

(6) ADDITIONAL DIC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amount in effect under section 1311(b) of such title.

(7) ADDITIONAL DIC FOR DISABILITY.—The dollar amounts in effect under sections 1311(c) and 1311(d) of such title.

(8) DIC FOR DEPENDENT CHILDREN.—The dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 1998.

(2) Except as provided in paragraph (3), each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 1998, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(3) Each dollar amount increased pursuant to paragraph (2) shall, if not a whole dollar amount, be rounded down to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code. **SEC. 1102. PUBLICATION OF ADJUSTED RATES.**

At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 1998, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b) of section 1101, as increased pursuant to that section.

Pending consideration of said resolution.

The SPEAKER pro tempore, Mr. CALVERT, recognized Mr. STUMP and Mr. EVANS, each for 20 minutes.

On motion of Mr. STUMP, by unanimous consent,

*Ordered*, That the time for debate on the bill be limited to 5 minutes on each side.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to the resolution?

The SPEAKER pro tempore, Mr. CALVERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. STUMP demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CALVERT, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

#### ¶107.9 PRIVILEGES OF THE HOUSE

Mr. VISCLOSKEY rose to a question of the privileges of the House and submitted the following resolution:

A resolution, in accordance with House Rule IX, Clause 1, expressing the sense of the House that its integrity has been impugned because the anti-dumping provisions of the Trade and Tariff Act of 1930, (Subtitle B of title VII) have not been expeditiously enforced;

Whereas the current financial crises in Asia, Russia, and other regions have in-

involved massive depreciation in the currencies of several key steel-producing and steel consuming countries, along with a collapse in the domestic demand for steel in these countries; Whereas the crises have generated and will continue to generate surges in United States imports of steel, both from the countries whose currencies have depreciated in the crisis and from steel producing countries that are no longer able to export steel to the countries in economic crisis;

Whereas United States imports of finished steel mill products from Asian steel producing countries—the People's Republic of China, Japan, Korea, India, Taiwan, Indonesia, Thailand, and Malaysia—have increased by 79 percent in the first 5 months of 1998 compared to the same period in 1997;

Whereas year-to-date imports of steel from Russia now exceed the record import levels of 1997, and steel imports from Russia and Ukraine now approach 2,500,000 net tons;

Whereas foreign government trade restrictions and private restraints of trade distort international trade and investment patterns and result in burdens on United States commerce, including absorption of a disproportionate share of diverted steel trade;

Whereas the European Union, for example, despite also being a major economy, in 1997 imported only one-tenth as much finished steel products from Asian steel producing countries as the United States did and has restricted imports of steel from the Commonwealth of Independent States, including Russia;

Whereas the United States is simultaneously facing a substantial increase in steel imports from countries within the Commonwealth of Independent States, including Russia, caused in part by the closure of Asian markets;

Whereas there is a well-recognized need for improvements in the enforcement of United States trade laws to provide an effective response to such situations: Now, therefore, be it

*Resolved by the House of Representatives*, That the House of Representatives calls upon the President to—

(1) take all necessary measures to respond to the surge of steel imports resulting from the financial crises in Asia, Russia, and other regions, and for other purposes;

(2) pursue enhanced enforcement of United States trade laws with respect to the surge of steel imports into the United States, using all remedies available under those laws including offsetting duties, quantitative restraints, and other authorized remedial measures as appropriate;

(3) pursue with all tools at his disposal a more equitable sharing of the burden of accepting imports of finished steel products from Asia and the countries within the Commonwealth of Independent States;

(4) establish a task force within the executive branch with responsibility for closely monitoring United States imports of steel; and

(5) report to the Congress by no later than January 5, 1999, with a comprehensive plan for responding to this import surge, including ways of limiting its deleterious effects on employment, prices, and investment in the United States steel industry.

The SPEAKER pro tempore, Mr. CALVERT, recognized Members who desired to be heard on whether the resolution presented a question of privileges of the House.

Mr. VISCLOSKEY was recognized and said:

“Mr. Speaker, I offer this question of privilege to bring attention to a catastrophic situation facing this Nation. The trade laws that the Congress has

enacted over the last 60 years are designed to ensure that American workers are not hurt by unfair and illegal trade practices. Congressional intent, as represented by the Trade and Tariff Act of 1930, is being ignored at the present time.

“The U.S. steel industry and its workers are suffering because the Asian and Russian financial crises have led those countries to dump their steel on our market. The U.S. has been reluctant to stop this illegal practice. Steel that was formerly produced for domestic consumption in Asia is now being shipped to the United States where it is sold at prices below the cost of production. Steel prices in the United States have fallen 20 percent in the last 3 months alone.

