. In that poll, there are some surprising numbers.

First of all, the overall number says that the vast majority of Americans, Republican or Democrat, Independent, you name it, favor this idea. And 68 percent of all Americans, regardless of their party registration or their party leanings or affiliation, favor the adoption of a tax limitation constitutional amendment requiring a two-thirds majority rather than a simple majority of this body and of the United States Senate in order to raise taxes yet one more time.

You might find it not too surprising that within that number, 75 percent,

three out of every four Republicans also favor this idea. I suppose we as Republicans can take claim for the fact that we are the antitax party, and that makes some sense that we would favor by a fairly high number, a number higher than the total, the option of the tax limitation amendment. But I am very encouraged and find it most significant that when you poll Democrats, it turns out that 63 percent, a very dramatic majority.

Mr. BARTON of Texas. Almost a two-thirds majority vote.

Mr. SHADEGG. Almost a two-thirds majority of all Democrats across America in a nationwide poll, just short of two-thirds of all Democrats in this country, favor the adoption in America today, hopefully by this vote tomorrow, of a supermajority requirement to raise taxes. I certainly hope that that is a figure that is not lost upon our colleagues; that they will recognize that the time has come to pass this.

When we have now government taking the highest proportion of the gross domestic product in taxes that it has ever taken in our Nation's history, it seems to me very clear that the signal being sent by Republicans and by Democrats is that it is time to enact a constitutional tax limitation.

Mr. BARTON of Texas. What would happen tomorrow on the House floor if three-fourths of the Republicans present and voting voted for tax limitation and 63 percent of the Democrats present and voting voted for tax limitation? Would that be enough to pass this constitutional amendment and send it to the Senate for a vote?

Mr. SHADEGG. What would happen is we would be sending a tremendous signal across this country that we are through reaching into the pockets, at least willy-nilly reaching into the pockets of the American taxpayers. Because if three-fourths of the Republican Members paralleled the support in the society, three-fourths of all the Republicans voted for this amendment tomorrow, and if 63 percent of all Democrats, as you posed in your question, just like 63 percent of all Democrats across America, voted for this Constitutional amendment tomorrow, it would pass and pass with a very, very wide margin, sending a bullet shot across this wall to the United States Senate and to the President saying this is an important piece of legislation.

Mr. BARTON of Texas. It would be a great idea, and it is legal if people were to fax, e-mail, write, call, send by Pony Express, by any means of communication to their elected Congressman or Congresswoman, be they Republican or Democrat, that they are for this amendment.

Mr. SHADEGG. Absolutely.

Mr. BARTON of Texas. That is allowed under this Constitution.

Mr. SHADEGG. If 75 percent of the Republicans out there listening today

or tonight and 63 percent of the Democrats out there listening tonight would pick up the phone, crank up the fax machine, get on the Internet and send an e-mail, we could wake this Congress up and pass this tomorrow with a resounding vote.

Mr. BARTON of Texas. I assume you are going to vote for it tomorrow.

Mr. SHADEGG. I most certainly am going to vote for it with great pride.

Mr. BARTON of Texas. That is one vote. I am going to vote for it. That is two votes.

Mr. SHADEGG. We are on our way.

Mr. BARTON of Texas. We need 290 more votes if all Members are present and voting.

Mr. SHADEGG. I think it is clearly doable and would be a great signal for this country.

Mr. BARTON of Texas. We may have three votes. The Speaker in the chair, I think he is a vote for it also.

Mr. SHADEGG. He just gave me a thumbs up. We have got three votes. We are on a roll. This could be almost a telethon. We are talking about building a vote for a tax limitation amendment.

The gentleman from Texas mentioned earlier the effect of this, but I want to repeat that particular sentiment in some of those statistics. Well, 14 States have adopted in their own Constitutions a tax limitation amendment. Some studies have been done on those States that have had tax limitation for a number of years. What those studies show is that government and government spending grow at a slower pace in those States than in States without tax limitation.

Interestingly, in case you say, "Well, so what, we have slowed the growth of Congress, I am not so concerned about that, Congressman, I am interested in my job," the flip side of that, in tax limitation States, States that have adopted a tax limitation amendment at the State level, the private economy and the number of jobs, the employment rate grows faster than in non-tax limitation States.

I know it is hard sometimes for the audience, for our colleagues out there listening, to absorb statistics, but I am going to read through them very importantly in a slow fashion so that people can get them.

In tax limitation States taxes grow more slowly than in non-tax limitation States, and spending grows more slowly. As a matter of fact, in tax limitation States over a 12-year period taxes increased by 102 percent. So tax limitation States, there it is, there are the figures, spending has grown by 102 percent.

But in non-tax limitation States in that same 12-year period, spending has gone up by 112 percent, a dramatic increase. By contrast, if you look at the economies of those States, in tax limitation States, the economies, including

employment, the economies grew by 43 percent, whereas by contrast, in States without tax limitation the economies have grown by only 35 percent.

So the bottom line is, tax limitation slows the growth of government and promotes the growth of the private sector. For people across America who want jobs, the bottom line is the adoption of a tax limitation amendment, in every single one of those States where it has been adopted, has encouraged the number of jobs that are growing. If you say you have a young son or daughter about ready to enter the job market, tax limitation amendment in your State has enhanced their chance of finding a job in the productive market.

Mr. BARTON of Texas. I actually have a young son and young daughter who are about to enter the job market. My daughter Allison wants to be a teacher. She graduated in December from Texas A&M. My son Brad is graduating from Stanford School of Business in June. They are both looking for jobs. So I have a son and a daughter who want a job, and they will find a job more likely in a supermajority State to raise taxes.

Mr. SHADEGG. If that is true at the State level, why do we not make America a supermajority Nation for future tax increases? Why not take that principle which has worked at the State level and adopt it at the Federal level, so that we promote further economic growth across this Nation because we make it slightly harder for the U.S. Congress to raise taxes yet one more time.

We force the Members of this Congress, you and I and the gentleman in the Speaker's chair who has joined us in voting tomorrow for this, make it a little bit more important that we look a little bit more carefully at how we spend the dollars.

It is worth noting, many people across America are very, very upset at the General Accounting Office audit which came out just a few days ago showing that our government is wasting massive amounts of dollars. Indeed, those numbers show that in some instances we cannot trace where the money has gone. We cannot find equipment that was supposed to have been purchased. We are literally kind of allowing money to slip through the hands of the Federal Government and not even get real value added.

That should offend every American taxpayer. That should be, I hope, the driving force which puts this amendment over the top tomorrow. Because if we make it just a little harder to raise taxes, we will have to be just a little bit more careful, hopefully a lot more careful about how we spend those hard-earned dollars that we take out of the pockets of the American people.

I compliment the gentleman. I am happy to chat with him about other

beneficial aspects of this amendment. I do think that it is important to emphasize over and over again, 75 percent of Republicans favor it, 63 percent of Democrats across America favor it.

□ 2130

Mr. BARTON of Texas. And that is all in the last month. I mean that is not like 10 years ago or 20 years ago. That is a poll, a national poll taken within the last month.

Mr. SHADEGG. That is absolutely correct. Now we just need to make sure that those Americans who feel like communicating their sentiments, hopefully 75 percent of all Republicans across the country, 63 percent of all Democrats across the country, will call and let their Member of Congress know that they think that it would be a good idea to vote for tax limitation.

Mr. BARTON of Texas. And it is my understanding, Mr. Speaker, that the gentleman has been on a number of national radio and television shows about this and has debated some opponents of it from time to time, as I have. Have you ever had one of the opponents say that we should not do this because it would not work?

Mr. SHADEGG. Well, I have had a number of people engage in debate. In Arizona we debated this measure. The opponents of it predicted dire consequences. They said that this was an irresponsible measure, that we should never have a supermajority requirement, that we had always just had a simple majority.

They even go so far, and you may have heard this in debate yourself, as to say it is un-American to require anything other than a simple majority. And yet the Founding Fathers when they drafted our Constitution inserted a number of supermajority requirements, and when you combine the supermajority requirements that are already in our Constitution, such as to ratify a treaty, with others that have been added—

Mr. BARTON of Texas. Or to convict a President of impeachment proceedings.

Mr. SHADEGG. Or to convict a President in impeachment proceedings. If you add those supermajority provisions or requirements that were in our original Constitution with those that have been added to the Constitution by amendment, there are today already in our Constitution 10 different provisions which require not a simple majority, not 50 percent plus one, but a supermajority. And if it is appropriate in those circumstances, you and I are here tonight arguing that it should be appropriate in this one where we actually reach into people's pockets and take the productive efforts of their labor out of their pockets and give them to someone else to spend.

Mr. BARTON of Texas. Well, I have engaged in a number of debates, and

most of the opponents are opposed to this for the very reason that it would work. They say quite emphatically that it would make it very difficult to raise taxes, therefore they are opposed to it. And I say exactly, that is the point. Let us make it more difficult than it is today.

I think that in an economy that is generating \$7 trillion worth of goods and services with almost 300 million Americans, with over 80 million Americans working, paying a tax burden, if you combine State and local taxes it is approaching 40 percent of their gross income, that there should be a national consensus. There should be Republicans and Democrats who say we have to have a supermajority vote to raise taxes.

I would like to point out again that the group that most represents the State legislatures on a bipartisan basis, the American Legislative Council, has endorsed a tax limitation amendment. I am not going to read that letter again because I did earlier, but I think that is proof positive that this is not a gimmick, it is not a Republican election year ploy, it is common sense, good public policy.

We have got a number of Governors that have endorsed this. Governor Whitman in New Jersey has endorsed it. Governor Wilson in California, our largest State in the Union in terms of population, has endorsed it. We also pointed out earlier there are 15 States that are considering adding a supermajority requirement to their State constitutions to go along with the 14 States that already have it.

So tomorrow, beginning approximately 12:30, we will have a vote on the rule. That should take about an hour. It is an open rule. The minority party, if they wish, will have the right to offer a substitute. They will also have a right to offer a motion to recommit. The rule debate should take about an hour, and then we will have three hours of debate equally divided, an hour and a half for the proponents, an hour and a half for the opponents, and the gentleman from Arizona (Mr. SHADEGG) and I are going to be on the floor helping to manage the time for those that are in favor of this. And then the debate should conclude around 4 o'clock tomorrow afternoon, and we may vote immediately or we may hold the vote until a little after 5 o'clock.

Since this is a constitutional amendment, I think everybody knows that it takes a two-thirds vote of those present and voting to pass. So last year when we had the vote on April 15, we had 233 votes, which was a majority, a substantial majority. But that day we needed I believe 279 votes, so we failed by 40 or 50 votes since we did not quite have the two-thirds.

So tomorrow hopefully we will get well over 75 percent of the Republicans. I will predict that we get that. The key

question is if we can get the 63 percent of the Democrats who have said in a national poll that the gentleman from Arizona (Mr. SHADEGG) here alluded to, if they will support this amendment.

Mr. SHADEGG. Mr. Speaker, I would like to make a couple of points that I think are important and I will be emphasizing tomorrow in the debate, but in case anyone is out there listening tonight and not able to listen to the debate, one of them is an intellectual point that addresses a concern that some people have about, well, is it appropriate to insert a supermajority requirement in the Constitution, and the other is just a practical argument.

You know, I do not know if we have a large chart of this, but I have a small chart that I can hold up here and hopefully we can focus on. In 1950 the Federal tax bite was \$1 out of every \$50. So in 1950, when I was a young boy growing up in Arizona, if my dad earned a hundred dollars, the Federal Government got two of those dollars. He had to send \$2 in for every \$100 he earned.

By 1996 that figure had changed rather dramatically. By 1996 it had become not \$1 in taxes to the Federal Government out of every \$50 earned but \$1 in taxes out of every \$4 earned. So today, 1996, or at least in 1996 and it has gotten worse since then, if you earned \$100, you did not send in \$2 you sent in \$25, one fourth, to the Federal Government alone.

That is a staggering increase in the tax burden on the American people, and I think it explains why it is appropriate to take the vehicle of amending the Constitution and amend it at this particular time.

We have already talked about the fact that Federal taxes are at their highest level that they have ever been in American history and placing a huge burden on the American people. But I now want to turn to kind of a practical side of this issue, and I actually like to quote often the quote which hopefully the camera can focus on at the front of the room. John Randolph, the author of this quote, was a Member of this body, United States House of Representatives, early in our Nation's history. He served in the United States House and then ultimately was elected to the United States Senate and served in the United States Senate.

Mr. BARTON of Texas. I think he was a member of the Constitutional Convention also.

Mr. SHADEGG. I think that is exactly right.

Mr. BARTON of Texas. I am not certain, but I believe that is correct.

Mr. SHADEGG. John Randolph said, as that quote reads, and I want people to read it with me and think about it, but he said at one point, talking about government and about the power of the Congress, that "It has been said that one of the most delicious of privileges is that of spending other people's money."

One of the most delicious of privileges is that of spending other people's money. What he was talking about is the power of government through taxation to take other people's money, and then for this Congress and Members of it to enjoy the privilege of spending it.

Well, I reflected on that quote back when I discovered it in the debate in Arizona over a tax limitation amendment, and about the point he was making. And the sad truth is that the privilege of taking other people's money through taxation and then being able as a government to spend it I believe has become abused.

I want to talk a little bit about a practical experience I had which led me to support the tax limitation amendment in Arizona and leads me to fight passionately for the adoption of the tax limitation amendment at the national level. For years in Arizona I worked in connection with the Arizona legislature. I was not a member of the legislature but I worked for the Arizona attorney general's office.

And members of the Arizona legislature would call me over to their office, and this happened hundreds of times in my career at the Arizona attorney general's office, and a member of the legislature would call me over to his or her office, and they would either have a letter from a constituent or they would have a constituent sitting there in the room. And the letter or the constituent would be making the case that there was a very serious problem, even sometimes a heart-rending problem, a sad problem, a tragic problem, somebody doing without, somebody suffering, somebody in need.

And the legislator member of the Arizona legislature with whom I would be talking would say, "Look, my constituent has identified this very serious problem, people in need. Can we solve this problem? Could we pass a bill and appropriate some money to fix this problem? Could we create a program to fix this problem? Could we take the resources of government to solve this very tragic problem?"

And the conversation occurred hundreds of times in my career at the attorney general's office, and of course the answer always was that we could, of course, pass such legislation, we could make an appropriation, we could create a program, we could spend money. What occurred to me is that in those conversations there was always one person missing.

There was always the constituent who wanted the program. And it was invariably a worthy program, something that you know almost all Americans and all Arizonans would say, "There really is a need there. We need to take care of that." And there was a legislator, a member of that legislative body, like we here in the Congress, with the power to write a bill and

make an appropriation and create a program and spend the money to solve the problem.

But the person missing in those discussions, and they were missing in every single discussion I ever watched, was the taxpayer, the individual who would have to foot the bill to solve that problem, who would have to pay the tax bill to pay for that appropriation. The taxpayer, the man or woman, the young boy or girl starting their first job at a McDonalds or a Burger King who would have to have wages taken out, taxes taken out of their wages to pay for that program, they were never in the room. They were not a part of the conversation. There was always an empty chair where that person could not speak up and say, "Yes, this is a serious problem. Yes, maybe we ought to think about it, but we have to consider where is that money going to come from."

Mr. BARTON of Texas. Mr. Speaker, I can actually put a face to that anonymous person. Two weeks ago I went to Waco, Texas where my mother lives. She is a retired widow on Social Security, and she has some teacher retirement, and because her only income comes from three sources, Social Security, teacher retirement and some IRA dividend income from an IRA that she and my father had saved on when he was alive, she does not have any withholding taken out, and it is a relatively modest fixed income.

So last year I had done her taxes after my father passed away, and she did not have to pay any taxes. So this year I was not too worried when she said, "Are you going to come do my taxes?" I thought, "Well, it is not a big deal. She will not owe any tax, so I can just go ahead and do it."

So I finally went over there a week before the filing deadline and we sat down, and she had had to take a slightly larger dividend from her IRA because she is over 70 years of age and the law requires that you begin to disburse this particular type of a Keogh account.

So first time I went through and made the calculation. I said, "Well, mom, it looks like this year you're going to have to pay a little bit in tax," and it was like \$200 or \$300, and she said, "That's no problem."

Then I went back through again and I said, "I just want to double check the numbers," and I checked the Social Security number, and I checked the teacher retirement number, and then I checked the IRA number, and lo and behold, I had added incorrectly or missed something. So I said "Well, mom, I'm going to have to recalculate this tax," and when I did it was well over \$1,000.

And she said, "Well, I don't have enough money to pay that." So she got real excited and called the bank and she wanted to know how much money

was in her account and whether she had enough money to pay the tax or she was going to have to take some money out of a savings account, this IRA account, or what. And it turned out after looking at her checkbook and looking at what her expenses the rest of the month were, we decided that she would be able to write a check, because you cannot tell the IRS, you know, "We will send it next week." You know, just you have got to send the money when you calculate your tax return.

So my mother, who is a widow on a fixed income, had to pay well over \$1,000 in income taxes this year, and that does not come out of nowhere. I mean, that shows very clearly the need to make it much more difficult than it is today to raise taxes, because there are a lot of Nell Bartons in this country. In my mother's case, she was fortunate that she had enough money this year to pay her Federal income tax without having to borrow from me or to go into her savings account.

□ 1945

There are a lot of people come April 15 that are in real tough shape, and we need to protect those people by passing this constitutional amendment.

Mr. SHADEGG. There is no doubt about it. As the gentleman well knows, whenever you come to the floor and propose a constitutional amendment, one of the reticences, one of the resistance factors you face, is that people say we should not tamper with the Constitution lightly. We really ought to think about these issues gravely and seriously, about whether it is appropriate to amend the Constitution. We ought to consider the consequences of our conduct.

Is a constitutional amendment really necessary? If this was such a great idea, how come the Founding Fathers did not do it?

I know, because you have carried this amendment on this floor many times in the past, you face that argument where people say, no, if it was necessary the Founding Fathers would have put a tax limitation amendment in the original Constitution. They would not have said you could raise taxes with a simple majority. They would have said you could raise them only with a supermajority, so you must be wrong. We do not need this. This is a radical idea and bad idea.

When I tell the story, if I could just make this point, about that empty chair of the taxpayer who is not there in the conversation, I want to make the point that when we enact new programs, we never talk to the taxpayer, and the role of government is so dramatically different than it was at the founding of this country.

The first and most important difference is that we did not have an income tax. I think all students of Amer-

ican government know we did not have an income tax. We could not even have contemplated passing the kind of taxes and tax burden.

Mr. BARTON of Texas. It was unconstitutional.

Mr. SHADEGG. Until we amended the Constitution with the 16th amendment. So we did not even contemplate reaching into people's pockets time and time and time again with ever-increasing income taxes to pass that money on to some government program to solve a problem.

But there are dozens of other differences in the role of the Federal Government today. I firmly believe that the Enumerated Powers Doctrine says that this Congress can only do a certain limited number of things. There are actually only 18 enumerated powers in the U.S. Constitution. Yet this Congress does a whole lot of things that it is not supposed to do under that doctrine.

The 10th amendment says you are not supposed to do any of those things, but rather those authorities belong to the States and to the people. Yet the 10th amendment and the Enumerated Powers Doctrine have almost been completely read out of the Constitution.

