Mr. Speaker, I again commend Mr. HOUGHTON on his work on this legislation and I urge the House to pass this resolution.

Mr. CONYERS. Mr. Speaker, we are here today to ask that the United States Congress award its highest distinction to Nelson Mandela, a man who fought for freedom for the people of South Africa, and became a beacon of hope for people all around the world. When on trial for the crime of fighting against apartheid, he said these famous words:

> I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and achieve. But if needs be, it is an ideal for which I am prepared to die.

When, after a quarter century of imprisonment, Nelson Mandela was inaugurated President of South Africa in 1994, he did not disappoint the millions of people who believed in him. He embarked on the hard path of reconciliation and healing, rather than the easy road of revenge and divisiveness.

I and many of my colleagues had the honor of working with President Mandela when we voted to impose sanctions on the old South Africa, and many of us were able to meet with him again when we traveled to the new South Africa with the President. Mr. Speaker, there is no one who fought more or gave up more for the ideals of justice and equality which Americans hold dear. And therefore, I believe that there is no one more worthy of receiving the honor of a Congressional Gold Medal.

Ms. LEE. Mr. Speaker, I rise today in strong support of H.R. 3156, the bill to award the Congressional Gold Medal to President Nelson Mandela.

As one of the most gentle, charismatic, and dynamic leaders in history, the life of Nelson Mandela stands as source of strength for all who have experienced and oppression, and an inspiration to those ho continue the struggle to overcome injustice and discrimination against others.

After suffering conditions that would cause most to lash out in pain and anger, this remarkable peaceful man never countered racism with hatred. Despite spending nearly three decades of his life imprisoned, Nelson Mandela never wavered in his commitment to peace, freedom, and social and economic justice not only for the people of South Africa, but globally. In this way, he provides for us a profound example of the ability of the human spirit to rise up and triumph over evil forces.

Many in this chamber may be aware of the pivotal role that my predecessor, The Honorable Ronald V. Dellums, played in proposing sanctions against the apartheid regime of South Africa, which helped to bring its downfall. The sanctions were ultimately instrumental in the release of Nelson Mandela from prison and the successful transition of the country to a truly non-racial democracy.

On May 10, 1994, as an international poll observer in South Africa, I had the humbling and incredible experience to witness the first free, peaceful, democratic elections which chose this extraordinary human being as President. There is no more appropriate and fitting leader to lead the people of South Africa into their bright and hopeful future. In the past four years, under the leadership of Nelson Mandela, South Africa has grown substantially stronger and healthier, and stands as a world leader in its own right.

I am proud and pleased to join with my colleagues today in support of H.R. 3156. It is fitting at this moment in our history to recognize and honor the President of South Africa, His Excellency Nelson Rolihlahla Mandela, with the Congressional Gold Medal.

Mr. LAFALCE. Mr. Speaker, this afternoon Members of the House are rising to explain to our colleagues and the American public why it is fitting for the House of Representatives to award a Congressional Gold Medal to the President of South Africa, the Honorable Nelson Mandela. At the same time, a delegation of South African government officials is at work in our nation's capital. The delegation has just concluded two days of meetings in New York and has traveled to Washington, D.C. to explore how the South African government can work with their nation's financial community to foster the community development in their homeland.

As one would expect, that racial composition of the delegation is mixed, drawn from the black and white populations within South Africa. It is a delegation of individuals working together for their government and the people of their nation. Would this delegation, different in race but together in spirit and purpose, be even possible today if it were not for the life long efforts of Nelson Mandela? Perhaps, but not likely.

Others more familiar with President Mandela's life journey from a prison cell to the Office of the President of South Africa will speak eloquently about the man we honor. I rise simply to say I believe it is most appropriate to honor a man who is the recipient of the 1993 Nobel Peace Prize and a man who will soon step down as President of South Africa when his term expires in April of 1999.

H.R. 3156 was introduced by Cong. AMO HOUGHTON. It is co-sponsored by a majority of the House, including Speaker GINGRICH and Minority Leader GEPHARDT. The Congressional Gold Medal is our nation's highest civilian honor presented to just over 100 individuals in our nation's history. Nelson Mandela will join people like Thomas Edison, Robert Frost, Winston Churchill and, most recently, Mother Teresa as Congressional Gold Medal recipients.