“The European Union has protected itself and its steel industry against dumping by erecting temporary barriers to steel imports during the crisis. Their steel industry is weathering the storm. In America, the demand for domestic steel has decreased dramatically in mills in Alabama, West Virginia, Utah, Ohio, Iowa, Indiana, and workers have been laid off because of the decreased demand for American steel. American workers should not have to pay the price of the administration's refusal to enforce trade laws which the Congress has enacted and supports. This impinges on the integrity of this House.

“American steel workers, the most efficient in the world, cannot continue to be besieged by foreign steel products while waiting indefinitely for trade cases to be settled. Damage to the American steel industry is extensive, severe and rapidly growing. We need to protect our American steel workers by stemming the tide of illegally dumped steel, and the administration's failure to act again directly impinges on the integrity of this House.”

Mr. BERRY was recognized and said:

“Mr. Speaker, I rise today to talk about the steel crisis that is escalating out of control and is having a devastating effect on the people of the First Congressional District of Arkansas as well as people around the country. I am a free trader so long as the rules of free trade are rigorously enforced. Fair trade is imperative to support free trade.

“What is not fair is the export of the Asian and Russian crisis to our shores. Currently Japanese and Russian and other foreign steel companies are unable to sell their excess capacity at home. These foreign steel producers are dumping their products on the U.S. market by selling at prices less than their cost and below those in their home markets.

“As a result, this growing steel import crisis is causing injury to our domestic steel companies and the industry. It is threatening the jobs of people in the First Congressional District of Arkansas and across America. As a result, the steel imports in May 1998 increased 28.5 percent from their level of

the previous year. Through June 1998 the imports from Japan were up 113.7 percent, while imports from Korea rose 89.5 percent.

"Mr. Speaker, we need to protect American workers and American industry by stopping the illegal dumping of steel from other countries. Now is the time to act. We have the responsibility and the opportunity to correct this problem, and I assure my colleagues that I will do everything I can to help. We can win, but we must fight."

Mr. TRAFICANT was recognized and said:

"Mr. Speaker, I am not addressing and will not address the deplorable plight and condition of the steel industry at this time. But I believe there are some precedents in legal arguments concerning the privileges of the House and its Members to advance privileged resolutions. I would like to make those arguments, and I want to make it clear through the legislative intent and history of today's request for a vote that we are challenging past precedents on the rulings and questions of privilege, and today's efforts are another step forward to bring back to the powers of the House those which the Constitution deems are within the jurisdictional authority of the House.

"Having said that, specifically article I, section 8 clearly states that Congress shall regulate commerce with foreign nations. Congress. Not the White House, not the Trade Rep, not the World Trade Organization. Although they can assist the Congress, they do not have the mandated authority to undertake the actions necessary for remedy in this condition. And I hope Congress is listening. I know they want to get out of here. But let us not talk about steel. Let us talk about the Constitution.

"Having said that, I believe that this matter of privilege today is within the scope of the United States House of Representatives for the following reasons. While I admit past precedents did not destroy the powers of Congress, the decisions of past Congresses, as upheld by the Chair, have diminished the Congress, specifically the House of the people. In that regard, the legal question is, if congressional powers are being diminished and there is a condition that does not lend itself to remedy by the House who has the mandated power to remedy, then the resolution must be heard on cause.

"So the Traficant appeal is saying, by the nature of past decisions, Parliamentarians and the Chair have upheld denying the resolutions of privilege, while I maintain that decision has created a diminishing power and authority that is duly granted to the Constitution, duly granted to the Members of the House of Representatives, and strips us of those powers specifically. That is what my question of a ruling is on.

"In closing, ladies and gentlemen, this is more than some trickery here. I want to say this to every Member in

the House. We have delegated our authority. What we have not delegated has been usurped, and both sides of the aisle has allowed that to happen, and by not challenging this today and reversing past precedents, we in fact have diminished and destroyed what powers we are granted under the Constitution."

Mr. OBERSTAR was recognized and said:

"Mr. Speaker, I rise to be heard on the question of privilege.

"Mr. Speaker, the resolution under consideration, I believe, does constitute a question of privileges of the House, because the trade laws that the Congress has enacted over the last 60 years are designed to ensure that American workers are not hurt by unfair and illegal dumping of manufactured products, including steel. Congressional intent as represented by the Trade and Tariff Act of 1930, is being specifically ignored.

"This is not a partisan matter. It is a matter that concerns Members on both sides of the aisle. It is not a matter limited to the present administration in Washington, the Clinton administration. It is an issue that has spread over several administrations, going back to the 1970s, the Carter administration, later the Reagan administration, the Bush administration. This Congress, through our congressional steel caucus, on a bipartisan basis has advocated vigorous action against unfairly traded steel.

"Shortly after the end of World War II a famous American historian and journalist, John Gunther, wrote:

What makes America a great nation is the fact that it can roll over 90 million tons of steel ingots a year, more than Great Britain, prewar Germany, Japan, France and the Soviet Union combined.