While I regret that, those are the facts. That means that it is appropriate to amend the Constitution and to say wait; before you raise taxes yet one more time, we are going to make the bar a little higher. We are going to say instead of doing it with a simple majority and stealing that money from the American people yet one more time at a higher rate than today, when it is as high as it has ever been in our Nation's history, you cannot do it with a simple majority. You have to have a broad consensus represented by a two-thirds majority.

That is why I think this amendment at this point in time is appropriate and is not inconsistent with what the Founding Fathers intended.

Mr. BARTON of Texas. As the gentleman from Arizona has pointed out, when the Constitution was ratified by three-fourths of States in 1787 through 1789, it was unconstitutional to have any kind of a head tax or income tax.

That situation changed in the early 1900s. The constitutional amendment making income tax constitutional, the 16th amendment, passed, as the gentleman has pointed out. Since that time, the average marginal tax rate at the Federal level has gone from 1 to over 40 percent. So we do need to pass a constitutional amendment making it more difficult to raise taxes.

Again, it does not take college level algebra to understand this amendment. Two-thirds is a bigger fraction than one-half. Therefore, it would be more difficult to get two-thirds vote to raise taxes in the House and the Senate than the current one-half plus one.

Mr. SHADEGG. If the gentleman will yield quickly on that point, there are a lot of people who are my constituents who say Congressman, why just two-thirds? I would rather it was three-fourths or five-sevenths. They want it to be as high a fraction as possible. I think this is a reasonable figure, and we need to strive very hard to get support for it and encourage our colleagues to vote for it.

Mr. BARTON of Texas. I did a town meeting in Arlington, Texas, last week, and one of my constituents said we ought to make it by unanimous consent, 100 percent, which would be very difficult, indeed.

So we need to wrap this special order up. I want to thank the gentleman from Arizona (Mr. SHADEGG) for his strong leadership. The gentleman from Texas (Mr. HALL) and the gentleman from New Jersey (Mr. ANDREWS), our Democrat chief sponsors, could not be here this evening, but they are quite supportive. We should require a national consensus to raise taxes, and we should require a two-thirds vote.

Hopefully, the people that were polled in the poll that the gentleman alluded to will call their Congressmen and Congresswomen, and tomorrow we will get a bipartisan vote that ends up the requisite two-thirds to pass this and send it to the other body. I look forward to a big vote tomorrow.

ATTACK ON WORKING FAMILIES MUST CEASE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, we have just returned from a recess, the Easter recess, and I think the period between now and the 4th of July will be a very busy period where the Congress has some business that has to be conducted, and I hope that we will be able to make room on this very busy agenda for some items that I think are of great necessity.

I hope that in the next few months we can see an end to one feature of this Congress that is highly undesirable, and that is the attack on working-class families. The attack on working families must cease. It is counterproductive. It does no good. It is out of step with the present situation in America where we are enjoying unlimited prosperity.

The stock market, the Dow Jones average has jumped to the 9,000 level. It is double what it was 2 years ago. Unprecedented prosperity we are enjoying, and yet at a time like this, the war on working families has been intensified by the Republican majority.

I can speak from intimate experience about this war on working families, because I serve as the ranking member on

the Subcommittee on Workforce Protections of the Committee on Education and the Workforce. So we are having hearings; we are having mark-ups; and I know intimately how this war is intensifying, and it has become a kind of a microguerrilla warfare.

The Republicans did a very strange thing in 1994 when they authored a Contract with America. It had nothing in there about attacking working families. It had nothing in there about attacking unions. There were no antilabor platforms parts of the contract. That was the overt contract.

Obviously, they had a covert contract, because immediately after the Republicans won the majority, in addition to pushing their overt Contract with America, there was an attack started in 1994 on the working families, a steady attack.

That was an attack which was sort of open warfare, out in the open, and with heavy armor. The public could clearly see what was happening; the workers could see what was happening clearly, and we rallied our forces against those people who wanted to end, at one point wipe out the Department of Labor, and then wanted to wipe out the National Labor Relations Board. They wanted to bring OSHA to a standstill.

There were numerous kinds of activities that were undertaken in 1994 that were beaten back. They basically lost their first set of assaults. But now we have a kind of microguerrilla warfare where they are going to chip away at the foundations of the protections for the working families of America. They have come with all kinds of camouflaged attacks.

Now, frequently we have bills that only take one small part of a major piece of labor regulations and law and begin to attack that, chip away at that, in the hope that they will be able to slowly erode and maybe gain some momentum later on for bigger attacks.

So I think that it is time to call a halt to the attack on working families. It should cease at this point. You lost the first phase of the war in the last Congress, so why not let that be a lesson. The new strategy of tactics, I do not think it will work, because if we maintain an open society, if we continue to debate the discussion, the common sense of the American people, the American voters will rise up and pass judgment on those who insist on repeatedly attacking working families.

In this atmosphere of prosperity, where unprecedented amounts of money are being made, and certainly the people in the top 10 percent, the top 20 percent, are doing very well, why even allow ourselves to be consumed with a discussion of how to make the pie smaller for working families? How to oppress working families in terms of their working conditions? How to block benefits from working families?

Why do we not have a more expansive attitude by both parties. Let us have a

bipartisan initiative whereby we seek ways to spread the prosperity that we now enjoy to all of the American people, including the workers? We have got the wrong war going, the wrong set of energies being expended at this point. We should focus our energies on how to spread the prosperity, how to use this to make a better, a fairer playing field for workers.

We need a terrain where everybody in America can reasonably pursue happiness, the pursuit of happiness that is mentioned in the Declaration of Independence. It should still be our goal, and everybody should not just have the right to pursue happiness, but we ought to have a fair playing field, a terrain that allows that to happen.

We can do it. It is possible now. No society ever in the history of the world has enjoyed the kind of resources that we have at hand now. So instead of attacking working families, let us look at working families as being a major resource. Our human capital is our major resource.

In this very complex, modern society of ours, it is what happens to the human capital, the people and their minds, and the way they operate, which will determine where our society goes.

So I want to talk tonight about the attack on working-class families and how that ought to cease, and we ought to direct our energies instead towards spreading the resources to guarantee that working families participate in the present prosperity.

There are a number of areas in which the attack on working families does continue. It is quite obvious not too many weeks ago, a few weeks ago, we had one bold initiative brought to the floor here, the Paycheck Protection Act. The Paycheck Protection Act is one of the most dangerous pieces of legislation ever introduced in America. It has not been talked about in the proper context.

What the Paycheck Protection Act is seeking to do is to cut the throat of the working families, cut the throat, the voice, end the voice, completely shut them out of the dialogue, circumscribe our open society, which is so invaluable.

One element, one very strong element, the labor movement, the organized workers, would be destroyed if the Paycheck Protection Act was passed.

The Paycheck Protection Act boldly states that we are going to put unions in a position where they will not be able to function. We will give them so much democracy they will choke to death.

□ 2200

Now, I am going to take some time to talk about this, because it seems to have appeal to some people, whereas the chances of it going anywhere here

on Capitol Hill, we would beat it back and the likelihood that it would get passed here is slim.

But the effort by the Republican majority has taken a guerilla warfare approach and spread out, and it now comes through all the States. Many States have introduced legislation very similar to the Federal legislation that was introduced here in Washington, paycheck protection, meaning silence the unions.

We can summarize it by saying it is a bill that says unions have to consult with all the members before they make major decisions. They have to have the approval of all the members on every decision. That kind of democracy is a democracy of death.

Even in a small unit like the family, if you told the person who is going out to shop for groceries, you will need to get approval from us on how you are going to spend this week's grocery money, on all the decisions, you would wipe out the process of being able to have anybody do the shopping. It is that simple.

If you want to destroy America, tell the voters that they have a right to demand from every congressman that they once a year check with them and no decisions can go forward, no actions can be taken, unless they approve it a year in advance.

Any institution can be brought to its knees that way. That is not honoring democracy. That is not exalting democracy. That is using democracy as a weapon. That is going to extremes in order to destroy it.

That is basically what the Paycheck Protection Act says, that unions, unlike corporations or any club that you ever belonged to, there is no institution that operates in a way where it has to get the approval of its members ahead of time for any basic decision. It is impossible to function that way, and yet unions are going to be required to do that.

Unions are already under great restrictions in that they have the Beck decision which, in essence, says a union member has a right to demand that his money not be spent on activities other than those connected with collective bargaining and the benefits that they receive and the administration of those benefits. So they can demand that their particular dues money be separated out in a way which allows it not to be spent for anything except the direct activities related to collective bargaining.

Already, that is almost impossible to administer. There is a whole lot of paperwork. Most unions, of course, are doing that already.

To go one step farther with a Paycheck Protection Act which demands that they lay out their plans, and certainly any positions that they are going to take with respect to public policy must be taken ahead of time,

the union members have a right to do that. So we have that bold step taken which is going for the jugular vein of the union movement, which is an example of how that attempt to oppress working families has taken a new turn. It is more intense than ever.

There are still great problems with Davis-Bacon being still a candidate for ambush behind the scenes. In every major bill related to construction expenditure, on Federal funds on construction, you have the Davis-Bacon ambush waiting, an attempt to put into law something to curb Davis-Bacon or even not allowing certain things to go forward and move.

One of the problems with the school construction initiative is that there are too many of the Republican majority who would, rather than see no schools built, if they have to be built under the Davis-Bacon provisions, they would rather not go forward.

It is really a blind approach, like the woman who came before King Solomon claiming to be the mother of a child, and yet she was willing to see the child cut in half. And Solomon, of course, immediately identified her as not possibly being the mother of the child. How can you be the mother of a child and want to see it cut in half? How can you care about education and worry about the problem of using Davis-Bacon regulations in the construction of schools?

We have a minimum wage problem that nobody wants to discuss. We passed a minimum wage bill 2 years ago. Some people said it would be over their dead bodies, but we managed to do it, and nobody died. Nobody in the Congress had to pay that final price, give the last measure. It passed. Nobody died.

We have gone two steps now. It is unto \$5.15 an hour. It is time to increase the minimum wage again, if for no other than reason than to share the wealth.

But there are much better reasons because, as far as working people are concerned, the minimum wage still has not caught up with the years of inflation. We are still behind in terms of the buying power of the dollars that workers receive, so the minimum wage needs to be increased just to bring us one step closer to where the buying power of the dollar is today.

There are some moderate proposals on the table to increase it merely by 50 cents per year for the next 2 years, which would bring the minimum wage up to \$6.15. Most workers are way ahead of that already. There are a good number that still need the floor of the minimum wage, but most are ahead of that already. It is only fitting and proper in a time of great prosperity that we increase the minimum wage. At least we can do that.

There are many, many ways to share the present prosperity we enjoy. We

could go for a universal health system, a universal health system which guarantees everybody a decent health plan, and stop this kind of approach that we have now, a piecemeal approach which in the end may be costing us more, giving us worse health care and costing us more, to really having a universal, single-payer health plan. That is one way we could spread the prosperity and help us to guarantee the pursuit of happiness on a fair playing field for everybody. But if we do not want to go that far, the minimum, the least we can do, is to guarantee that working people receive a little more money for the hours they put in.

So the minimum wage, Davis-Bacon. We should stop the war on occupational safety and health issues. That still goes on. OSHA is being attacked every day from new angles, chipping away. The attempt to sort of bring OSHA to a standstill and paralyze the agency completely failed.

They did cut the budget. They have a trophy. They drastically cut the budget. They cut the budget of NLRB. They have some trophies to take home in this dangerous war against working families, but it still exists. OSHA is there and needs to be left alone to provide more safety for workers.

We still have a problem of more than 6,000 workers dying in the workplace. We still have a problem with more than 50,000 workers being injured in the workplace. It is not moving rapidly enough. Preventable deaths are still happening as a result of inadequate occupational safety and health procedures.

Migrant and seasonal agricultural workers, they are still trying to chip away at the small protections that they have.

I came back today for a hearing at 2 o'clock related to migrant and seasonal workers, where they are trying to take away the very measly, minimum protections that we have there. Those are the most exploited workers in America.

The fact that they do not give contributions to any party, the fact that a lot of them are immigrants as well as migrants, also lessens their political effectiveness. But a great country does not worry about human beings' capability of making contributions; a great country seeks to protect all of its citizens.

I am certainly glad that Abraham Lincoln did not worry about the fact that the slaves did not have any PACs. They could not give any contributions. The slaves had no political influence. In fact, the career of Abraham Lincoln might have been guaranteed as a rosy career, going on and on with the least amount of stress, if he had just forgotten about the slaves.

I am glad there was something in his American blood that made him care about those who could do nothing for him politically, and he set the slaves

free. Migrant workers and a lot of people at the bottom of the rungs deserve that kind of protection, as do all of us.

The Federal Employees' Compensation Act, like Workmen's Compensation at the State level, we have a Federal Employees' Compensation Act which is not very different, but there are assaults on that as being too expensive and too costly. We had a hearing on that about a month ago, the Federal Employees' Compensation Act; FECA, it is called.

What came out of the hearing? That there are large amounts of payments going to workers who have now retired. Twenty-five percent of the payments are going to them, and a large part of that expense that is disturbing so many people is going to the older workers.

Why are there are so many older workers who are getting FECA? Because they had no occupational health and safety provisions years ago when those people were in the workplace, and large numbers became injured with serious injuries.

Preventive measures taken many years ago would have saved us untold numbers of dollars, millions and millions of dollars. But instead of taking those steps years ago to implement the kind of occupational safety and health procedures in the Federal workplace that we should have done, we did not do it, and we have these people now, and we want to prey upon the weak. We want to take away some of their benefits. We want to get very technical and talk about the fact that they should not be getting the money they would have received if they had not been injured, and a whole number of arguments are offered which run against the grain of the American legal system.

If each one of these people who were injured in the Federal workplace had been able, because there was no workmen's compensation, no restrictions on them, been able to go and sue in court, they would have gotten far more money for these injuries, probably far more.

They do very well in these cases. Many are open-and-shut kinds of cases, because the Federal Government has not been so generous. They challenge people who say they have injuries, and they challenge people who have disabilities, and it is not easy to get the compensation. But that attack on old workers who have gone out of the work force, who worked for the Federal Government, that attack is one of those attacks that is most despicable, but it goes on.

So I am here to talk about that, and I mentioned the Paycheck Protection Act first because it is important that we understand what is involved.

They are able to oppress the workers and squeeze them tighter, although why we should squeeze workers more I

do not know. Now with unprecedented prosperity, a Dow Jones average of 9,000, and the stock market roaring ahead, why we are preoccupied with squeezing workers? But whatever facets of human nature are driving this effort to oppress working families, it is there.

In order to do that, they feel they have to have a closed society. They have to get rid of the one voice out there that is able to keep pace with the Republican contributors. The Republican contributors are predominantly corporations, big business, people who may be misguided enough to believe that they have to squeeze more out of the workers.

How do the workers get to be the enemy, when the evidence and the facts show that the workers are not the enemy, they are part of the success of the American system? Why that cannot get through, we do not know, but that is the case.

They want to silence the one element that in the last election was able to stand up and challenge the multi-billion dollar electioneering process of the Republican party. Only organized labor could produce money out there to put issue ads in front of people and make them think about what was happening with Medicare, Medicaid, the minimum wage or any vital issue that had to be discussed in a way which required maximum visual exposure on television or radio. It was organized labor that was the one opposition voice that across the country could be mounted against the Republican majority's open-ended expenditures.

So the decision has been made to go after them, to cut off their voice, to end our open society.

The debate will be far more one-sided than it is now. Even with labor, organized labor, able to expend \$1 million to get the other point out there, it is still a lopsided argument. The expenditures of soft money with respect to the Republican party versus the Democrats, who were supported by labor unions, was at least more than 20 to 1, the soft money. The rest of the money, it was like between 7 and 10 to 1 on the hard money. So it is way out of kilter in terms of the kind of money being spent. They want it to go even further. Let us wipe out any well-financed opposition totally.

George Soros, who happens to be a billionaire, and I commend him because I do not think that this discussion has to be stratified in terms of here are the rich here, and the poor over here, and all rich people are foolish enough to believe that they have to wage war against working people. I do not think all rich people are foolish enough to believe they have to wage war against working people. I do not think all corporations are foolish enough or misguided enough to think they have to wage war against working people.

In fact, the biggest corporations that make the most money have unions. They have not gone to great lengths to prevent the formation and continuation of unions. Unions are shrinking in size, and it is interesting that the American economy now, you know, is more and more a smaller set of entities.

□ 2215

The businesses are in smaller units and that is part of what is happening with respect to the decreasing number of people who organize. We also have not kept pace with our labor laws and our National Labor Relations Board. It is too difficult to organize in these smaller units, and there are various reasons that I do not want to go into tonight why we have fewer unionized workers, but certainly we do not want a situation where the kind of opposition and strong national voice that unions can mount will be silenced.

George Soros talks about nothing is more important at this point in American history. We are so prosperous and so successful and there is no competing superpower. Nothing is more important than keeping an open society, whatever has to be done to keep an open society where we have a large number of newspapers and we have got a voice there, we have voices there that compete with each other, we have voices on television and radio that compete with each other. We have a society where the dialogue is not all forced to go one way.

Of course, we say we have freedom of speech. That is part of the Constitution. So why are we worried about that? It so happens that despite freedom of speech and despite the Bill of Rights, if one does not have money or resources, constitutional rights begin to get very weak. The fact of modern society is that we are going to have to take a look at the relationship between money and resources and rights, and one of the rights is freedom of speech.

George Soros says one of the great problems in totalitarian societies, and certainly in the case of the Soviet Union, was that it was a closed society. The Soviet Union has probably a higher literacy rate than America and most countries in the world. The Soviet Union, which put Sputnik up before we had a thing up there in space and put up a space station and had great rocket power and the power to land ballistic missiles, we think to mount intercontinental missiles and have them land, be deployed in Russia and land here, all of that great, very well-organized, very competent, scientifically competent society came crashing down. It came crashing down.

I agree with the analysis that says it is primarily because it was a closed society. Even if there are brilliant people, if they are making decisions in a closed circle and something goes

wrong, and they all begin to go in the same direction and there is nothing to come in from the outside to make them get the perspective or correct it, then there is a problem.

Certainly when political decisions are overwhelming everything else, the scientists begin to look stupid. The financial masterminds, they are over-ridden. No matter what science, evidence, reason says, if the decision-makers at the political level are going wrong and there is nothing to correct them, no force will make them correct themselves, then that closed society becomes the engine for doom because the blundering and the decision-making will carry them downward and downward in a faster spiral.

Ridiculous things were being done, and still are to some degree, by a great Soviet society, a closed society. I will not say whether it was communism or socialism that brought them down. Closed capitalist societies suffer the same problem, and we have totalitarian societies that have also been closed, and some still are. They are capitalists but they are Fascists or they are totalitarian. They suffer the same problems.

And we have some semi-democratic societies. There is a rash now of problems in the Asian countries. The great Asian economic miracle, there is a problem now. Part of it is because they have so many dictators and patriarchs and old ways of doing things that will not allow other voices to come in which could challenge that closed society.

So labor should not be silenced. We are an indispensable Nation, the President says, and I think in order to remain an indispensable Nation with great resources we are going to have to keep the society open. And the last thing we want to see is a Republican majority victory over labor which puts the voices of the working families in chains.

We are an indispensable Nation and we must see workers as being indispensable, an indispensable part of our indispensable Nation. This term "indispensable Nation" was used by President Clinton, and I heartily agree that America at this point is an indispensable Nation.

We have to make up our minds about how we want to behave as an indispensable Nation. But the Roman Empire was merely a village compared to the American colossus. What we are now would make the Roman Empire look like a village. The American colossus is something that has never existed before on the face of the earth. It is a totally new phenomenon.

We do not have an empire which we maintain with bullets and guards and tanks. We are not oppressing anybody anywhere in the world in order to make them accept our influence, our systems. We have a great deal of influence without that.

Our popular culture probably is the most widespread phenomenon on the earth. That has no bullets and no tanks behind it. The American colossus as a successful economic system is now being emulated and imitated. And because it is so successful, and not all of the things that have been done would I endorse in this process of being successful, but it is a successful economic system compared to the other economic systems now, so dollars are going to flow at greater and greater rates into the American coffers.

Our stock market is up primarily because we are not demanding tribute from the rest of the world. The nations of the rest of the world, at least their investors and their capitalists, are bringing their tribute, are bringing their dollars to invest in our economic system. The Wall Street phenomenon, the stock market rise, the Dow Jones average increase, all of that is being driven by large amounts of money flowing in from all over the world. All roads used to lead to Rome. All roads now lead to Wall Street and the stock exchange. All money and all investment, because this is the place to put it. That is one part of our prosperity.

This American colossus ought to become for the working families a new phenomenon where we can guarantee that everybody will have a right to pursue happiness on a terrain that is reasonable. We do not want a worker's paradise. We do not want to use terms like that. When the rhetoric gets carried away by politicians and economists or we jump into the Bible, beware. Do not listen to anybody that says they are going to create a paradise. We are not going to create heaven on earth through a secular process. We are not going to create a paradise, but the least we can do is have a playing field where working families have a chance to make it.

We are a pivotal generation with an abundant supply of resources, and we ought to be thinking in terms of how can we use those resources to guarantee the most good for the most people.

We could mount big initiatives of many kinds. I do not have a list of initiatives that I would propose, but one thing I would propose is that we at least consider how can people who go out to work every day get a greater share of the pie? How can people that go out to work every day be rewarded for their labor in a way commensurate with the kind of money being made at the top, with the kind of prosperity being generated by the overall economy?

The Romans, and I have heard this example used at least twice over the last weekend. I think somebody has written a book on taxes and I do not unfortunately have the name of the person. I apologize to them.

But they use an example in the book that the Romans at one point had so

much tribute being paid to them, that Rome decided that they had so much money coming in that they would just give a certain amount of money to every Roman family. They did not include the immigrants, maybe. They had to be a real Roman, and every Roman family got a set amount of money regardless of what they did. They did not have to do any work for it, and there was something like 200,000 Romans at that point who lived in Rome and who qualified for the money and they distributed it.

It was like a positive subsidy program. It could not be called welfare because it was a considerable amount of money. They did not have to work anymore. I suppose they had servants and slaves and others who were not Roman citizens.

But according to this example, the Romans in the surrounding countryside heard about Rome giving out the money and they began all to come into Rome and demand similar subsidies, and that broke the bank and broke the system. But it is kind of an example used to ridicule subsidy, ridicule the distribution-of-wealth theory, ridicule any kind of social system which sought to spread the prosperity of the Nation to the most people.

I do not think it is ridiculous. I do not think we should give subsidies to people and tell them every family deserves this money and they can take it and not have to work. I think the Saudi Arabians had so much money that that kind of thing was happening in Saudi Arabia. I do not think that is a wise step, but we certainly could spread the resources some other way. We could spread it through universal health care, and certainly through minimum wage increases, and we could stop oppressing workers in their working conditions.

The Romans also were great builders. They invented the science of engineering and they invented concrete. They were also depraved in many ways, and one of the great concrete monuments that they built was the Colosseum, which was built as a place where animals fought human beings. Gladiators fought each other and that was too boring, so they started having animals devour human beings, and there was something sick there. We know about how a society can be very advanced on the one hand scientifically and be very savage and backwards in many other ways.

We saw what the very well-organized and scientifically equipped Wehrmacht of Hitler did. We saw what a very civilized group of people, civilized in the usual sense of the word, did in World War II, and we have seen many examples of that in many places before. The fact that they were great builders and engineers did not mean that they knew how to make choices about the fact that they were indispensable and get a

sense of mission that would make them rise above certain weaknesses.

Building for them was an indispensable activity, and our public buildings also will be the first evidence that we have for future generations to measure us by. We may have great poets and dramatists, but in the future the thing that is going to be most highly visible is our buildings and our public buildings are very important.

Which brings us back to the fact that it is a great shame that the war against working families leads to a situation where there is such a preoccupation with trying to prevent Davis-Bacon regulations from being utilized that we are stifling and inhibiting the process of building more public schools. There are a lot of other public buildings we need, but public schools we need most of all. \$120 billion, according to the General Accounting Office, \$120 billion is needed to just bring the infrastructure of public schools across America up to date.

The fact most of those buildings at this point would have to be under the Davis-Bacon regulations if they had Federal funding leads many Members of the Republican majority say, no, we will not do it. We would rather have no schools than to have them built under Davis-Bacon regulation.

It is very interesting that the Republican majority wages war on Davis-Bacon, and I have said this before and I must use it again and again to remind the Republican Majority of how ridiculous what they are doing is. Davis-Bacon is a Republican creation. Davis-Bacon was enacted, was really sponsored and supported by the Hoover administration. And that is one of the ironies.

Just to refresh the memory, Davis and Bacon were both Republicans. It was in 1927, in a time of economic prosperity, particularly in the construction industry, when representative Robert L. Bacon, who was from New York, a Republican from New York who was also a former banker. Davis-Bacon originated in the head of a banker. He introduced the forerunner of what would become the Federal Davis-Bacon Act.

Alarmed by increasing incidents of cutthroat bidding for Federal contracts by itinerant contractors, itinerant contractors using low-wage labor and as a result producing shoddy construction, Robert Bacon moved to protect Federal construction contracts. At that time shoddy construction was a major threat to a massive Federal building program that Members of Congress had just authorized. They had authorized a massive building program. And it was not the workers, the only thing they were concerned about, the wages of the workers at local level was a concern, that being undercut by the itinerant contractors, but also shoddy construction. Remember that.

□ 2230

With the help of Senator James Davis of Pennsylvania, a former Secretary of Labor under three Republican Presidents, James Davis, Senator James Davis had been a Secretary of Labor under three Republican Presidents, the bill was passed. And in 1931 Republican President Hoover, Herbert Hoover signed the Davis-Bacon into law. Convinced of the law's benefits, Congress went on to incorporate Davis-Bacon labor standards into more than 60 Federal statutes. That is where it all originated.

There was a time when the Republican Party did not feel a great compulsion, some kind of blind passion to wage war on workers. There was a time when this was not the case. At this point in history, it is not the case. Every piece of legislation which has an opportunity for Federal funds to be appropriated for building is immediately subjected to scrutiny, and the possibility of a Republican ambush.

School construction, as I said before, is one of the casualties. School construction has been used as an example. It costs more to build schools if you use Davis-Bacon, if you build them under Davis-Bacon, which requires prevailing wages. Prevailing wages are not necessarily union wages.

Prevailing wages, in some instances, in some States, are really minimum wages. It has gone down to that in a few States; that the minimum wage in cases of some people, beginning laborers and even bricklayers in one State, were close to the minimum wage. That was the prevailing wage. So it is not something fixed in stone. It is not something unreasonable and irrational and wasteful, but Davis-Bacon does maintain some kind of standards.

Two sets of studies done by a professor at the University of Utah quite a number of years apart have come up with the same results; that Davis-Bacon regulations prevailing wages, whether the prevailing wages are under Davis-Bacon Federal statutes or under local State prevailing wage statutes, they do not drive up the cost of school construction.

What they found is that when you take away the prevailing wages statutes, whether you, at the State level they have taken away, several States have repealed their State prevailing wage statutes where if State money was being utilized and no Federal money was being utilized, they would not be subjected to the prevailing wage requirement. That has happened.

What has happened is that the workers wages have always gone down. But the cost of construction has either remained the same or gone up. What you have is the contractors walk away with a bigger profit. That is what the great war against Davis-Bacon is all about. There are contractors, large numbers of them, very powerful who want to

make quick kills. They want to go in and make as much money as possible and get out. They know that untrained workers, people who are not receiving Davis-Bacon prevailing wages, often do shoddy work, but they do not care. They are willing to take their chances on litigation.

There has been so much of that, so many contractors out there who fight Davis-Bacon; who fight prevailing wages; who want a jungle. They want to be able to go in a wild situation, and be able to work their will and get maximum profits. So many of them out there have ruined the atmosphere and the environment for construction to the point where there are now large numbers of business people, including the Business Roundtable, who have concluded that they would rather deal with Davis-Bacon contractors.

Davis-Bacon contractors who work under Davis-Bacon regulations and are willing to do it, not fighting it, they have set up systems for training workers. They have done more to combat discrimination in the construction industry than any other set of forces or laws have done.

Yes; there is still construction industry discrimination in many places. I will not argue there is not. But the Davis-Bacon workers, with their training programs working with the government, stabilizing situations have made a great number of gains in terms of ending discrimination for people who are in those training programs, and allowing them to rise through the ranks, as well as creating a well-trained, stable force.

We are going to find ourselves in a situation where we do not have enough trained sheet metal workers, plumbers and bricklayers. We are going to find ourselves in a serious situation if we do not do a better job of training. Of course, the contractors, the itinerant contractors, the guys who want to make the quick kill, they do not care about the future. They only care about making a quick kill. We have had buildings fall down, school walls fall down as a result of sloppy work.

New York City, we had, in the middle of the city, we had enormous traffic jams for almost a month because the bricks were falling off the side of a building. The quick-kill artists, the itinerant contractors had done such a good job of covering up who they were, they could not find out who was responsible for the bricks that were falling out so they could sue them or make them put it back up. It was just the whole game that certain parts of the contracting industry play; whether they go out of business, go bankrupt, appear under some other name, all the games are easier to play when you are not among the more responsible contractors who are willing to participate in the Federal program that is going to train workers and cooperate with Davis-Bacon.

So the Business Roundtable came to the conclusion that they were going to consider, even though they were private contractors and not obligated to use Davis-Bacon contracts, they were going to consider setting the standard whereby as they bid on, they put out the bids, they were going to call for contractors to be participating in the Davis-Bacon program.

Each construction project should be considered a monument for the future, not so much because we are worried about being in the future generations looking back on us as Greeks or Romans and praising us for our great buildings. But the buildings have to be safe; they have to be functional. There are many large residences, co-ops, condominiums where people have had to pay large amounts of money, big prices and still find themselves suffering from leaking roofs and plumbing that does not work, all kinds of phenomena that arise as a result of the wild cat, quick-kill contractors who have no standards.

But the Republican majority refuses to accept the evidence. They want to make war on Davis-Bacon and they continue. We have had hearings in the last 2 or 3 years, several hearings on Davis-Bacon. We had an attempt to smear Davis-Bacon as an inevitably crooked operation. Take the Oklahoma example and make it apply all over the country. We have refused in our hearings, I will not say we because I am just a Democrat. The Republican majority, which controls the subcommittee and the committee, they refuse to listen to responsible representatives of the contracting industry.

Yes; of course they will not listen to workers. They do not want to listen to unions. They want to silence unions. But here are businessmen, the Mechanical Electrical Sheet Metal Alliance is one of them. They begged our committee to allow it to testify; let us come and talk to you. It did not happen.

In fact, I have a letter here which I would like to enter into the RECORD, and it is a letter from the Mechanical Electrical Sheet Metal Alliance where they say, on behalf of the Mechanical Electrical Sheet Metal Alliance, a coalition of more than 12,000 construction contracting corporations in the specialty sector of the construction industry, I want to propose a number of administrative improvements to the Davis-Bacon Act. We believe these administrative initiatives, if implemented, would significantly improve the quality, accuracy and timeliness of the prevailing wage determination process.

The Mechanical Electrical Sheet Metal Alliance is a coalition of members of the Mechanical Contractors Association of America and the National Electrical Contractors Association and

the Sheet Metal and Air Conditioning Contractors' National Association. It represents more than 12,000 construction contracting firms nationwide which exclusively employ more than 540,000 union trades people with state-of-the-art technical abilities.

I will include this letter for the RECORD:

THE MECHANICAL ELECTRICAL
SHEET METAL ALLIANCE,
March 20, 1998.

Mr. BILL GROSS,
Employment Standards Division, U.S. Department of Labor, Washington, DC.

DEAR MR. GROSS: On behalf of the Mechanical Electrical Sheet Metal Alliance, a coalition of more than 12,000 construction contracting corporations in the specialty sector of the construction industry, I want to propose a number of administrative improvements to the Davis-Bacon Act. We believe these administrative initiatives, if implemented, would significantly improve the quality, accuracy and timeliness of the prevailing wage determination process.

The Mechanical Electrical Sheet Metal Alliance is a coalition of members of the Mechanical Contractors Association of America (MCAA), the National Electrical Contractors Association (NECA) and the Sheet Metal and Air Conditioning Contractors' National Association (SMACNA). It represents more than 12,000 construction contracting firms nationwide which exclusively employ more than 540,000 union trades people with state-of-the-art technical abilities. Alliance contractors hold a growing market share of more than 60 percent of the nation's non-residential construction activity. Alliance contractors annually train over 90,000 apprentice and journey persons upgrade training at a cost exceeding \$175 million. These union contractor firms and their local association chapters sponsor over 1,000 local training programs staffed by approximately 5,600 instructors utilizing equipment and facilities owned by the training programs valued at more than \$500 million.

The Alliance fully supports Employment Standards Administration (ESA) efforts to improve the wage determination process and the quality, accuracy, and timeliness of the wage rates. We support efforts to find new ways to administer the process with greater efficiency so that the resources saved can be used on increased compliance measures.

Mechanical Contractors Association of America, Inc., National Electrical Contractors Association, Sheet Metal and Air Conditioning Contractors' National Association, Inc.

One example of business and labor, business and working families who are not afraid to work together, and as a result of working together under a government regulation, a government regulation which, by the way, was constructed by Republicans, Herbert Hoover, Bacon, Davis, all Republicans. It made sense then; it makes sense now.

Republicans, call off your war on Davis-Bacon. Do not make war on Davis-Bacon. It does not make sense. It is out of step with reality. It is out of step with the present situation where we have unprecedented prosperity, and we should be seeking ways to spread that prosperity. Republicans, call off your war against the minimum wage increase.

Let us go forward and get behind the more, the most reasonable bill. I really think we should increase the minimum wage to the level of the livable wage. In New York, we have a provision now for all people who contract with the city of New York. They must pay a livable wage, which is above the minimum wage. We ought to go for that, but the realities of the situation are that the President and Senator KENNEDY in the Senate and Mr. BONIOR, minority leader here, they all agree that we can take, and it is doable now, more modest steps at 50 cents an hour in two steps over the next 2 years.

So 50 cents an hour increase on January 1, 1999, is proposed, and another 50 cents an hour increase on January 1, 2000. That means that in the year 2000 workers will be earning \$6.15 an hour. In this indispensable Nation where the Dow Jones average is at 9000 and philanthropists are making billion-dollar contributions now, why can we not at least without too much discussion or further delay and more fighting by the Republican majority go on to increase the minimum wage by a dollar over a 2-year period?

Three polls taken in January of 1998 show that the American people overwhelmingly support an increase in the minimum wage. The Washington Post, Los Angeles Times and Peter Hart research poll showed support for raising the minimum wage ranging from 76 to 78 percent. Seventy-eight percent of the American people want an increase in the minimum wage. It is political; you cannot lose, Republican majority. Join us for a minimum wage increase.

The last increase in the minimum wage has not cost jobs. According to a new study released by economists David Card and Alan Krueger, employment in the fast food industry in eastern Pennsylvania actually went up by 11 percent after the 1996 minimum wage increase.

The Economic Policy Institute recently released a study entitled, "The Sky Hasn't Fallen," which determined that employment was not adversely affected by the last increase. They had a study, Pennsylvania did not have a State minimum wage higher than the Federal minimum wage. New Jersey had a minimum wage already, a State minimum wage higher than the Federal minimum wage.

When the Federal minimum wage went up, New Jersey was not affected because it was already above that level. But Pennsylvania, the industries in Pennsylvania had to raise their minimum wage. They studied the fast food industry in Pennsylvania and the fast food industry in New Jersey, and they found that Pennsylvania industry did not suffer any loss of profits at all compared to the New Jersey situation where they already were there. It was equal. There was no difference. Pennsylvania did not suffer as a result of

having its fast food workers begin to earn more pay via the minimum wage.

Consider the fact that today a single mother with two children working full time at a minimum wage job earns \$10,700 a year. That is \$2,600 below the poverty line as defined by the Federal Government. An increase of \$1 an hour only partially restores some of the lost buying power of this person. On and on it goes.

There are studies that show that the minimum wage does not hurt the economy even in times of normal economic growth. In a time like this when our GPI, the other measures of prosperity, Dow Jones average, leaping forward, surely we can at least spread the wealth by increasing the minimum wage.

There are many other labor issues, which I mentioned before that should be considered as we call upon the Republicans to end what I call now a microguerilla warfare. They are chipping away behind the scenes. Remember in January of 1997, we passed a bill on this floor which took away cash overtime. Fortunately, it has not gone any further. The other House has not considered it. But it is out there. This Congress passed it. It is still alive in this session. We took away the overtime and replaced it with comp time. That war on workers may hurt most of all, and people cannot get cash.

I remember I offered on this floor an amendment which said, okay, if you want to compromise, let us offer your compromise where people who are in the highest strata earning salaries, and they want more time to spend with their kids instead of more money, let them. Those who earn a certain amount of money above the minimum wage level, I think the figure was something like \$11,000, everybody who earned less than \$11,000 a year should be exempt from that requirement that they take their overtime in comp time instead of cash because they need the cash.

Can you consider people making \$11-\$12,000, how much they need the cash? That exemption made so much sense, but it was not permitted. It was voted down on the floor and we passed the bill anyhow. It is out there somewhere. The guerilla tactics means that one day as the session approaches the end, we may have the Republican majority offering that again here on the floor.

I close by saying that that is just one of the many microattacks; that is one of the many ambushes we have to fear. The bigger attack is still proposition 226 in California. That is what is similar to the Paycheck Protection Act here. California has the Paycheck Protection Act out there in a proposition.

□ 2245

California has done a lot of damage with propositions lately. And the referendum proposition 226 will require

unions to get annual approval of individual members before they can use any dues money for political purposes. If approved, the California proposal will become law in July and will greatly limit labor's role in November's pivotal gubernatorial election.

Here is the political process directly being affected. If that proposition passes, labor gets crippled. Backers of the California initiative said they plan to spend at least \$10 million. Polls show that 70 percent of the voters support the proposal.

A lot of people are misguided and think this is democracy. They think we should have more democracy, unions should be more democratic. I say this is the kind of democracy that we choke on, this is the kind of democracy designed to destroy and kill organizations.

Similar proposals have been introduced in 30 other States and are actively being pushed by conservative and business groups. Supporters say these groups expect to spend \$20 million outside of California this year.

This is the threat. This is the guerrilla attack now coming up through the States. They will not win here this year. But if they can generate enough momentum through the States, we will have in the not-too-distant future a bill which gags working families. The voice of the working family would be shut out of the dialogue and the debate. America would no longer be an open society. It would be an endangered society.