"Gunther wrote: "This is a steel age."

"We still live in that steel age. Steel is still the most versatile building material in an industrial society. We are the world's most efficient producer of steel. American steel industry has lost 350,000 jobs over the last decade, has closed over 450 plants, modernized its facilities to the tune of \$50 billion of investment. We have gone from 10 man hours to produce a ton of steel in 1981 to 1½ to 3 hours depending on the type of steel today to produce a ton of steel compared with 4½ to 5 hours in Japan, 6½ hours in the European Union and 10 hours in Russia. And yet steel from those countries is being sold in the United States at below cost of production in the country of origin, and this administration, like previous administrations, until prodded by Congress, has not acted decisively to protect our domestic industry, our basic building block security industry.

"We need to act. This resolution that we propose as a point of privilege calls on the administration to act, we ought to bring that resolution to the House floor before this session of Congress adjourns, and I urge the Chair to rule in

the interests of working men and women of America in the steel valley, the Mon Valley of Pennsylvania-Ohio, and the taconite industry of northern Minnesota and northern Michigan and in the interest of America's standing in the world community as a powerful economic force."

Mr. NEY was recognized and said:

"Mr. Speaker, I stand today to support this Visclosky privileged resolution which expresses the sense of the House that the integrity of our anti-dumping provisions of the Trade and Tariff Act of 1930 have not been enforced.

"My colleague from Ohio (Mr. TRAFICANT) I think has eloquently and adequately expressed the ability of this Congress to consider this privileged resolution.

"Trade laws that were enacted 60 years ago, Mr. Speaker, were designed to protect American workers. That is what this government did. It designed laws to protect American workers so they are not hurt by unfair trade practices.

"The U.S. steel workers and the steel industry are suffering in one of the worst ways in recent modern times because the Asia and Russia financial crisis has led those countries to illegally dump their steel on the market. It could not be any clearer.

"Steel that was formerly produced for domestic consumption in Asia is now being shipped to the United States where it is sold at prices below the cost of production. Steel prices have fallen 20 percent in the last 3 months alone. The Europeans have protected itself and the steel industry against dumping by erecting temporary barriers on steel imports. So Europe has stood up for its workers; that is what Europe has done, Mr. Speaker. The European steel industry will weather the storm while the American steel industry and its workers are announcing new layoffs daily.

"We need to push for this resolution. We need to push the White House to do everything they can to stop illegal dumping practices that are damaging our steel industry.

"In closing, Mr. Speaker, I ask where is the Congress? Where is the White House? Where is the United States Government? Today we have a chance to answer those questions. We are here, by supporting the Visclosky resolution, to finally stand up for steel workers, to stand up for working Americans, to stand up for families in this country and to stand up for the United States. This is mandatory, it is a must, it is the right thing to do.

"Mr. Speaker, I support the Visclosky privileged resolution."

Mr. HINCHEY was recognized and said:

"Mr. Speaker, I would like to say a word on this resolution because I think the issue that is raised is critically important to the Members of this House and to the people of this country, and it is one that we ought to have a full and complete debate on. The reason I

say that is in recognition of the statements that have been made just a few moments ago with regard to the impact that the dumping of steel is having on congressional districts and the people in those congressional districts, the workers in those congressional districts and their families across the country. This is an aggravated symptom of a much larger problem however.

"Mr. Speaker, we are in the midst of a global economic crisis, and one of the features of that global economic crisis is the propensity of some nations in the world suffering the effects of deflation to attempt to dump their products, both manufactured products and commodities, on to the markets of other countries. We are in a most vulnerable position indeed to this particular activity, and we have not done nearly enough to protect our economy from the effects of this kind of dumping.

"One of the things that we ought to do immediately is to petition the Federal Reserve to reduce interest rates substantially so that we may buttress our economy from the effects of this kind of dumping and the larger effects of the global economic crisis.

"In addition to that, we have a major issue that is currently before the Congress with regard to the International Monetary Fund which this Congress has not yet addressed. We need to increase the funding for the IMF, and if we were to do so, that increase in funding would make it less likely that resolutions of this nature would have to be brought to the floor.

"We are in an important issue right now. We need to decide this issue, bring that question of IMF funding before on the floor so that we can have a full and complete debate on it.

The SPEAKER pro tempore. "The Chair would remind the Members that the issue before the Members is neither the advisability of the United States trade policy nor the actions of the administration on trade, but rather the procedural question of whether the resolution offered by the gentleman from Indiana constitutes a question of the privileges of the House under rule IX. The Chair would ask Members to confine their arguments to that issue."