CORRECTION TO THE CONGRESSIONAL RECORD OF THURSDAY, MARCH 26, 1998, PAGES 4926 TO 4931

GOP NATIONAL SALES TAX IS BAD IDEA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the majority leader.

Mr. PALLONE. Mr. Speaker, this evening the Democrats plan to discuss the Republican plan to abolish the Tax Code and replace it with either a flat tax or a sales tax.

I yield at this point to the gentleman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I thank the gentleman from New Jersey and I also thank my other colleagues who were on the floor and those who are coming tonight to join in this special order to talk about the need to cut taxes for working middle-class families and to reveal the true cost, as my colleague from New Jersey pointed out, the true cost of a dangerous Republican proposal to impose a national sales tax on the American people.

We have heard quite a bit lately from our Republican colleagues about tax reform. But behind the rhetoric and the calls to "scrap the code," that mantra, if you will, repeated over and over again to scrap the code, behind the rhetoric of that phrase lie some very radical and some dangerous proposals that will actually raise taxes on working families and cut taxes for the wealthiest 1 percent of taxpayers.

I think we all agree that that is not reform, that is not what we are about. Abolishing the Tax Code, replacing it with a sales tax is one of those kinds of easy-listening proposals that Republicans are famous for. If you will, it is the legislative equivalent of elevator music; we might find ourselves humming along. But when we snap out of it, we realize that we hate the song. We have all had this happen to us.

The Republican national sales tax is a very bad idea. My Republican colleagues argue that a national sales tax would be simple and it would be fair. But take a closer look at it and we find that there is nothing simple or fair about it.

A national sales tax is not simple. In fact, several renowned economists have declared a national sales tax as unworkable. Even the conservative Wall Street Journal has panned the proposal and highlighted concerns about administration and about enforcement.

A national sales tax is not fair. The Brookings Institute says that of the GOP sales tax, "The sales tax would raise burdens on low- and middle-income households and sharply cut taxes on the top 1 percent of taxpayers." That is not fair.

The GOP national sales tax proposals call for replacing all individual and corporate taxes with a 23 percent sales tax. But there is a new analysis by Citizens for Tax Justice that shows that the actual rate would be at least 30 percent. That means the American people would pay 30 percent more for everything. They would pay a 30 percent tax every time they opened their wallet. Talk about being nicked and dimed to death.

What does that mean to the average middle-class family? Let us take a look. This week U.S. News and World Report did a cover story on the cost of raising a child in today's world. It is an astounding piece. According to U.S. News, for a child born in 1997, a middle-class family will spend \$1.4 million to raise that child to age 18. This is the cover of U.S. News and World Report this week, "The Real Cost of Raising Kids." Would my colleagues believe it is \$1.4 million a piece? Put a 30 percent tax on top of that and we are looking at life for working families under a GOP national sales tax.

Let us take a look at a few examples of what a 30 percent tax means in real life. This is a box of diapers. It costs \$23 today. Add a 30 percent GOP tax of

\$6.90 and we have the GOP price of \$29.90. Let us take a look at what it costs for a pair of children's shoes. They cost about \$20. Add the GOP sales tax, which is about \$6, and we are paying \$26 for the same pair of shoes.

Let us take a look at a box of cereal, and we all want to give our kids cereal. We want to make sure that they are healthy. The price is \$2.99 today. The GOP tax of an additional 90 cents would bring the price of a box of Kellogg's Raisin Bran, Two Scoops of Raisin Bran here, up to \$3.89.

Let us take a look at a loaf of natural grain bread. Price \$2.59. GOP tax, 78 cents. GOP price, \$3.37.

And what about baby food? Price 45 cents. GOP tax, 14 cents. GOP price, 59 cents.

This gives my colleagues some idea of the reality of a national sales tax and a 30 percent increase in that tax. Of course, we all know that children's shoes get more and more expensive. We saw here. So if they take a look at what happens as they grow up and they have a child that is a teenager, his or her shoes could cost \$120. Add a 30 percent sales tax, and they are looking at a \$36 tax, bringing the cost to \$156. It is no wonder that, according to U.S. News and World Report, the cost of clothing a middle-class kid to age 18 costs \$22,063.

My colleagues will see on this chart that the GOP sales tax would increase that cost significantly. I think it is important to take a look at this chart. This is the GOP 30 percent sales tax list for working families, the cost of raising a child.

If my colleagues will bear with me, housing, today's cost is \$97,549. The GOP 30 percent sales tax would add \$29,000. We are looking at a price tag from the GOP of \$126,000.

Food, \$54,795. Add to that the 30 percent sales tax of \$16,400. We are talking about \$71,000 to provide food for our kids.

Transportation costs, \$46,000. Add \$13,000 from the GOP tax, bringing it up to \$60,000 to provide transportation for their child.

Clothing, \$22,000; an additional \$6,600, \$28,600 in providing clothing for their child.

Health care, \$20,700; \$6,200 additional from the GOP tax; 26,000, almost \$27,000 to provide health care for their child.

Day-care, \$25,600; an additional \$7,700; \$33,300 to provide day-care for their child while they are working and trying to make ends meet and scrambling every month to pay the bills.

Miscellaneous costs, whatever it costs to raise kids, and we know that they are not all set and pat, we never know what is going to come up, \$33-, almost \$34,000. An additional \$10,000 is what we would have to pay because of the 30 percent sales tax that the Republicans are talking about, bringing the total up to \$44,000.

The cost of a college education, every family wants to be able to send their children to college if they can afford to do that. And if a child can get into a college today, it is \$158,000 to send a child to college.

□ 2100

You would have to add a 30 percent sales tax to that, another \$47,000, making it \$205,000 to get your kid to school. What are working families in our country to do today? It is incredible what they are talking about with this 30 percent sales tax. That is what the Republican sales tax would mean in real terms to real families in this country.

Let me just take one other group, because there is one group that would be hit harder than others by the Republican sales tax, and that is the senior citizens in this country. Senior citizens would gain nothing, nothing from the elimination of income taxes since most are retired and many pay no income tax. But a 30 percent sales tax would hit seniors on a fixed income right between the eyes. That is where it hits these folks. One of the most burdensome expenses that is faced by senior citizens is the price of medication. All of us when we go to senior centers, when we go to senior housing, that is what we hear about, is what they are paying for medication and for their prescription drugs which many of them need to lead productive and healthy lives. We have taken a look at five of the most common medications used by seniors and looked at how the 30 percent Republican sales tax would impact those prices. Bear with me. These are monthly costs. For blood pressure medication, \$110 now, the sales tax would add an additional \$33, GOP price tag, \$143 a month for blood pressure medication. Arthritis, it is now \$75 a month for medication, add another \$22.50, bringing that cost to almost \$100 a month for senior citizens, again people on fixed incomes. Diabetes, \$125 today, \$37.50 through an additional 30 percent sales tax, bringing the total cost per month to \$162.50. It is incredible what we would be doing to senior citizens in this country. Heart disease, \$90, \$27 additional in sales tax, \$117 is the final cost to them per month for again seniors, elderly, people who are on fixed incomes. Our mothers, our fathers, paying this cost per month. An inhaler, \$80 a month today, the tax would add another \$24, bringing the cost per month to senior citizens to \$104. This is really incredible and outrageous of what they would add to the cost of people who are frightened to death that these later years, instead of being the golden years, are the lead years, when they are most vulnerable and we are going to add these kinds of costs to medications that they need.

We need to have a real debate about reforming our tax system. I believe everybody here believes that. We need to

cut taxes for working middle class families. We are for cutting taxes for working middle class families. This proposal moves us in the wrong direction. In fact, the Brookings Institute study of the GOP sales tax found that taxes would rise for households in the bottom 90 percent of the income distribution while households in the top 1 percent would receive an average tax cut of over \$75,000. Millionaires get tax breaks and working families and senior citizens will be paying more. That is not reform. That is just so blatantly unfair to working families today.

Let me open the conversation to my colleagues. I am sorry I took so long, I truly am, but it is important to put this in context. We need to be doing this every single day and every single night in this body to make the people of this country understand what our Republican colleagues and the Republican majority are talking about with a national sales tax. A bit later we can talk about some of the things that the Democrats have done and would like to do to cut taxes for working families. Let me yield now to the gentleman from Michigan (Mr. BONIOR), the whip of this House.

Mr. BONIOR. I thank my colleague for her comments and for laying this out. I tell the gentleman from New Jersey (Mr. PALLONE) and the gentlewoman from Michigan (Ms. STABENOW), who were here before me, that I will not take a lot of time but I thank them for being here and for participating in these remarks this evening. I think the gentlewoman has really demonstrated quite well and quite vividly the inequity here with the GOP 30 percent sales tax hike, which hits particularly hard those on fixed incomes, our senior citizens, as she has so well demonstrated, with the cost of medication for those who are suffering from blood pressure, arthritis, diabetes, heart disease or those who have lung problems.

This is really a loony idea, this whole sales tax thing. There is no other way to describe raising the sales tax 30 percent on American working men and women in this country, particularly those on a fixed income. I think the figure that the gentlewoman from Connecticut mentioned earlier with respect to the Brookings Institute and Mr. Gale's study is very interesting. William Gale of the Brookings Institute, a wonderful scholar, said taxes would rise for households in the bottom 90 percent. That means 90 percent of those people who are paying taxes today in America would have their taxes go up as a result of this. The top 10 percent would probably do okay. The top 1 percent would get about a \$75,000 a year tax reduction out of this plan. This is so skewed, so regressive, so top heavy to the wealthy that it is sad. It is very tragic and it is very sad. The gentlewoman has given some very wonderful examples there. I liked the raisin

bran particularly. I like raisin bran. I eat it in the morning. What else has she got there? Some bread.

Ms. DELAURO. Natural grain. We have children's shoes. Kids grow out of shoes very, very quickly.

Mr. BONIOR. In my district and in the district of the gentlewoman from Michigan (Ms. STABENOW), we have automobiles. It is a big thing in our districts. Under the plan, an economy car that now costs about \$12,000, there is another example here, I am giving one that costs 12, would cost about \$14,600. Under the proposal that the gentlewoman from Michigan has, you take a family car priced at \$21,000, the GOP tax is about \$6,500 and that price goes up to \$28,000, which is out of the range of many, many families today. In addition to that, you are talking about a modest home that would cost \$100,000 today, you add \$30,000 onto it, you are up to \$130,000 with a home purchase with this tax.

I would like to just, if I could, for one second move to another, this is loony tune number two, this is the flat rate tax that my colleagues on the other side of the aisle seem to be in love with. Let us just take a look at what this does.

This is the Armeley flat tax. It is going to raise taxes on working families. The green marker right here is what is paid percentwise in taxes now for people who make 25, 50, 100, 250,000 and 1 million a year. Under the Armeley tax plan, flat tax plan, those who make \$25,000 a year or more will have this much of a jump, from roughly less than 4 percent almost up to 12 percent for their tax increase. Those who make \$50,000 a year will have a tax increase, roughly about 12.5 percent, their tax increase will go up to maybe 16, 17 percent. Those who make \$100,000 a year will even have a tax increase under the Armeley plan, not very much, but about a 1 percent increase. But those who make a quarter of a million dollars a year, you get a tax cut and a big one. If you make a million bucks a year, you get an even bigger tax cut under the Armeley flat tax plan. Basically what this plan does, it raises taxes substantially for the middle income people, between \$25,000 and \$100,000 a year, substantially, and then it gives a huge bonus to the very people at the top, those who need it the least, turning over the whole concept of progressive taxes.

I just wanted to come to the floor today to thank my friends for their concern on this issue and to raise some of these concerns with the American people today. Tax day is coming up, in terms of our income taxes. They ought to know that there are some very strange proposals that are being taken seriously out there and they ought to be leery of them and look at them very carefully.

Ms. DELAURO. Let me just ask my colleague from Michigan, with the

Armed flat tax, what happens to unearned income?

Mr. BONIOR. Unearned income, under the Armed proposal the last time I saw it, is not taxed.

Ms. DELAURO. These are stocks and bonds.

Mr. BONIOR. It is not taxed. If you make your money off the stock market or off of bonds, you do not have to pay a tax on that. That has got to be made up somewhere, so we can pay for the roads and for the military and for our national parks and the other things we do. Of course that is going to be taken out by who, well, these people here, the 25, the 100,000, here they go, up the red markers go, more taxes.

This is a huge tax shift, from working people to the wealthiest people in our society. What is so disturbing about this is that when we look at what happened to incomes over the last 20 years, it is the top 25, 20 percent in our country that have done extremely well. But everybody else below that have either stayed level in terms of their income ability, earnings, or they have fallen. Of course those at the bottom have fallen tremendously, over 25, 30 percent over the last decade or so.

The whole progressivity of what we are about as a party in terms of helping working, middle income families who are squeezed every day is being turned upside down by these regressive sales tax and flat tax proposals that the GOP is offering.

Mr. PALLONE. If I could point out another thing that is very unclear, it seems to me, and maybe the gentleman would respond to that right now, because he mentioned sale of a home, which is included in this proposal for the sales tax. We have people, homeowners that rely very heavily on mortgage interest deductions and also in my State, and I think many States, you can also deduct your local property taxes from your income tax. It is not at all clear to me that this would continue.

Mr. BONIOR. It would not under the Armed plan. Maybe the gentlewoman from Michigan who really knows these tax issues extremely well might want to comment on that.

Ms. STABENOW. If I might, just to add to what really is the burden under these proposals, not only would we lose the home mortgage deduction but on top of the price, and to continue with the charts, if we are looking at a \$155,000 house, not only would the GOP price be \$201,000, but under the sales tax proposal, this also taxes the insurance premium you pay every month, it taxes the electric bill that you have in your house, it taxes all services. I wanted to add that on top of what you have talked about, which is so important, in health care and so important as it relates to manufactured goods and so on, we are talking about every time we do something. So not only for the

blood pressure medicine or the arthritis medicine, it is going to the doctor that will add 30 percent. We are now going to make doctors sales tax collectors, 30 percent. They have to now collect it.

We will be creating a whole new group of tax collectors, shifting the burden on to small business people and professionals. We will see a wide range of services that will now be taxed. If you go to the barber shop, add 30 percent, if you go to the dry cleaner, add 30 percent, if you come home to your house, not only is your house payment up 30 percent but again everything related to your home is up 30 percent. We are talking about a use tax literally on everything.

Let me mention a couple of other things that I think are very critical to this. As we look at higher education, we have all worked very hard to provide tax breaks so that more people can go to college, more people can go back to school, get job training. Tuition and fees are exempt from the retail sales tax, but room and board is not. My daughter starts school at Michigan State University next fall. She will live in the dorm. Under this proposal, I would be paying 30 percent more for her dorm room, 30 percent more for her books, 30 percent more for her food. If she lived off campus, 30 percent more for her rent. So we are not just talking about goods, we are talking about literally everything that we do.

Let me add something else, because there are several other things, very interesting, in this proposal. This proposal eliminates a number of different taxes. It eliminates all of the excise taxes on alcohol and tobacco, right at a time when we are saying that we ought to be doing more to discourage, particularly children, from smoking.

□ 2115

Mr. BONIOR. So you are saying that this eliminates the taxes on tobacco and on alcohol, and it raises by this amount the taxes on prescription drugs for blood pressure and arthritis and diabetes and heart disease, and all of that it raises it to a huge 30 percent.

Ms. STABENOW. Absolutely. Which makes no sense whatsoever.

Ms. DELAURO. I think your point, and please, you have got some wonderful data and personal experiences here, but the point you were making about we are in the midst here of trying to reduce smoking amongst youngsters, kids.

Ms. STABENOW. That is correct.

Ms. DELAURO. Middle school kids. And we found, all the studies have found that you add \$1.50 a pack, it reduces the smoking. So, really, we are running at cross purposes here.

Ms. STABENOW. It is really crazy.

Another thing that we found today in analyzing this bill is that it also elimi-

nates the funding for the highway trust fund.

Now, this is particularly crazy, because we are in the process right now of passing a very important bill, one that we fought for hard in Michigan to be able to increase our fair share. We have not in Michigan over the years received our fair share, and we worked very hard to do that. But in the middle of this, it eliminates a wide variety of excise taxes and trust fund taxes, one being the highway trust fund.

So in so many ways, this particular bill makes no sense. It eliminates those taxes, it raises taxes on seniors, middle-income people. I do not know where we get the dollars then for the highway trust fund; I think that is an important question to ask.

Mr. PALLONE. Is it not also true, the way I understand this sales tax, this national sales tax, that the 30 percent sales tax will also be attached to goods and services that local and State governments purchase? So is it not likely that my local property taxes or even my local—you know, my State taxes are also going to go up another 30 percent because of the fact that this national sales tax is added.

Ms. STABENOW. The other part that I might add that also adds on top of that, my city of Lansing will pay, for instance, 30 percent more for a police car. But this proposal also counts the wages of public employees as taxable, as value in terms of the sales tax. So the police officer in that car will pay 30 percent more on top of their wages. Either the local unit will pay it, or they will have a new income tax essentially on the wage of that police officer, that firefighter, that school teacher, because it taxes wages of government employees.

So we are going to see the taxes go up for people who serve us in local communities at the same time local units will have to pay 30 percent more to provide the service.

Mr. BONIOR. We are likely to see huge property tax increases in this because the local community, in order to afford the EMS, the ambulance, the police car and the wage structure that you just talked about, is going to have to come up with the resources, and that means property tax.

So this is a huge shift, not only from income, but it is a huge shift on sales tax and on property taxes as well.

Mr. PALLONE. You know, I have to say another thing too. It is very difficult for me to trust the fact that these other taxes are going to go away and this new sales tax is going to take their place. I mean we do not have a national sales tax, we never had a national sales tax, and I would be very reluctant to suggest that somehow now all of a sudden we are going to allow this door to open where this whole new Federal tax is going to come into play, but we are going to assume that the

Federal income tax and all these other taxes somehow are going to disappear.

So it bothers me to think that a precedent is even being set of establishing a new type of national tax that we have not had before, because it opens up a Pandora's box essentially, and I would be fearful of that in itself, just based on historical precedence.

Ms. STABENOW. And I would add, I know that the small business community is extremely concerned about that issue. Today we have been debating various issues related to small business, paperwork reduction, and so on, but the reality is that every small business, professional or retailer or manufacturer, will now become a tax collector for that sales tax.

And on top of that, the National Retail Federation, and I would quote, based on the last session's bill, this bill was put in last session, it has been put in in the same form this session. So last session when this bill was in front of us, in front of the Congress, the National Retail Federation said between 1990 and 1994 the retail industry created 708,000 new jobs. A study by Nathan Associates shows that a national sales tax would destroy 200,000 retail jobs over a similar period. Adding these jobs lost with the 708,000 that will not be created, we could result in a net impact of almost 1 million fewer jobs. This is the National Retail Federation talking about small business loss because there will be fewer people buying at Christmastime.

What are the headlines we always read? What are the retail sales, the concern of retailers that people be purchasing? This cuts down on purchasing, it eliminates jobs.

So this is a job killer on top of everything else.

Mr. PALLONE. You know the amazing thing to me, because you started to talk about implementing this, is that we have—you know, I understand we do a fairly good job compared to what would happen with the sales tax in terms of collecting taxes now, but it seems to me you are talking about a 30 percent sales tax. You are going to get a lot of cheating, it is going to be difficult to enforce. And you know here the Republicans and Democrats alike have been talking about trying to reform the IRS, and we have actually made some significant changes because we do not want them becoming like a police force cracking down.

Would you not have to do a tremendous amount of enforcement? Would not the IRS become even more, have to have more money and a larger budget in order to enforce this kind of a sales tax?

Ms. STABENOW. And on top of that. I would just indicate that one of the things we have heard over and over again from the other side of the aisle is that we are going to eliminate the IRS under this proposal. We will eliminate

the IRS as we know it. In the bill it transfers all the powers of the IRS to a new Sales Tax Bureau. So the name is gone, but the powers are still there. So then we have to talk about reforming a sales tax bill.

I mean what we need to be doing is talking about ways to reform the system for taxpayers, not just playing around with the name, and that is what this does. It changes the name, and then it drops down and requires every businessperson now and every person that has never collected sales tax, like a doctor, like attorneys, accountants, anyone in any kind of business on their own that is providing service, a plumber, electrician, and so on, they now become a tax collector and have to report that to the government.

So this is certainly anti-small business.

Ms. DELAURO. I think it also, as our colleague from New Jersey pointed out, I mean it leaves you turning everybody, if you will, into a tax collector. You then have an enormous amount of room here for error, for fraud, for all kinds of things that are happening. It seems to me to be a multiplier effect here.

And I think the point you made before, that Mr. PALLONE made before, about folks are so skeptical about, you know, what taxes are going away before you begin to impose another 30 percent on whatever they are doing. And you know the public is smart. They are getting hammered, especially working families are getting hammered, and they have no guarantee over what is going to go away ultimately and what is going to be imposed on them.

I think the point that you made is so—really about the wage earner, the government wage earner; what happens with the property tax, in addition to which what happens to your own wages. So you are going to get hammered several times over on tax issues when people are feeling choked today by taxes, working people are.

I know in my State of Connecticut, I mean that is the cry that I hear about all the time, you know, that wherever they turn, there is another tax that they are paying.

Ms. STABENOW. Well, they certainly will feel that even more under this particular proposal, and right at a time when we have just passed a series of tax cuts, \$95 billion in tax cuts. We have been able to focus more cuts on education. The ability for people to be able to go to school, all of those things would be gone.

In Michigan when I was a State senator, I sponsored the State's largest property tax cut. I am not interested in seeing this shift back and seeing property taxes go back up in the State of Michigan or in any State.

And so we are talking about those taxes that the average person pays. It

is very easy for a wealthy individual to pick and choose what extra things they are going to buy, but the average person who is buying the house, sending the kids to school, needing to buy the clothes, the food, the car and so on, most of our income goes back out again in purchasing things, and that is why we see that shift that has been talked about onto middle-income and lower-income people, because we do not have as much discretionary income with which to decide whether or not to purchase items. Most of what we bring in, we are turning around and we are purchasing something with it.

Ms. DELAURO. I think it is worth pointing out what our colleague, Mr. Bonior, talked about in terms of the flat tax proposal and people who are dealing in stocks and bonds and unearned income, and they are not paying any taxes on that. So what you are saying is that those people who work in the workplace day in and day out, they are the folks who are getting socked with the additional taxes, in addition to which you are going to take away with the mortgage deduction and some of the other tax relief, if you will, that middle-class families have been counting on, relying on, surviving on.

So you are really hitting them again twice. You know, they are picking up the slack for the folks who are holding the stocks and bonds, and then getting hammered again on things that they have counted on, that American dream and owning that home, and not being able to take the mortgage deduction.

Mr. BONIOR. I am flabbergasted. I do not know what more to say. I mean, I just cannot believe these things are being offered. It really is quite staggering. The problem is that we have unfortunately let them get away with portraying this as an innocent, wonderful thing for the American working family, when in fact it is just the opposite. And I think as it gets more exposure and people understand the regressivity and the inequities in it, I think it falls flat on its face, pardon the pun, and I do not think it is going anywhere.

I mean. It is just like this other proposal that my colleagues on the other side of the aisle have had now to do away with—have a drop-dead date on the Federal income tax. I think it is going—it just goes out of business in X year. Well, what does that do to the small business person or the businessperson in terms of planning, when they do not know what it is going to be substituted with; whether they are going to substitute it with this 30 percent sales tax; are they going to substitute it with this regressive flat tax? I think not.

When the American people figure this all out, they are not going to want either of these provisions. I think they want our present code to be leaner and trimmer and slimmer, and they want

us to focus in on the things that the gentlewoman from Michigan mentioned: education, as we did in the last tax bill; they want us to focus in on tax credits for child care; they want us to be selective; and they want us to help average working families.

And I think that you could go overboard, and certainly these two proposals, the sales tax 30 percent increase and the flat tax by Mr. Arney, way overboard.

Ms. STABENOW. If I might also add that I do believe that the people I represent want to see a less complicated tax system, want to see it fairer. And I do, too. And they also want to see IRS reformed, which we passed in the House. It has not yet been taken up in the Senate, very important IRS reforms, changing the burden of proof from the taxpayer to the IRS in Tax Court, very significant changes that need to be moving quickly.

One of the things I am concerned about is that we have passed IRS reform in the House, it has not been taken up yet in the Senate, and that needs to happen, so that we can—we need to be calling on the majority in the Senate to be bringing that up, because while we talk about the proposals that do not make sense for middle-class families and working people, we do know that there needs to be change and that there needs to be positive things.

It is a question of where our values are, who it is that we believe needs to see tax cuts and tax reform. And my vote goes with small business people, family-owned farms, middle-class families working hard to make ends meet. Those are the folks who have not seen the same wage gains and have felt the burden, too much of the burden, on taxes.

And so those are the folks I want to see helped, not the kinds of proposals that have been submitted on the other side of the aisle that will just increase their taxes.

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Mr. PALLONE. Maybe we could talk a little bit, because I know the gentlewoman from Connecticut mentioned about how Democrats have fought for tax relief, in the time that we have left this evening. We have been basically fighting for families that really need the relief, those with children who are trying to save for their kids' education and their own retirement. As the gentlewoman from Michigan mentioned, thanks in large part to Democratic efforts, the Federal tax burden on families in the middle-income distribution and below has fallen since 1984.

There is an analysis by the Treasury Department that found that the average Federal income tax rate for a median family of four in 1988 will only be 7.8 percent, down from 10.3 percent in 1984. This is the lowest income tax burden for a median family since 1966.

These historically low income tax rates are as a result of Democratic policies. If I can mention a few, some of them have already been alluded to, and that is the expansion of the earned income credit in 1993 that cut taxes for millions of families with children; the \$500-per-child credit the Democrats ensured would be available to moderate-income families. In addition, Democrats proposed the HOPE education scholarship tax credit to help families afford postsecondary education for the children. And in 1988, Democrats had proposed expansion of the child care tax credit to increase the amount of the credit from 30 percent to 50 percent of expenses and make it available to more families. So Democrats also support efforts to reduce the marriage penalty.

We are trying to reduce and we have been successful in reducing the tax burden for families in middle-income families with children who have to pay for education expenses, who have to pay for child care expenses. These are the kinds of tax reforms and tax cuts that we need to continue with.

I am very proud of the fact that we, as Democrats, have emphasized those targeted tax credits rather than the kind of crazy schemes that we are hearing from the other side.

Mr. Speaker, I yield to the gentlewoman from Connecticut.

Ms. DELAURO. I think that it is so important because not only can we not let folks get away with passing off these programs as a savior to working middle-class families, but when you go beneath the surface, you find out how seriously they are going to hurt working families. We should not let them get away with that, "the fact is that Democrats are not for tax cuts."

We have started that process over the last several years. It continues so that people can take advantage of a Tax Code and the tax credits to get their kids to school; to be able to afford the child care; that that small business that you speak so eloquently about has the opportunity for reducing health care costs; or for expanding their business and being able to get the tax relief on equipment that they might buy, and raising those percentages.

There were a whole series of capital gains tax cuts that went into effect for small businesses who ought to be able to take advantage of that, and farmers. And those continue. The benefits continue as pieces of these things get phased in, because I would venture to say today that people are not seeing, immediately, the results of some of these things, so that it is ongoing. We need to be working at that, increasing those opportunities and those targeted tax cuts. That is where they ought to be going. Those are the folks we ought to be helping at this point.

We ought to be helping seniors cope with fixed income, with a higher rate

of illness, perhaps, so that these costs do not skyrocket for them. That is the way we bring some opportunity in folks' lives to be able to raise their standard of living, if you will.

Those who are at the upper end of the scale have these opportunities. Nobody is denying that. They can also be more selective in which taxes they are paying. They have different kinds of shelters, different kinds of opportunities within the Tax Code. I will not even call them loopholes, they are opportunities in the Tax Code, to take advantage of in some way. Working middle-class families do not have those opportunities.

Ms. STABENOW. If I might give just an example.

Ms. DELAURO. Sure.

Ms. STABENOW. In the last tax debate, when the original bill came to the floor, that was basically the Republican tax bill, we did not see an immediate increase in the exemption for the State tax for small businesses, family-owned businesses, and family-owned farms. It was a phased-in amount that you could exempt that was over 10 years. It really was not very much.

I have been hearing, particularly from my family-owned farmers, and also family-owned businesses, about the need it be exempting more of that income when there is a death and be able to protect that income. We fought hard. I voted no on that original bill because it did not have that in it. We have worked very, very hard.

When the final bill was written as a result of our initiatives, we have now exempted \$1.3 million for family-owned farms, started this January, \$1.3 million for family-owned farms or family-owned businesses. This is the amount of money you do not now have to pay taxes on in your estate. And this was a value that we had about family business and family-owned farms. We fought hard for it, and we were able to make the change.

So we have been moving. We have been taking the proposals and making them better and working very, very, very hard to make sure that we are focusing on families, we are focusing on middle-income people, small businesses, and so on.

I would mention one other thing that we are now working on, and that is, in working with the President in his new pension proposals for small business, I am very pleased to have introduced a bill that will give a tax credit over 3 years for small businesses that set up pension plans for their employees, another important use of the Tax Code in terms of tax relief.

We have now 51 million people working hard every day for small businesses, working full time, no pension; 40 million of those in small businesses with less than 100 employees. So we now are working on an effort to allow that small business to write off the

cost of setting up a pension plan so that those people working hard every day, who need that pension when they retire, will have the opportunity to do that.

Mr. PALLONE. Reclaiming my time, I just wanted to mention, I appreciate the comments that the gentlewoman from Michigan and the gentlewoman from Connecticut made, because I think the bottom line is that you are talking about targeted tax cuts that help the average working family.

I wanted to say, though, you know, that just for those who think that perhaps the Democrats do not have an alternative, we really have the only new tax system, if you will, new proposal out there that sweeps away the old Tax Code, but at the same time provides fairness. This is the one that was introduced by our Democratic leader, the gentleman from Missouri (Mr. GEPHARDT).

It is the only major tax reform proposal that retains the progressive rate structure and ensures that this new system is fair. It is a 10 percent tax plan that has been offered by our House Democratic leader, the gentleman from Missouri (Mr. GEPHARDT), recognizing that the Tax Code is too complex and filled with special interest tax breaks that result in higher tax rates for middle-income families.

So what the gentleman from Missouri (Mr. GEPHARDT) has proposed is basically ratifying and simplifying the system and cutting taxes for 70 percent of families with children, with income between \$20,000 and \$75,000. Under his plan, more than 70 percent of all taxpayers would have a tax rate of 10 percent or less.

This proposal by the gentleman from Missouri also eliminates the marriage penalty by making the standard deduction in tax brackets for couples double those for single people. It eliminates special interest tax breaks. Very important.

You keep reading on a regular basis, particularly around April 15, about all these special interest tax rates. It eliminates them. It eliminates the role of the army of lobbyists who now dominate tax policy discussions. We see them around here. Every one of us has seen these people. This is the time of year when we see them the most.

It calls for a commission to identify and recommend elimination of wasteful and unwarranted corporate tax and spending subsidies. I think this is something we should look at. This is a Democratic proposal by our leader. It stands for a tax system that is fair and simple, in the event you want to look at an alternative.

Ms. DELAURO. I think what is important to mention there, it also maintains that home mortgage deduction, again, which is so critical to families today. As I say, that is part of the American dream. I just wanted to point

out, because I know the gentlewoman from Michigan, if you will, she is a technology maven, you know, and is there all the time pushing as how we need to move families and so forth to take advantage of technologies, the way our kids are going to get ahead and so forth.

I think it is interesting in terms of this sales tax here, in every family, kids are coming home today, "Why can't I have a computer? I would like a computer. Why don't have one? You know, Mary has one. Jessica has one. Freddie has one. What about us?"

Well, hold up the chart. I think it is important to note that chart. Family computer, today's price is almost \$2,000. It would add an additional 30 percent, another \$600, bringing the cost of a family computer to almost \$2,600, you know, for the most part, trying to put it out of the reach for working families. They are trying to respond to their kids to allow their kids to get ahead.

It is wrong. This is not what we ought to do. Let us target our tax credits to working families, to small businesses, to small farmers. Let us take a look at that Tax Code. Let us make it simpler. Let us make it easier. These catchwords scrap the code. They are radical. They are dangerous.

We are going to make it our mission here to continue to have these conversations so that the American public knows that they are being sold a pig in a poke. We are going to bring it to their attention so that they do not get fooled by this dangerous and extreme rhetoric.

Mr. Speaker, I think we will be up on our feet again on this issue.

LEAVE OF ABSENCE

By unanimous consent, leaves of absence were granted to:

Mr. BATEMAN (at the request of Mr. ARMEY) for today and the balance of the week on account of illness.

Mr. RUSH (at the request of Mr. GEPHARDT) for today on account of official business in the district.

Mr. UNDERWOOD (at the request of Mr. GEPHARDT) for today and Wednesday, April 22, before 12 noon, on account of official business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Ms. NORTON) to revise and extend their remarks and include extraneous material:

Ms. NORTON, for 5 minutes.

Ms. MILLENDER-MCDONALD, for 5 minutes.

Mr. HINCHEY, for 5 minutes.

Ms. MALONEY of New York, for 5 minutes.

The following Members (at the request of Mr. WHITFIELD) to revise and extend their remarks and include extraneous material:

Mr. PAUL, today and on April 22, for 5 minutes each day.

Mr. MCINNIS, today, for 5 minutes.

Mr. GREENWOOD, today, for 5 minutes.

Mr. GILCHREST, today, for 5 minutes.

Mr. KNOLLENBERG, on April 22, for 5 minutes.

Mr. SCARBOROUGH, on April 22, for 5 minutes.

Mr. HULSHOF, today, for 5 minutes.

Mr. JONES, on April 28, for 5 minutes.

Mr. RAMSTAD, today, for 5 minutes.

Mr. ROGAN, on April 22, for 5 minutes.

Mr. MCCOLLUM, today, for 5 minutes.

Mr. WHITFIELD, today and on April 22, for 5 minutes each day.

Mrs. MORELLA, today and on April 22, 23 and 24, for 5 minutes each day.

Mr. WELDON of Pennsylvania, today, for 5 minutes.

Mr. SMITH of Michigan, on April 22 and 23, for 5 minutes each day.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

The following Members (at the request of Ms. NORTON) to revise and extend their remarks and include extraneous material:

Mr. TRAFICANT.

Mr. RANGEL.

Mr. HAMILTON.

Mr. SCHUMER.

Mr. MENENDEZ.

Mr. SHERMAN.

Mr. CARDIN.

Mr. BONIOR.

Mr. LANTOS.

Mr. MARKEY.

Mr. ORTIZ.

Mr. SKELTON.

Mr. KIND.

Mr. BLAGOJEVICH.

Mr. ETHERIDGE.

Mr. KILDEE.

Mr. DEUTSCH.

The following Members (at the request of Mr. WHITFIELD) to revise and extend their remarks and include extraneous material:

Mr. RADANOVICH.

Mr. THOMAS.

Mr. GIBBONS.

Ms. EMERSON.

Mr. NEY.

Mr. SHUSTER.

Mr. PAPPAS.

The following Members (at the request of Mr. OWENS) to revise and extend their remarks and include extraneous material:

Mr. SAXTON.

Mr. HALL of Texas.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that

committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore (Mrs. MORELLA) on April 8, 1998:

H.R. 1116. An act to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clinton Independent School District and the Fabens Independent School District.

H.R. 2843. An act to direct the Administrator of the Federal Aviation Administration to reevaluate the equipment in medical kits carried on, and to make a decision regarding requiring automatic external defibrillators to be carried on, aircraft operated by air carriers, and for other purposes.

H.R. 3226. An act to authorize the Secretary of Agriculture to convey certain lands and improvements in the State of Virginia, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore (Mrs. MORELLA) announced her signature to enrolled bills of the Senate of the following titles on April 8, 1998:

S. 419. An act to provide surveillance, research, and services aimed at prevention of birth defects, and for other purposes.

S. 493. An act to amend title 18, United States Code, with respect to scanning receivers and similar devices.

S. 1178. An act to amend the Immigration and Nationality Act to modify and extend the visa waiver pilot program, and to provide for the collection of data with respect to the number of nonimmigrants who remain in the United States after the expiration of the period of stay authorized by the Attorney General.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that the committee did on the following date present to the President, for his approval, bills of the House of the following titles:

On April 17, 1998:

H.R. 1116. An act to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clinton Independent School District and the Fabens Independent School District.

H.R. 2843. An act to direct the Administrator of the Federal Aviation Administration to reevaluate the equipment in medical kits carried on, and to make a decision regarding requiring automatic external defibrillators to be carried on, aircraft operated by air carriers, and for other purposes.