Mr. KUCINICH was recognized and said:

"Mr. Speaker, I rise in favor of a privileged motion for H. Con. Resolution 328 which provides Congress with an opportunity to protect the American steel worker and the American steel industry. I am in concurrence with previous speakers who cited the Constitution of the United States with respect to Congress' ability to protect commerce in this country and to protect the jobs of the people whom we serve.

"Mr. Speaker, I think that we are here as a Congress to say that Congress needs to take action on the crisis posed by cheap subsidized steel imports from developing countries that are trying to earn foreign exchange to repay their

own onerous debts. American steel is under siege, and we need to stand up for American steel and for American jobs.

"So, therefore, I rise in favor of the privileged motion for H. Con. Resolution 328. I ask the Chair to grant the privileged motion. Otherwise I ask Members to vote for a motion to appeal a ruling of the Chair and vote for H. Con. Resolution 328. It is important that we stand up for America and stand up for American steel."

Mr. DOYLE was recognized and said:

"Mr. Speaker, I rise to be heard on the question of privilege offered by the gentleman from Indiana. The resolution under consideration constitutes a question of privilege of the House because trade laws enacted by the House over 60 years ago are being ignored. These laws were specifically designed to ensure that American workers are not hurt by unfair and illegal dumping of manufactured products including steel.

"I am sorry to say that the congressional intent, as represented by the Trade and Tariff Act of 1930, is specifically ignored. This is an external crisis caused by steel dumping in the U.S. by foreign producers for whom any price for steel is higher than the price they would get at home.

"Because of a result of the Asian and Russian financial crisis, there is no market for steel in their home countries. This is a crisis addressable by laws currently in effect which are not being enforced.

"U.S. steel remains very competitive. But steel was being dumped in the U.S. at below the cost of production, which is illegal and a violation of the laws that the Legislative Branch has enacted. U.S. trade laws are supposed to be enforced by the Executive Branch. The administration has failed to stop these illegal activities, and the dignity of this House is being impugned. I urge the support of the resolution."

The SPEAKER pro tempore, Mr. CALVERT, ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

"The Chair is prepared to rule on whether the resolution offered by the gentleman from Indiana (Mr. VISCLOSKEY) presents a question of the privileges of the House under rule IX.

"The resolution offered by the gentleman from Indiana calls upon the President to address a trade imbalance in the area of steel imports. Specifically, the resolution calls upon the President to pursue enhanced enforcement of trade laws, to establish a task force on monitoring imports, and to submit a report to Congress by the date certain on that matter.

"A resolution expressing the legislative sentiment that the President should take specified action to achieve desired public policy end does not present the question affecting the rights of the House, collectively, its safety, dignity, or integrity of its proceedings as required under rule IX.

"In the opinion of the Chair, the resolution offered by the gentleman from Indiana is purely a legislative proposition, properly initiated through the introduction in the hopper under clause 4 of rule 22.

"The Chair will note a recent relevant precedent on this point. On February 7, 1995, Speaker GINGRICH ruled, consistent with the landmark ruling of May 6, 1921 by Speaker Gillett, that a resolution invoking the legislative powers enumerated in the Constitution and requiring a multifaceted evaluation and report by the Comptroller General on the proposed support of the Mexican pesos did not constitute the question of the privileges of the House.

"In his ruling, Speaker GINGRICH stated: 'Were the Chair to rule otherwise, then any alleged infringement by the Executive Branch, even, for example, through the regulatory process conferred on Congress by the Constitution would give rise to a question of the privileges of the House.'

"Although constitutional prerogatives have not been invoked in the text of the resolution before us today, the principle put forth in the 1995 ruling is nevertheless pertinent, as evidenced by the debate on this question. To permit a question of the privileges of the House addressing presidential trade policy through the mere invocation of the Constitution would permit any Member to advance virtually any legislative proposal as a question of the privileges of the House.

"Accordingly, the resolution offered by the gentleman from Indiana does not request constitute a question of the privileges of the House under rule IX and may not be considered at this time."

Mr. VISCLOSKEY appealed the ruling of the Chair.

Will the decision of the Chair stand as the judgment of the House?

Mr. DAVIS of Virginia, moved to lay the appeal on the table.

The question being put, viva voce,

Will the House lay on the table the appeal of the ruling of the Chair?

The SPEAKER pro tempore, Mr. CALVERT, announced that the yeas had it.

Mr. VISCLOSKEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 219  
Nays ..... 204

¶107.10

[Roll No. 512]

YEAS—219

Aderholt	Bateman	Bryant
Archer	Bereuter	Bunning
Armey	Bilbray	Burr
Bachus	Bilirakis	Burton
Baker	Bliley	Buyer
Ballenger	Blunt	Callahan
Barr	Boehler	Calvert
Barrett (NE)	Boehner	Camp
Bartlett	Bonilla	Campbell
Barton	Bono	Canady
Bass	Brady (TX)	Cannon