H.R. 3226. An act to authorize the Secretary of Agriculture to convey certain lands and improvements in the State of Virginia, and for other purposes.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 47 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 22, 1998, at 10 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 State, 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 105th Congress, pursuant to the provisions of 2 U.S.C. 25:

Honorable MARY BONO, Forty-fourth, California.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 State, 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 105th Congress, pursuant to the provisions of 2 U.S.C. 25:

Honorable BARBARA LEE, Ninth, California.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

8394. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Commuted Traveltime Periods: Overtime Services Relating to Imports and Exports [Docket No. 98-022-1] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8395. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Commuted Traveltime Periods: Overtime Services Relating to Imports and Exports [Docket No. 98-017-1] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8396. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Brucellosis; Increased Indemnity for Cattle and Bison [Docket No. 98-016-1] received April 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8397. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Oriental Fruit Fly; Removal of Quarantined Area [Docket No. 97-073-5] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8398. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Official Pseudorabies Tests [Docket No. 96-013-2] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8399. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Use of Glycerine as a Humectant in Shelf Stable Meat Snacks [Docket No. 95-038DF] (RIN: 0583-AB97) received March 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8400. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Onions Grown in South Texas; Decreased Assessment Rate [Docket No. FV98-959-1-FIR] received April 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8401. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Grapes Grown in a Designated Area of Southeastern California; Revision to Container Requirements [Docket No. FV98-925-2 FIR] received April 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8402. A letter from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Revision of Laboratory Service Fees [Docket Number S&TD-97-001] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8403. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems—Sample Collection—Technical Amendments and Corrections: Direct Final Rule [Docket No. 97-056DF] (RIN: 0583-AC40) received April 1, 1998, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8404. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Carrageenan, Locust Bean Gum and Xanthan Gum Blend Used as a Binder in Certain Cured Pork Products [Docket No. 96-01 4DF] (RIN: 0583-AC16) received April 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8405. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Designation of the State of Florida Under the Federal Meat Inspection Act and the Poultry Products Inspection Act [Docket No. 97-050F] received April 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8406. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Fees for Destination Market Inspections of Fresh Fruits, Vegetables and Other Products [Docket Number FV-97-302] (RIN: 0581-AB51) received April 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8407. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Limes and Avocados Grown in Florida; Establishment of a Continuing Assessment Rate for Limes and a Decrease in the Continuing Assessment Rate for Avocados [Docket No. FV98-911-1 FR] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8408. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Nectarines and Peaches Grown in California; Revision of Handling and Reporting Requirements for Fresh Nectarines and Peaches [Docket No. FV98-916-1 IFR] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8409. A letter from the Manager, Federal Crop Insurance Corporation, Department of Agriculture, transmitting the Department's final rule—Apple Crop Insurance Regulations; and Common Crop Insurance Regulations, Apple Crop Insurance Provisions [7 CFR Parts 405 and 457] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8410. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Propiconazole; Extension of Tolerance for Emergency Exemptions [OPP-300633; FRL-5781-7] (RIN: 2070-AB78) received March 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8411. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hexythiazox; Extension of Tolerance for Emergency Exemptions [OPP-300631; FRL-5779-2] (RIN: 2070-AB78) received March 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8412. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—*Bacillus thuringiensis* subspecies *tolworthi* Cry9C Protein and the Genetic Material Necessary for its Production in Corn; Exemption from the Requirement of a Tolerance [OPP-300612;

FRL-5770-4] (RIN: 2070-AB78) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8413. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Rimsulfuron (N-((4,6-dimethoxypyrimidin-2-yl)amincarbonyl)-3-(ethylsulfonyl)-2-pyridinesulfonamide); Pesticide Tolerance [OPP-300639; FRL-5784-4] (RIN: 2070-AB78) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8414. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Cyprodinil; Pesticide Tolerance [OPP-300643; FRL-5785-1] (RIN: 2070-AB78) received April 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8415. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clethodim; Time-Limited Pesticide Tolerance [OPP-300642; FRL-5784-9] (RIN: 2070-AB78) received April 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8416. A letter from the Administrator, Rural Utilities Service, transmitting the Service's final rule—General Information, Organization and Functions, and Loan Making Authority [7 CFR Part 1700] received April 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8417. A letter from the Administrator, Rural Utilities Service, transmitting the Service's final rule—Rural Utilities Service Water and Waste Program Regulations [7 CFR Parts 1942 and 1951] received April 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8418. A letter from the the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of April 8, 1998, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 105-237); to the Committee on Appropriations and ordered to be printed.

8419. A letter from the Under Secretary for Acquisition and Technology, Department of Defense, transmitting the Secretary's Selected Acquisition Reports (SARS) for the quarter ending December 31, 1997, pursuant to 10 U.S.C. 2432; to the Committee on National Security.

8420. A letter from the Assistant Secretary for Defense Programs, Department of Energy, transmitting the letter stating the Department's plans to submit the Stockpile Stewardship Plan by April 30, 1998, pursuant to Public Law 105-85; to the Committee on National Security.

8421. A letter from the Director, Office of Personnel Management, transmitting the proposal for the Department of Defense Civilian Acquisition Workforce Personnel Demonstration, pursuant to Public Law 105-85; to the Committee on National Security.

8422. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the System's final rule—Equal Credit Opportunity [Regulation B; Docket No. R-0978] received April 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8423. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Russia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

8424. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—National Flood Insurance Program (NFIP); Standard Flood Insurance Policy (RIN: 3067-AC73) received April 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8425. A letter from the Federal Trade Commission, transmitting the Twentieth Annual Report to Congress on the administration of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. 1692m; to the Committee on Banking and Financial Services.

8426. A letter from the Secretary of Education, transmitting Final Regulations—Early Intervention Program for Infants and Toddlers with Disabilities (RIN: 1820-AA97) received April 14, 1998, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

8427. A letter from the Chief Executive Officer, Corporation for National Service, transmitting the Corporation's Fiscal Year 1996 Annual report; to the Committee on Education and the Workforce.

8428. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Early Intervention Program for Infants and Toddlers with Disabilities (RIN: 1820-AA97) received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8429. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits [29 CFR Part 4044] received April 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8430. A letter from the Secretary, Consumer Product Safety Commission, transmitting the Commission's final rule—Safety Standard for Bicycle Helmets [16 CFR Part 1203] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8431. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Expedited Safety Reporting Requirements for Human Drug and Biological Products; Correction [Docket No. 93N-0181] (RIN: 0910-AA97) received March 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8432. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Listing of Color Additives Exempt from Certification; Canthaxanthin [Docket No. 93C-0248] received March 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8433. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption Sucralose [Docket No. 87F-0086] received April 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8434. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Light Truck Average Fuel Economy Standard, Model Year 2000 [Docket No. NHTSA-97-3130] (RIN: 2127-AG72) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8435. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Delaware New Source Review [Docket No. DE-12-5886; FRL-5990-2] received March 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8436. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Minnesota [MN49-01-7274a; MN50-01-7275a; FRL-5990-6] received March 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8437. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Announcement of Competition for EPA's Brownfields Job Training and Development Demonstration Pilots [FRL-5989-1] received March 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8438. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's determination that the Clean Air Act provides the Agency sufficient legal authority to protect public health and the environment from air toxics falling into the Great Lakes, Lake Champlain, Chesapeake Bay and many U.S. coastal waters; to the Committee on Commerce.

8439. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Deletion of Certain Chemicals; Toxic Chemical Release Reporting; Community Right-to-Know [OPPTS-400082D; FRL-5785-5] (RIN: 2070-AC00) received April 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8440. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Vermont; VOC Regulations [VT-006-01-1219a; A-1-FRL-5998-1] received April 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8441. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Air Quality: Revision to Definition of Volatile Organic Compounds—Exclusion of Methyl Acetate [FRL-5992-4] (RIN: 2060-AH27) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8442. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants, Allegheny County, Pennsylvania; Control of Landfill Gas Emissions from Existing Municipal Solid Waste Landfills [PA-107-4066a; FRL-5994-4] received April 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8443. 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; Arkansas; Recodification of Air Quality Control Regulations and Correction of Sulfur Dioxide Enforceability Deficiencies [AR-2-1-

5646a; FRL-5990-0] received April 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8444. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Utah; 1993 Periodic Carbon Monoxide Emission Inventories for Utah [UT-001-004a; FRL-5993-4] received April 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8445. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Financial Assurance Mechanisms for Corporate Owners and Operators of Municipal Solid Waste Landfill Facilities [FRL-5994-7] (RIN: 2050-AD77) received April 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8446. A letter from the AMD—Performance Evaluation and Records Management, Federal Communication Commission, transmitting the Commission's final rule—In the Matter of Toll Free Service Access Codes [CC Docket No. 95-155] received April 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8447. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Dallas, Oregon) [MM Docket No. 97-220; RM-9179] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8448. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Lake Crystal, Minnesota and Vernon Center Minnesota) [MM Docket No. 96-260 RM-8965] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8449. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Prineville, Oregon) [MM Docket No. 97-226 RM-9184] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8450. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 90 of the Commission's Rules to Adopt Regulations for Automatic Vehicle Monitoring Systems [PR Docket No. 93-61] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8451. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Food Labeling: Health Claims; Soluble Fiber From Certain Foods and Coronary Heart Disease; Correction [Docket No. 96P-0338] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8452. A letter from the Chairman, National Committee on Vital and Health Statistics, transmitting the Annual Report to Congress on the Implementation of the Administrative Simplification Provisions of the Health Insurance Portability and Accountability Act,

pursuant to Public Law 104-191, section 263 (110 Stat. 2033); to the Committee on Commerce.

8453. A letter from the Secretary of Energy, transmitting a draft of proposed legislation with the Administration's specifications for electricity competition legislation; to the Committee on Commerce.

8454. A letter from the Secretary of Health and Human Services, transmitting the Department's "Major" final rule—Organ Procurement and Transplantation Network [Docket Number: 98-HRSA-01] (RIN: 0906-AA32) received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8455. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Confirmation and Affirmation of Securities Trades; Matching [Release No. 34-39829; File No. S7-10-98] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8456. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency declared by Executive Order 12924 of August 19, 1994, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, pursuant to 50 U.S.C. 1641(c); (H. Doc. No. 105-239); to the Committee on International Relations and ordered to be printed.

8457. A communication from the President of the United States, transmitting a report on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the U.N. Security Council, pursuant to Public Law 102-1, section 3 (105 Stat. 4); (H. Doc. No. 105-240); to the Committee on International Relations and ordered to be printed.

8458. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a report authorizing the transfer of up to \$100M in defense articles and services to the Government of Bosnia-Herzegovina, pursuant to Public Law 104-107, section 540(c) (110 Stat. 736); to the Committee on International Relations.

8459. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 09-98 for Final Authority to Conclude a Project Arrangement (PA) with the United Kingdom to investigate the potential tactical aircraft survivability improvements, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

8460. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 08-98 for U.S. involvement with Australia in a Project concerning Collins Class Submarine Acoustic Measurement, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

8461. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 06-98 which constitutes a Request for Final Approval for the Memorandum of Understanding between the U.S. and NATO member nations to establish an organizational structure for the implementation and operation of the Battlefield Information Collection and Exploitation Systems (BICES), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

8462. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Navy's proposed lease of defense articles to Oman (Transmittal No.

09-98), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

8463. A letter from the Acting Director, Defense Security Assistance Agency, transmitting the Department of the Navy's proposed lease of defense articles to Turkey (Transmittal No. 11-98), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

8464. 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 Singapore for defense articles and services (Transmittal No. 98-35), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

8465. 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 Saudi Arabia for defense articles and services (Transmittal No. 98-36), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

8466. 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 Norway for defense articles and services (Transmittal No. 98-34), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

8467. 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 Canada for defense articles and services (Transmittal No. 98-30), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

8468. 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 Italy for defense articles and services (Transmittal No. 98-25), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

8469. 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 Israel for defense articles and services (Transmittal No. 98-37), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

8470. 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 commercially to Israel (Transmittal No. DTC-66-98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8471. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on chemical and biological weapons proliferation control efforts for the period of February 1, 1997 to January 31, 1998, pursuant to Public Law 102-182, section 308(a) (105 Stat. 1257); to the Committee on International Relations.

8472. A communication from the President of the United States, transmitting the bi-monthly report on progress toward a negotiated settlement of the Cyprus question, including any relevant reports from the Secretary General of the United Nations, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

8473. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of

State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112(b); to the Committee on International Relations.

8474. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that two rewards have been paid, pursuant to 22 U.S.C. 2708(h); to the Committee on International Relations.

8475. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112; to the Committee on International Relations.

8476. A letter from the Secretary of Defense, transmitting notification supplements regarding the Cooperative Threat Reduction Program; to the Committee on International Relations.

8477. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-313, "Mortgage Lender and Broker Act of 1996 Amendment Act of 1998" received March 31, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

8478. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-312, "Omnibus Sports Consolidation Amendment Act of 1998" received March 31, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

8479. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received April 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

8480. A letter from the Acting Assistant Secretary for Management, Department of Veterans Affairs, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

8481. A letter from the Senior Deputy Chairman, National Endowment of the Arts, transmitting a report of activities under the Freedom of Information Act from January 1, 1997 to September 30, 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

8482. A letter from the Chairman, National Transportation Safety Board, transmitting the FY 1997 annual report under the Freedom of Information Act (FOIA) covering the period from January 1, 1997 through September 30, 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

8483. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Revised Application Procedures For Disability Retirement Under CSRS and FERS (RIN: 3206-AH68) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

8484. A letter from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting the Seventh Annual Management Report, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform and Oversight.

8485. A letter from the Secretary of the Treasury, transmitting a report on the Con-

solidated Financial Statements of the United States Government for Fiscal Year 1997, pursuant to 31 U.S.C. 331 (e)(1); to the Committee on Government Reform and Oversight.

8486. A letter from the Secretary of Housing and Urban Development, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

8487. A letter from the Secretary of Labor, transmitting a report of activities under the Freedom of Information Act for the first nine months of 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

8488. A letter from the Vice Chairman, Federal Election Commission, transmitting 60 recommendations for legislative action, pursuant to 2 U.S.C. 438(a)(9); to the Committee on House Oversight.

8489. A letter from the Secretary of Defense, transmitting the Fifteenth Report of the Federal Voting Assistance Program, pursuant to Public Law 99-410; to the Committee on House Oversight.

8490. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Wild Horse and Burro Adoptions; Power of Attorney (NV-960-1060-00-24-1A) (RIN: 1004-AD28) received April 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8491. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule—Illinois Regulatory Program [SPATS No. IL-089-FOR] received April 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8492. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Technical Amendments to HUD's Regulations Governing Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities [Docket No. FR-4138-F-01] (RIN: 2501-AC32) received March 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8493. A letter from the Acting Assistant Administrator For Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Sea Scallop Fishery; Area Closures [Docket No. 980318065-8065-01; I.D. 030698B] (RIN: 0648-AK68) received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8494. A letter from the Acting Assistant Administrator For Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Maximum Retainable Bycatch Percentages [Docket No. 971231319-8070-02; I.D. 112697A] (RIN: 0648-AK09) received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8495. A letter from the Acting Administrator For Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Shark Fisheries; Large Coastal Shark Species [I.D. 032098A] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8496. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Sea Turtle

Conservation; Shrimp Trawling Requirements [Docket No. 980331080-8080-01; I.D. 032398C] (RIN: 0648-AK66) received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8497. A letter from the National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—North and South Atlantic Swordfish Fishery; Directed Fishery Closure [I.D. 021998C] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8498. A letter from the Acting Assistant Administrator For Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 25 [Docket No. 980318066-8066-01; I.D. 022698A] (RIN: 0648-AK77) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8499. A letter from the Assistant Administrator, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Jade Collection in the Monterey Bay National Marine Sanctuary [Docket No. 950609150-8003-04] (RIN: 0648-A106) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8500. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Andover, NJ [Airspace Docket No. 97-AEA-50] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8501. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Galax, VA [Airspace Docket No. 97-AEA-48] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8502. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Wilmington, DE [Airspace Docket No. 97-AEA-49] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8503. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Danville, VA [Airspace Docket No. 97-AEA-46] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8504. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class D and Class E Airspace; Topeka, Philip Billard Municipal Airport, KS; Correction [Airspace Docket No. 97-ACE-36] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8505. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class D and Class E Airspace; Salina, KS; Correction [Airspace Docket No. 97-ACE-35] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8506. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Iola, KS [Airspace Docket

No. 97-ACE-37] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8507. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class D Airspace; Minot AFB, ND; and Class E Airspace; Minot, ND [Airspace Docket No. 97-AGL-61] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8508. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Sheridan, WY [Airspace Docket No. 97-ANM-18] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8509. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Colorado Springs, CO [Airspace Docket No. 98-ANM-06] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8510. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft Inc. Models SA226-AT, SA226-TC, SA227-AC, and SA227-AT Airplanes [Docket No. 96-CE-68-AD; Amendment 39-10403; AD 98-06-25] (RIN: 2120-AA64) received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8511. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-400 Series Airplanes [Docket No. 97-NM-65-AD; Amendment 39-10407; AD 98-06-29] (RIN: 2120-AA64) received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8512. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon (Beech) Model 400, 400A, 400T, MU-300, and MU-300-10 Airplanes [Docket No. 97-NM-68-AD; Amendment 39-10408; AD 98-06-30] (RIN: 2120-AA64) received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8513. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes [Docket No. 94-NM-117-AD; Amendment 39-10405; AD 98-06-27] (RIN: 2120-AA64) received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8514. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes [Docket No. 95-NM-216-AD; Amendment 39-10398; AD 98-06-20] (RIN: 2120-AA64) received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8515. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes [Docket No. 93-NM-193-AD; Amendment 39-10404; AD 98-06-26] (RIN: 2120-AA64) received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8516. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; U.S. National Waterski Racing Championship [CGD11-97-008] (RIN: 2115-AE46) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8517. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Anchorage Regulations; San Diego Harbor, CA [CGD11-97-007] (RIN: 2115-AA98) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8518. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Parker Enduro [CGD11-98-002] (RIN: 2115-AE46) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8519. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Back Bay of Biloxi, Mississippi [CGD 08-98-014] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8520. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Fatigue Evaluation of Structure [Docket No. 27358; Amdt. No. 25-96] (RIN: 2120-AD42) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8521. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class D Airspace South of Abbotsford, British Columbia (BC), on the United States Side of the U.S./Canadian Border, and the Establishment of a Class C Airspace Area in the Vicinity of Point ROBERTS, Washington (WA) [Airspace Docket No. 93-AWA-16] (RIN: 2120-AA66) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8522. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model BAe 146-100A, -200A, and -300A, and Model Avro 146-RJ Series Airplanes [Docket No. 97-NM-163-AD; Amendment 39-10424; AD 98-07-06] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8523. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International CFM56-2, -3, -3B, and -3C Series Turbofan Engines [Docket No. 98-ANE-16-AD; Amendment 39-10420; AD 98-07-02] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8524. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328-100 Series Airplanes [Docket No. 97-NM-108-AD; Amendment 39-10422; AD 98-07-04] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8525. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB 2000 Series

Airplanes [Docket No. 97-NM-306-AD; Amendment 39-10423; AD 98-07-05] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8526. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone: San Francisco Bay, CA [COTP San Francisco Bay; 98-005] (RIN: 2115-AA99) received April 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8527. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters [Docket No. 97-SW-67-AD; Amendment 39-10428; AD 97-24-17] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8528. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A. Model AB 412 Helicopters [Docket No. 97-SW-63-AD; Amendment 39-10430; AD 98-07-10] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8529. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; GKN Westland Helicopters Limited WG-30 Series 100 and 100-60 Helicopters [Docket No. 97-SW-28-AD; Amendment 39-10431; AD 98-07-11] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8530. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries (IAI), Ltd., Model 1125 Westwind Astra and Astra SPX Series Airplanes [Docket No. 98-NM-104-AD; Amendment 39-10427; AD 98-07-08] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8531. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model HS 748 Series Airplanes [Docket No. 97-NM-98-AD; Amendment 39-10443; AD 98-07-22] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8532. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR-42 and ATR-72 Series Airplanes [Docket No. 97-NM-228-AD; Amendment 39-10413; AD 98-06-34] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8533. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 47B, 47B-3, 47D, 47D-1, 47G, 47G-2, 47G-2A, 47G-2A-1, 47G-3, 47G-3B, 47G-3B-1, 47G-3B-2, 47G-3B-2A, 47G-4, 47G-4A, 47G-5, 47G-5A, 47H-1, 47J, 47J-2, 47J-2A, and 47K Helicopters [Docket No. 96-SW-28-AD; Amendment 39-10429; AD 98-07-09] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8534. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Amendment to Class E Airspace; Blacksburg, VA [Airspace Docket No. 97-AEA-45] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8535. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Lincoln, NE; Correction [Airspace Docket No. 97-ACE-24] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8536. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Pennington Gap, VA [Airspace Docket No. 97-AEA-47] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8537. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Audubon, IA [Airspace Docket No. 97-ACE-30] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8538. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Daytona Beach, FL [Airspace Docket No. 97-ASO-31] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8539. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767-200 and -300 Series Airplanes [Docket No. 97-NM-50-AD; Amendment 39-10433; AD 98-07-13] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8540. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 96-NM-245-AD; Amendment 39-10435; AD 98-07-15] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8541. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Final Policy on Part 150 Approval of Noise Mitigation Measures: Effect on the Use of Federal Grants for Noise Mitigation Projects [Docket No. 28149] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8542. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Standards for Acceptance Under the Primary Category Rule [14 CFR Part 21] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8543. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Laconia, NH [Airspace Docket No. 98-ANE-92] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8544. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to

Class D Airspace; Westfield, MA [Airspace Docket No. 98-ANE91] received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8545. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A340 Series Airplanes [Docket No. 97-NM-338-AD; Amendment 39-10446; AD 98-07-24] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8546. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR-42-500 Series Airplanes [Docket No. 98-NM-48-AD; Amendment 39-10447; AD 98-07-25] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8547. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A340 Series Airplanes [Docket No. 97-NM-327-AD; Amendment 39-10445; AD 98-07-23] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8548. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes [Docket No. 95-NM-207-AD; Amendment 39-10436; AD 98-07-16] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8549. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328-100 Series Airplanes [Docket No. 96-NM-119-AD; Amendment 39-10432; AD 98-07-12] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8550. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Helicopter Systems Model 369F and 369FF Helicopters [Docket No. 97-SW-03-AD; Amendment 39-10440; AD 98-07-19] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8551. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS 332C, L, and L1 Helicopters [Docket No. 97-SW-13-AD; Amendment 39-10441; AD 98-07-20] (RIN: 2120-AA64) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8552. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Disaster Assistance; Restoration of Damaged Facilities (RIN: 3067-AC60) received April 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8553. A letter from the Secretary of Transportation, transmitting the Department's report regarding regulations concerning oils, including animal fats and vegetable oils related to the Edible Oil Regulatory Reform Act, pursuant to Public Law 104-324, section 1130; to the Committee on Transportation and Infrastructure.

8554. A letter from the Deputy Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Equitable Adjustments Under Contracts for Construction, Dismantling, Demolishing, or Removing Improvements [48 CFR Parts 1843 and 1852] received April 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

8555. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—VA Acquisition Regulations: Department Protests (RIN: 2900-AI51) received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

8556. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—VA Acquisition Regulations: Commercial Items (RIN: 2900-AI05) received April 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

8557. A letter from the Secretary of Labor, transmitting the annual report evaluating the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA) for fiscal year 1996, pursuant to 38 U.S.C. 4332; to the Committee on Veterans' Affairs.

8558. A communication from the President of the United States, transmitting notification of his determination that a waiver of the application of subsections 402(a) and (b) of the Trade Act of 1974 with respect to Vietnam will substantially promote the objectives of section 402, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 105-238); to the Committee on Ways and Means and ordered to be printed.

8559. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Guidance under Subpart F Relating to Partnerships and Branches [REG-104537-97] (RIN: 1545-AV11) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8560. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Guidance under Subpart F Relating to Partnerships and Branches [TD 8767] (RIN: 1545-AW07) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8561. 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 [Revenue Procedure 98-34] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8562. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Effective Date of Regulations Under Section 1441 and Qualified Intermediary Procedures [Notice 98-16] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8563. 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 [Revenue Procedure 98-30] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8564. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting

the Service's final rule—Tax forms and instructions [Revenue Procedure 98-32] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8565. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Transfers in General [Revenue Ruling 98-21] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8566. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Net Unrealized Appreciation in Employer Securities [Notice 98-24] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8567. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Application of 1.1295-1T(b) (4), (f) and (g) to taxable years beginning before January 1, 1998 [Notice 98-22] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8568. A letter from the Chief Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Election to Continue To Treat Trust as a United States Person [Notice 98-25] received April 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8569. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Taxation of Social Security Benefits Under U.S.—Canada Income Tax Treaty [Notice 98-23] received April 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8570. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Qualified Intermediary Withholding Agreement [Rev. Proc. 98-27] received April 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8571. A letter from the Chief Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Changes in accounting periods and in methods of accounting [Rev. Proc. 98-29] received April 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8572. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Valuation of Plan Distributions [TD 8768] (RIN: 1545-AT27) received April 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8573. A letter from the Chief, Regulations Branch, United States Customs Service, transmitting the Service's final rule—Increase of Maximum Amount For Informal Entries to \$2000 (RIN: 1515-AC11) received April 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8574. A letter from the Chief, Regulations Branch, United States Customs Service, transmitting the Service's final rule—Centralized Examination Stations (RIN: 1515-AC07) received April 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8575. A letter from the General Sales Manager and Vice President, Commodity Credit Corporation, Department of Agriculture, transmitting the annual report summarizing the availability, distribution and value of commodities donated under section 416(b) in FY 1993, FY 1994, and FY 1995, pursuant to 7 U.S.C. Article 1431 (b), 416(b); jointly to the Committees on Agriculture and International Relations.

8576. A letter from the Acting Assistant Secretary for Environmental Management, Department of Energy, transmitting notification of a delay in submitting a report on the Savannah River Site Comprehensive Planning Process, pursuant to 42 U.S.C. 9203(c); jointly to the Committees on National Security and Commerce.

8577. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's annual report describing health and safety activities relating to the Department of Energy's defense nuclear facilities during the calendar year 1997; jointly to the Committees on National Security and Commerce.

8578. A letter from the Chairman, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a report on the changes in the present system for administering medical malpractice liability in the District of Columbia; jointly to the Committees on Government Reform and Oversight, Appropriations, the Judiciary, and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Submitted April 17, 1998]

Mr. GOODLING: Committee on Education and the Workforce. H.R. 6. A bill to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes; with an amendment (Rept. 105-481). Referred to the Committee on the Whole House on the State of the Union.

[Submitted April 21, 1998]

Mr. YOUNG of Alaska: Committee on Resources. H.R. 755. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate any portion of their income tax overpayments, and to make other contributions, for the benefit of units of the National Park System; with an amendment (Rept. 105-482 Pt. 1). Ordered to be printed.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2376. A bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act; with an amendment (Rept. 105-483). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1522. A bill to extend the authorization for the National Historic Preservation Fund, and for other purposes; with an amendment (Rept. 105-484). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3164. A bill to describe the hydrographic services functions of the Administrator of the National Oceanic and Atmospheric Administration, and for other purposes; with an amendment (Rept. 105-485). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCCOLLUM: Committee on the Judiciary. H.R. 3565. A bill to amend Part L of the Omnibus Crime Control and Safe Streets Act of 1968 (Rept. 105-486). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 3528. A bill to amend title 28, United States Code, with respect to the use of alternative dispute resolution processes in United

States district courts, and for other purposes; with an amendment (Rept. 105-487). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 407. Resolution providing for consideration of the joint resolution (H.J. Res. 111) proposing an amendment to the Constitution of the United States with respect to tax limitations (Rept. 105-488). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BARRETT of Wisconsin:

H.R. 3693. A bill to amend title 11, United States Code, to limit the value of certain real and personal property that a debtor may elect to exempt under State or local law, and for other purposes; to the Committee on the Judiciary.

By Mr. GOSS:

H.R. 3694. A bill 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; to the Committee on Intelligence (Permanent Select).

By Mr. HEFLEY (for himself and Mr. ABERCROMBIE) (both by request):

H.R. 3695. A bill to authorize certain construction at military installations for fiscal year 1999, and for other purposes; to the Committee on National Security.

By Mr. HILL:

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"; to the Committee on Transportation and Infrastructure.

By Mr. LEVIN (for himself, Mr. ENGLISH of Pennsylvania, and Mr. RANGEL):

H.R. 3697. A bill to enhance the Federal-State Extended Benefit program, to provide incentives to States to implement procedures that will expand eligibility for unemployment compensation, to strengthen administrative financing of the unemployment compensation program, to improve the solvency of State accounts in the Unemployment Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Mr. MATSUI (for himself and Mr. FAZIO of California):

H.R. 3698. A bill to provide for improved flood protection along the American River Watershed, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. MORELLA (for herself and Ms. STABENOW):

H.R. 3699. A bill to amend the Family Violence Prevention and Services Act to reauthorize the national toll-free telephone domestic violence hotline; to the Committee on Education and the Workforce.

By Mr. WYNN:

H.R. 3700. A bill to amend title 31, United States Code, to require the provision of a written prompt payment policy to each subcontractor under a Federal contract and to require a clause in each subcontract under a Federal contract that outlines the provisions of the prompt payment statute and other related information; to the Committee on Government Reform and Oversight.

By Mr. WYNN:

H.R. 3701. A bill to amend the Small Business Act to provide a penalty for the failure by a Federal contractor to subcontract with small businesses as described in its subcontracting plan, and for other purposes; to the Committee on Small Business.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

280. The SPEAKER presented a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 5 memorializing the Congress of the United States to support, and to urge and request the secretary of agriculture to incorporate, Option 1A as the pricing procedure in all federal milk marketing orders; to the Committee on Agriculture.

281. Also, a memorial of the House of Representatives of the State of Maine, relative to House Joint Resolution 1598 memorializing the Congress of the United States to resolve trade barriers between Maine and the Province of New Brunswick; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

(Submitted April 17, 1998)

H.R. 6: Mrs. ROUKEMA, Mr. RIGGS, Mr. BARRETT of Nebraska, Mr. UPTON, Mr. GREENWOOD, Mr. CASTLE, Mr. FATTAH, Mr. ROEMER, Mr. ANDREWS, and Mr. HINOJOSA.

(Submitted April 21, 1998)

H.R. 27: Mr. STRICKLAND.
 H.R. 44: Mr. PICKERING, Mr. KENNEDY of Massachusetts, Mr. NORWOOD, Ms. KILPATRICK, and Mr. ENGEL.
 H.R. 54: Mr. BOUCHER and Mrs. CAPPS.
 H.R. 55: Mr. SAXTON and Mr. PALLONE.
 H.R. 65: Ms. KILPATRICK, Mr. ENGEL, and Mr. WATKINS.
 H.R. 96: Mr. STUMP, Ms. STABENOW, and Mr. GEKAS.
 H.R. 107: Mr. CALVERT, Mr. BAKER, Mr. HILLEARY, and Mr. DUNCAN.
 H.R. 303: Mr. KENNEDY of Massachusetts and Ms. KILPATRICK.
 H.R. 306: Mr. BLAGOJEVICH.
 H.R. 339: Mr. COOK.
 H.R. 450: Mr. ANDREWS.
 H.R. 457: Mr. NETHERCUTT and Mr. LUTHER.
 H.R. 623: Mr. KENNEDY of Massachusetts.
 H.R. 633: Mr. LANTOS.
 H.R. 738: Mr. ETHERIDGE and Mrs. MALONEY of New York.
 H.R. 814: Mrs. MINK of Hawaii.
 H.R. 859: Mr. EHRLICH and Mr. FRELINGHUYSEN.
 H.R. 880: Ms. KAPTUR.
 H.R. 884: Mr. FRANK of Massachusetts and Mr. WYNN.
 H.R. 919: Mr. MENENDEZ.
 H.R. 953: Mr. DAVIS of Virginia and Mr. SANDERS.
 H.R. 971: Mr. MENENDEZ and Mr. SCHUMER.
 H.R. 979: Mr. HASTINGS of Florida, Mr. JENKINS, Mr. MARKEY, Mr. DAVIS of Illinois, Mr. MORAN of Kansas, Mr. GUTIERREZ, Mr. NADLER, and Mr. HILLEARY.
 H.R. 1023: Mr. CHRISTENSEN.
 H.R. 1126: Mr. PICKERING, Mr. GIBBONS, Mr. WYNN, Mr. SKAGGS, Mr. KENNEDY of Rhode Island, and Mr. HYDE.

H.R. 1134: Mrs. THURMAN, Mr. HALL of Texas, Mr. SANDLIN, Mr. MARKEY, and Mrs. KELLY.

H.R. 1140: Mr. MARKEY.
 H.R. 1202: Mr. BLAGOJEVICH, Mr. DELAHUNT, Mr. GILMAN, and Ms. KILPATRICK.

H.R. 1261: Ms. WOOLSEY.

H.R. 1320: Mr. LAFALCE.

H.R. 1322: Mr. MCKEON, Mr. SMITH of New Jersey, and Mr. CUNNINGHAM.

H.R. 1354: Mrs. LOWEY.

H.R. 1362: Mrs. CLAYTON, Mr. OLVER, Mr. PALLONE, and Mr. KIND of Wisconsin.

H.R. 1375: Mr. JENKINS, Ms. WATERS, Mr. MANTON, and Ms. MILLENDER-MCDONALD.

H.R. 1376: Mr. BORSKI.

H.R. 1401: Mr. BOSWELL, Mr. CARDIN, and Mr. HOUGHTON.

H.R. 1450: Mr. KENNEDY of Massachusetts.

H.R. 1481: Mr. NEY.

H.R. 1531: Mr. TIERNEY, Mr. MANTON, Mrs. MORELLA, and Mr. HINCHAY.

H.R. 1571: Mr. BROWN of California and Mr. LANTOS.

H.R. 1601: Mr. PICKERING.

H.R. 1608: Mr. YOUNG of Florida, Mrs. MEEK of Florida, Mr. KENNEDY of Rhode Island, and Mr. FROST.

H.R. 1689: Mr. BURTON of Indiana, Mr. SENBRENNER, Mr. DOOLITTLE, Mr. ACKERMAN, Mr. SOUDER, Mr. WOLF, Mr. GUTKNECHT, and Mr. SMITH of Texas.

H.R. 1788: Ms. DELAURO.

H.R. 1858: Mrs. CAPPS.

H.R. 2021: Mr. COOKSEY.

H.R. 2023: Mr. ALLEN, Mr. LAMPSON, Mr. WEYGAND, and Mr. MCNULTY.

H.R. 2113: Mr. SAXTON, Mr. BATEMAN, Mr. KLINK, and Mr. MANTON.

H.R. 2201: Mr. FOSSELLA, Mr. WAXMAN, Mr. GEJDENSON, and Mr. DEFazio.

H.R. 2332: Mrs. CAPPS.

H.R. 2348: Mrs. CAPPS and Ms. LEE.

H.R. 2349: Mrs. CAPPS and Ms. LEE.

H.R. 2409: Mr. PORTMAN, Mr. FRANK of Massachusetts, Ms. DEGETTE, Mr. LANTOS, and Mr. RODRIGUEZ.

H.R. 2488: Mr. NEY, Mr. FROST, Mrs. MEEK of Florida, and Mr. FRANK of Massachusetts.

H.R. 2504: Ms. STABENOW.

H.R. 2537: Mr. BURTON of Indiana, Mr. SMITH of Texas, and Mr. COLLINS.

H.R. 2549: Mr. HILLIARD, Mr. COYNE, Mr. LANTOS, and Mr. GORDON.

H.R. 2568: Mr. POMEROY and Mr. BARRETT of Nebraska.

H.R. 2592: Mr. PICKERING.

H.R. 2670: Ms. BROWN of Florida, Mr. KENNEDY of Rhode Island, Mr. FORBES, and Mrs. CAPPS.

H.R. 2699: Ms. ESHOO.

H.R. 2701: Mr. GOODE, Mr. MEEKS of New York, Mr. FOX of Pennsylvania, and Ms. DELAURO.

H.R. 2721: Mr. HALL of Texas.

H.R. 2754: Mrs. MEEK of Florida, Mrs. MORELLA, and Mr. PASCRELL.

H.R. 2819: Mr. GEJDENSON, Mr. WAXMAN, Mr. NADLER, Mr. BLUMENAUER, Ms. STABENOW, and Mr. FARR of California.

H.R. 2821: Mr. MCINTOSH, Mr. WAMP, and Mr. COMBEST.

H.R. 2825: Mr. MOLLOHAN.

H.R. 2854: Mr. PASCRELL.

H.R. 2908: Mr. MORAN of Kansas, Mrs. KELLY, Mr. SANDLIN, Mr. NETHERCUTT, Mr. COMBEST, and Mr. FARR of California.

H.R. 2914: Mr. FORBES.

H.R. 2922: Mr. PORTER and Mr. NORWOOD.

H.R. 2923: Mr. CLYBURN, Mr. SOLOMON, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. WAXMAN, Mr. SKEEN, Mr. DUNCAN, Mr. HOUGHTON, Mr. HOYER, and Mrs. LOWEY.

H.R. 2925: Ms. JACKSON-LEE, Ms. ESHOO, and Mr. WAXMAN.

H.R. 2931: Mr. BASS and Mr. McNULTY.
 H.R. 2936: Mr. GREENWOOD.
 H.R. 2938: Mr. REYES and Mr. SANDLIN.
 H.R. 2946: Mrs. MCCARTHY of New York.
 H.R. 2955: Mr. SERRANO and Mr. ADAM SMITH of Washington.
 H.R. 2990: Mr. HOEKSTRA, Mr. GILLMOR, Mr. MARKEY, Mr. BLAGOJEVICH, Mr. EVANS, Mr. YATES, Mr. MASCARA, Mr. SHAYS, and Mr. NADLER.
 H.R. 3008: Mr. GUTKNECHT, Mr. HILLIARD, Mr. COBURN, Mr. CHAMBLISS, and Ms. STABENOW.
 H.R. 3014: Mr. FAZIO of California.
 H.R. 3048: Ms. FURSE, Mr. McDERMOTT, Mr. SKAGGS, and Mr. KILDEE.
 H.R. 3052: Mr. RUSH, Mr. STARK, Mr. MCGOVERN, and Mr. MARTINEZ.
 H.R. 3107: Mrs. FOWLER and Mr. RYUN.
 H.R. 3110: Mr. SNOWBARGER, Mr. EHLERS, Mr. MANZULLO, Mr. KLINK, Ms. LOFGREN, Mr. SHAYS, and Mr. WYNN.
 H.R. 3127: Mr. COX of California, Mr. EWING, Mr. EHLERS, Mr. DOYLE, Mr. SUNUNU, Mr. FAWELL, Mr. FRANK of Massachusetts, Mr. WELDON of Pennsylvania, Ms. LOFGREN, and Mr. TAYLOR of North Carolina.
 H.R. 3135: Ms. MILLENDER-McDONALD, Mr. ABERCROMBIE, and Mr. GUTIERREZ.
 H.R. 3137: Mr. HILLEARY, Mr. NEY, Mrs. LOWEY, Mrs. CLAYTON, Mrs. EMERSON, Mr. GOODLING, Mr. GILCHRIST, Mr. HILLIARD, and Mr. KIND of Wisconsin.
 H.R. 3150: Mr. BLILEY, Mr. STUMP, Mr. FOLEY, Mr. HILL, Mrs. TAUSCHER, Mr. WELDON of Florida, Mr. SENSENBRENNER, Mr. CLYBURN, Mrs. ROUKEMA, Mr. BURTON of Indiana, Mr. ROYCE, Mr. CANADY of Florida, Mr. WYNN, Mr. COLLINS, Mr. SMITH of Michigan, Mr. EVERETT, Mr. RIGGS, Mr. PETRI, Mr. LATOURETTE, Mr. BARTON of Texas, Mr. BALLENGER, and Ms. GRANGER.
 H.R. 3156: Mr. PRICE of North Carolina, Mr. EVANS, Mr. HINOJOSA, Mr. OWENS, Mr. BECERRA, and Mr. ROEMER.
 H.R. 3160: Mr. MANTON.
 H.R. 3161: Mr. OLVER.
 H.R. 3181: Mr. GUTIERREZ, Mrs. THURMAN, and Ms. HOOLEY of Oregon.
 H.R. 3188: Mr. NORWOOD.
 H.R. 3205: Mr. NADLER, Mr. SANDLIN, Mr. LANTOS, and Mr. GREEN.
 H.R. 3229: Mr. ADERHOLT, Mr. GOODLING, Mr. CHABOT, and Mr. SENSENBRENNER.
 H.R. 3230: Mr. ADERHOLT, Mr. GOODLING, and Mr. CHABOT.
 H.R. 3240: Mrs. MORELLA.
 H.R. 3255: Mr. NADLER.
 H.R. 3269: Mr. WAXMAN, Mr. OWENS, and Mr. McDERMOTT.
 H.R. 3279: Mr. POSHARD, Mr. NEY, and Ms. SANCHEZ.
 H.R. 3284: Mr. TALENT.
 H.R. 3290: Mr. WALSH, Mrs. KELLY, Mr. ENSIGN, Mr. WATKINS, and Mr. GUTKNECHT.
 H.R. 3318: Mr. ACKERMAN, Mr. STARK, Mr. WISE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LANTOS, Mrs. TAUSCHER, and Mr. HOUGHTON.
 H.R. 3341: Mr. YATES.
 H.R. 3376: Mr. MATSUI.
 H.R. 3396: Mr. COX of California, Ms. DUNN of Washington, Mr. COOK, Mr. McHALE, Mr. REYES, Mr. RODRIGUEZ, Mr. DOOLITTLE, Mr. GALLEGLY, Mr. WATTS of Oklahoma, Mr. MCINTOSH, Mr. RUSH, Mr. HINOJOSA, Mrs. THURMAN, Mr. POMBO, Mrs. NORTUP, Mr. HOLDEN, Mr. MOLLOHAN, Mr. DOYLE, Mr. BORSKI, Mr. KANJORSKI, Mrs. MEEK of Florida, Ms. JACKSON-LEE, Mr. SCOTT, Mr. GREEN, Mr. CLYBURN, and Mr. REDMOND.
 H.R. 3400: Mr. PAYNE and Mr. BONIOR.
 H.R. 3438: Mr. SANDLIN.
 H.R. 3456: Mr. BLUNT, Mr. MILLER of Florida, Mr. FOLEY, and Mr. GRAHAM.

H.R. 3502: Mr. WISE, Mrs. LOWEY, and Mr. TORRES.
 H.R. 3506: Ms. DUNN of Washington, Mr. FALCOMA, Mr. RADANOVICH, Mrs. MORELLA, Mr. EHRlich, Mr. SESSIONS, Mr. HOBSON, Mr. DUNCAN, Mr. RIGGS, Mr. DINGELL, Mr. LEWIS of California, Mr. WAXMAN, Mr. DREIER, Mr. DIAZ-BALART, Mr. JENKINS, Mr. BALLENGER, Mr. KLUG, Mr. ROMERO-BARCELO, Mr. ORTIZ, and Mr. ROHRBACHER.
 H.R. 3510: Mr. ANDREWS, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. MEEKS of New York.
 H.R. 3514: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WYNN, Mr. DICKS, Mr. BONIOR, Mr. SANDLIN, and Mr. SHAYS.
 H.R. 3523: Mr. METCALF, Mr. MANZULLO, Mrs. MCCARTHY of New York, Mr. FOX of Pennsylvania, Mr. RODRIGUEZ, Mr. BORSKI, Mr. MORAN of Kansas, Mr. TOWNS, Mr. BISHOP, Mr. MALONEY of Connecticut, Mr. GRAHAM, Mr. RAHALL, Mr. CALLAHAN, Mrs. JOHNSON of Connecticut, Mr. COMBEST, Mr. CAMP, Mr. BLUNT, Mrs. EMERSON, Mr. PASCARELL, Mr. HALL of Texas, Mr. SOUDER, Mr. GORDON, Mr. BALLENGER, Mr. COOK, Mr. WICKER, Mr. GILMAN, and Mr. KENNEDY of Rhode Island.
 H.R. 3526: Mr. WAXMAN, Mr. GREENWOOD, and Ms. ESHOO.
 H.R. 3535: Mr. HASTINGS of Washington, Mr. SMITH of New Jersey, and Mr. WATKINS.
 H.R. 3555: Mr. GUTIERREZ and Ms. WOOLSEY.
 H.R. 3563: Ms. FURSE and Ms. ESHOO.
 H.R. 3567: Mrs. MCCARTHY of New York, Mr. SUNUNU, Mr. HOLDEN, Mr. BORSKI, Mr. KANJORSKI, Mr. TRAFICANT, Mrs. ROUKEMA, and Mr. ACKERMAN.
 H.R. 3570: Mr. BROWN of Ohio, Mr. RODRIGUEZ, Mr. OLVER, Mr. FRANK of Massachusetts, Ms. KAPTUR, and Mr. ABERCROMBIE.
 H.R. 3571: Ms. WOOLSEY, Mr. BARRETT of Wisconsin, Mr. POSHARD, Mr. KILDEE, Mr. McDERMOTT, and Mr. LANTOS.
 H.R. 3572: Mr. DeFAZIO, Mr. NETHERCUTT, and Mr. NORWOOD.
 H.R. 3577: Mr. BERMAN, Ms. KILPATRICK, and Mr. MARTINEZ.
 H.R. 3599: Mr. ROHRBACHER.
 H.R. 3615: Ms. NORTON, Mr. BROWN of California, Mrs. CLAYTON, Mr. UNDERWOOD, Mr. RUSH, Mr. MILLER of California, Mr. NEY, Mr. BARRETT of Wisconsin, Mr. McDERMOTT, and Mr. WAXMAN.
 H.R. 3626: Mr. WATKINS.
 H.R. 3661: Ms. STABENOW, Mr. SCHUMER, Mr. ACKERMAN, Mr. McDERMOTT, Mr. WOLF, Mr. HALL of Ohio, Mr. GORDON, and Mr. UPTON.
 H.R. 3666: Mr. FILNER, Mr. LEWIS of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCGOVERN, Ms. LOFGREN, Mrs. KENNELLY of Connecticut, Mr. FALCOMA, and Mr. BALDACCI.
 H.R. 3668: Mrs. KELLY.
 H.R. 3682: Mr. BARTON of Texas and Mr. MCINTYRE.
 H.J. Res. 26: Mr. CALLAHAN.
 H.J. Res. 71: Mr. McKEON, Mr. SMITH of New Jersey, and Mr. CUNNINGHAM.
 H.J. Res. 102: Mr. BOSWELL, Mr. McHALE, Ms. RIVERS, Mr. ROMERO-BARCELO, Mrs. LINDA SMITH of Washington, Mr. SOUDER, and Mr. UPTON.
 H.J. Res. 111: Mr. HORN.
 H. Con. Res. 55: Mr. SMITH of Michigan and Mr. PASCARELL.
 H. Con. Res. 107: Mr. QUINN.
 H. Con. Res. 126: Mr. FRANKS of New Jersey, Mr. STARK, Mr. KIM, and Mrs. KELLY.
 H. Con. Res. 166: Mrs. LOWEY.
 H. Con. Res. 181: Mr. ABERCROMBIE, Mr. BLILEY, Mr. BLUMENAUER, Mr. CRANE, Mr. DIXON, Mr. FOLEY, Mr. FRANK of Massachusetts, Mr. FRELINGHUYSEN, Mr. GELDENSON,

Mr. HOLDEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KLUG, Mr. KNOLLENBERG, Mr. LATOURETTE, Mr. MARKEY, Mrs. MEEK of Florida, Mr. OLVER, Mr. QUINN, Mr. SHAW, Mr. TAYLOR of North Carolina, Ms. WOOLSEY, Mr. BACHUS, Ms. BROWN of Florida, Mr. BROWN of California, Mr. COOK, Mr. DELAHUNT, Mr. EVANS, Mr. GONZALEZ, Mrs. JOHNSON of Connecticut, Mrs. MINK of Hawaii, Ms. PRYCE of Ohio, Mr. RAHALL, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. SERRANO, Mrs. THURMAN, and Mr. WAMP.
 H. Con. Res. 182: Mr. WYNN.
 H. Con. Res. 188: Mr. BLUNT and Mr. GOODLING.
 H. Con. Res. 191: Mr. STARK, Mr. WAXMAN, Ms. LOFGREN, Mr. FILNER, Mr. MILLER of California, and Mr. BERMAN.
 H. Con. Res. 203: Mrs. MCCARTHY of New York, Mr. PICKERING, Mr. DUNCAN, and Mrs. ROUKEMA.
 H. Con. Res. 210: Mr. POMEROY, Mr. SESSIONS, Mr. NADLER, Mr. WEYGAND, Mr. BERRY, Ms. RIVERS, Mr. MINGE, and Mr. BOEHLERT.
 H. Con. Res. 229: Mr. ADERHOLT, Mr. BARRETT of Nebraska, Mr. BROWN of California, Mr. COOK, Mr. DOYLE, Mr. EVANS, Mr. GILLMOR, Mr. HANSEN, Mr. HINCHEY, Ms. KAPTUR, Mr. KILDEE, Mr. LANTOS, Mr. LEWIS of Georgia, Mr. ROTHMAN, Mr. BOB SCHAFFER, Mr. TALENT, Mrs. TAUSCHER, Mr. WELDON of Florida, and Mr. WYNN.
 H. Con. Res. 232: Ms. DANNER, Mr. COYNE, Mr. BORSKI, Ms. SLAUGHTER, Mrs. NORTUP, Mr. FOSSELLA, and Mrs. LOWEY.
 H. Con. Res. 239: Mrs. KELLY, Mr. ROHRBACHER, Mr. WEXLER, Mr. MCGOVERN, Mr. BROWN of Ohio, and Mr. WAXMAN.
 H. Con. Res. 248: Ms. DELAURO.
 H. Res. 37: Mr. CRAMER, Mr. DINGELL, and Mr. KILDEE.
 H. Res. 119: Mr. BONIOR.
 H. Res. 312: Mr. ROMERO-BARCELO, Mr. LANTOS, Ms. CHRISTIAN-GREEN, Ms. MILLENDER-McDONALD, and Mr. SMITH of New Jersey.
 H. Res. 363: Mr. FATTAH, Mr. RUSH, Mr. GEJDESON, and Mr. JENKINS.
 H. Res. 399: Mrs. MYRICK, Mr. LAZIO of New York, and Ms. LOFGREN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

[Omitted from the Record of April 1, 1998]

H. Res. 399: Mr. FRANK of Massachusetts.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3164

OFFERED BY: MR. YOUNG OF ALASKA

(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 "Hydrographic Services Improvement Act of 1998".

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the National Oceanic and Atmospheric Administration.

(2) ADMINISTRATION.—The term "Administration" means the National Oceanic and Atmospheric Administration.

(3) HYDROGRAPHIC DATA.—The term "hydrographic data" means information acquired through hydrographic or bathymetric surveying, photogrammetry, geodetic measurements, tide and current observations, or other methods, that is used in providing hydrographic services.

(4) HYDROGRAPHIC SERVICES.—The term "hydrographic services" means—

(A) the management, maintenance, interpretation, certification, and dissemination of bathymetric, hydrographic, geodetic, and tide and current information, including the production of nautical charts, nautical information databases, and other products derived from hydrographic data;

(B) the development of nautical information systems; and

(C) related activities.

(5) ACT OF 1947.—The term "Act of 1947" means the Act entitled "An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes", approved August 6, 1947 (33 U.S.C. 883a et seq.).

SEC. 3. FUNCTIONS OF THE ADMINISTRATOR.

(a) RESPONSIBILITIES.—To fulfill the data gathering and dissemination duties of the Administration under the Act of 1947, the Administrator shall—

(1) acquire hydrographic data;

(2) promulgate standards for hydrographic data used by the Administration in providing hydrographic services;

(3) promulgate standards for hydrographic services provided by the Administration;

(4) ensure comprehensive geographic coverage of hydrographic services, in cooperation with other appropriate Federal agencies;

(5) maintain a national database of hydrographic data, in cooperation with other appropriate Federal agencies;

(6) provide hydrographic services in uniform, easily accessible formats;

(7) participate in the development of, and implement for the United States in cooperation with other appropriate Federal agencies, international standards for hydrographic data and hydrographic services; and

(8) to the greatest extent practicable and cost-effective, fulfill the requirements of paragraphs (1) and (6) through contracts or other agreements with private sector entities.

(b) AUTHORITIES.—To fulfill the data gathering and dissemination duties of the Administration under the Act of 1947, and subject to the availability of appropriations, the Administrator—

(1) may procure, lease, evaluate, test, develop, and operate vessels, equipment, and technologies necessary to ensure safe navigation and maintain operational expertise in hydrographic data acquisition and hydrographic services;

(2) may enter into contracts and other agreements with qualified entities, consistent with subsection (a)(8), for the acquisition of hydrographic data and the provision of hydrographic services;

(3) shall award contracts for the acquisition of hydrographic data in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.); and

(4) may, subject to section 5, design and install where appropriate Physical Oceanographic Real-Time Systems to enhance navigation safety and efficiency.

SEC. 4. QUALITY ASSURANCE PROGRAM.

(a) DEFINITION.—For purposes of this section, the term "hydrographic product" means any publicly or commercially available product produced by a non-Federal entity that includes or displays hydrographic data.

(b) PROGRAM.—

(1) IN GENERAL.—The Administrator may—
(A) develop and implement a quality assurance program, under which the Administrator may certify hydrographic products that satisfy the standards promulgated by the Administrator under section 3(a)(3);

(B) authorize the use of the emblem or any trademark of the Administration on a hydrographic product certified under subparagraph (A); and

(C) charge a fee for such certification and use.

(2) LIMITATION ON FEE AMOUNT.—Any fee under paragraph (1)(C) shall not exceed the costs of conducting the quality assurance testing, evaluation, or studies necessary to determine whether the hydrographic product satisfies the standards adopted under section 3(a)(3), including the cost of administering such a program.

(c) LIMITATION ON LIABILITY.—The Government of the United States shall not be liable for any negligence by a person that produces hydrographic products certified under this section.

(d) HYDROGRAPHIC SERVICES ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, which shall be known as the Hydrographic Services Account.

(2) CONTENT.—The account shall consist of—

(A) amounts received by the United States as fees charged under subsection (b)(1)(C); and

(B) such other amounts as may be provided by law.

(3) LIMITATION; DEPOSIT. Fees deposited in this account during any fiscal year pursuant to this section shall be deposited and credited as offsetting collections to the National Oceanic and Atmospheric Administration, Operations, Research, and Facilities account. No amounts collected pursuant to this section for any fiscal year may be spent except to the extent provided in advance in appropriations Acts.

(e) LIMITATION ON NEW FEES AND INCREASES IN EXISTING FEES FOR HYDROGRAPHIC SERVICES.—After the date of the enactment of this Act, the Administrator may not—

(1) establish any fee or other charge for the provision of any hydrographic service except as authorized by this section; or

(2) increase the amount of any fee or other charge for the provision of any hydrographic service except as authorized by this section and section 1307 of title 44, United States Code.

SEC. 5. OPERATION AND MAINTENANCE OF PHYSICAL OCEANOGRAPHIC REAL-TIME SYSTEMS.

(a) NEW SYSTEMS.—After the date of enactment of this Act, the Administrator may not design or install any Physical Oceanographic Real-Time System, unless the local sponsor of the system or another Federal agency has agreed to assume the cost of operating and maintaining the system within 90 days after the date the system becomes operational.

(b) EXISTING SYSTEMS.—After October 1, 1999, the Administration shall cease to operate Physical Oceanographic Real-Time Systems, other than any system for which the local sponsor or another Federal agency has agreed to assume the cost of operating and maintaining the system by January 1, 1999.

SEC. 6. REPORTS.

(a) PHOTOGAMMETRY AND REMOTE SENSING.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator shall report to the Congress on a plan to increase, consistent with this Act, contracting with the private sector for photogrammetric and remote sensing services related to hydrographic data acquisition or hydrographic services. In preparing the report, the Administrator shall consult with private sector entities knowledgeable in photogrammetry and remote sensing.

(2) CONTENTS.—The report shall include the following:

(A) An assessment of which of the photogrammetric and remote sensing services related to hydrographic data acquisition or hydrographic services performed by the National Ocean Service can be performed adequately by private-sector entities.

(B) An evaluation of the relative cost-effectiveness of the Federal Government and private-sector entities in performing those services.

(C) A plan for increasing the use of contracts with private-sector entities in performing those services, with the goal of obtaining performance of 50 percent of those services through contracts with private-sector entities by fiscal year 2003.

(b) PORTS.—Not later than 6 months after the date of enactment of this Act, the Administrator shall report to the Congress on—

(1) the status of implementation of real-time tide and current data systems in United States ports;

(2) existing safety and efficiency needs in United States ports that could be met by increased use of those systems; and

(3) a plan for expanding those systems to meet those needs, including an estimate of the cost of implementing those systems in priority locations.

(c) MAINTAINING FEDERAL EXPERTISE IN HYDROGRAPHIC SERVICES.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator shall report to the Congress on a plan to ensure that Federal competence and expertise in hydrographic surveying will be maintained after the decommissioning of the 3 existing National Oceanic and Atmospheric Administration hydrographic survey vessels.

(2) CONTENTS.—The report shall include—

(A) an evaluation of the seagoing capacity, personnel, and equipment necessary to maintain Federal expertise in hydrographic services;

(B) an estimated schedule for decommissioning the 3 existing survey vessels;

(C) a plan to maintain Federal expertise in hydrographic services after the decommissioning of these vessels; and

(D) an estimate of the cost of carrying out this plan.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Administrator the following:

(1) To carry out nautical mapping and charting functions under the Act of 1947 and sections 3 and 4, except for conducting hydrographic surveys, \$33,000,000 for fiscal year 1999, \$34,000,000 for fiscal year 2000, \$35,000,000 for fiscal year 2001, \$36,000,000 for fiscal year 2002, and \$37,000,000 for fiscal year 2003.

(2) To conduct hydrographic surveys under section 3(a)(1), including leasing of ships, \$33,000,000 for fiscal year 1999, \$35,000,000 for fiscal year 2000, \$37,000,000 for fiscal year

2001, \$39,000,000 for fiscal year 2002, and \$41,000,000 for fiscal year 2003. Of these amounts, no more than \$14,000,000 is authorized for any one fiscal year to operate hydrographic survey vessels owned and operated by the Administration.

(3) To carry out geodetic functions under

the Act of 1947, \$20,000,000 for fiscal year 1999, and \$22,000,000 for each of fiscal years 2000, 2001, 2002, and 2003.

(4) To carry out tide and current measurement functions under the Act of 1947, \$22,500,000 for each of fiscal years 1999 through 2003. Of these amounts, \$2,500,000 is

authorized for each fiscal year to implement and operate a national quality control system for real-time tide and current data, and \$7,500,000 is authorized for each fiscal year to design and install real-time tide and current data measurement systems under section 3(b)(4) (subject to section 5).

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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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