May I extend my gratitude to my colleagues on the Banking Committee, notable Chairman LEACH and the Chairman and Ranking Member of the Domestic and International Monetary Policy Subcommittee, Congressman CASTLE and Congresswoman WATERS, respectively, for their efforts in bringing this bill to the floor today. I urge my colleagues to support H.R. 3156 and ask you to join with me to congratulate Nelson Mandela for his life's work.

Mr. LEACH. Mr. Speaker. I rise today in support of H.R. 3156, a bill to present a congressional gold medal to one of the towering figures of the 20th century, Nelson Mandela.

President Mandela is one of the most remarkable individuals of our time. His extraordinary personal devotion and sacrifice on behalf of multi-racial democracy in South Africa is an inspiration not only to the people of South Africa, but the United States and the world. President Mandela is a powerful symbol of courage, determination, hope, and perhaps above all, the uplifting power and majesty of mankind's enduring search for right in a world too often overwhelmed by wrongs.

As many Members recall, the struggle for a free South Africa presented a troubling philosophical dilemma for two conservative administrations in Washington. While the first Republican presidency chose to risk war rather than compromise principles to end extremist apartheid—slavery—the last two Republican administrations preferred to work with rather than against the former white-led government in Pretoria in an effort to help abolish apartheid in as civil and bloodless a way as possible. Fortunately, Washington found in F.W. de Klerk an establishment leader with the courage to change and in Nelson Mandela a uniquely martyred aspirant. Together in competitive combination they produced an unusually civilized political phenomenon—evolutionary revolution.

While economic sanctions seldom work, it was my view and that of our former colleague Ron Dellums and other leaders outside Congress such as Randall Robinson that the U.S. had no ethical or political alternative except to embrace sanctions. Ending apartheid in this century was as great a moral imperative as ending slavery was in the last. Nonetheless, too often we forget the distinction between governments and their people, and too often sanctions aimed at punishing governments punish people. One of the most important models of U.S. policy is thus to understand why sanctions were not only appropriate but proved workable in South Africa. The key, it seems to me, is that they were overwhelmingly supported by the majority of the South African populace and their legitimate though unelected leaders such as Nelson Mandela.

Nelson Mandela led a revolution from prison and, to the astonishment of the world, succeeded without unleashing either irreparable violence or counter-productive retribution.

For a victim of racism to champion multiculturalism rather than reverse racism reflects a largeness of spirit that merits the appreciation not only his country but the community of nations, most particularly this one. I therefore urge support for this very symbolic legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and pass the bill, H.R. 3156.

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

A motion to reconsider was laid on the table.

FASTENER QUALITY ACT AMENDMENTS

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3824) amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft, as amended.

The Clerk read as follows:

H.R. 3824

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

SECTION 1. AMENDMENT.

Section 15 of the Fastener Quality Act (15 U.S.C. 5414) is amended—

(1) by inserting ''(a) TRANSITIONAL RULE.—'' before ''The requirements of this Act''; and

(2) by adding at the end the following new subsection:

''(b) AIRCRAFT EXEMPTION.—

''(1) IN GENERAL.—The requirements of this Act shall not apply to fasteners specifically manufactured or altered for use on an aircraft if the quality and suitability of those fasteners for that use has been approved by the Federal Aviation Administration, except as provided in paragraph (2).

''(2) EXCEPTION.—Paragraph (1) shall not apply to fasteners represented by the fastener manufacturer as having been manufactured in conformance with standards or specifications established by a consensus standards organization or a Federal agency other than the Federal Aviation Administration.''.

SEC. 2. DELAYED IMPLEMENTATION OF REGULATIONS.

The regulations issued under the Fastener Quality Act by the National Institute of Standards and Technology on April 14, 1998, and any other regulations issued by the National Institute of Standards and Technology pursuant to the Fastener Quality Act, shall not take effect until after the later of June 1, 1999, or the expiration of 120 days after the Secretary of Commerce transmits to the Committee on Science and the Committee on Commerce of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, a report on—

(1) changes in fastener manufacturing processes that have occurred since the enactment of the Fastener Quality Act; and

(2) any changes in that Act that may be warranted because of the changes reported under paragraph (1).

The report required by this section shall be transmitted to the Committee on Science and the Committee on Commerce of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, by February 1, 1999.

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

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

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3824.

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

There was no objection.

□ 1500

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

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

Mr. SENSENBRENNER. Mr. Speaker, the Fastener Quality Act was signed into law in 1990. It required all threaded metallic fasteners of one-quarter inch diameter or greater that reference a consensus standard to be documented by a National Institute of Standards and Technology's certified laboratory. Although the legislation has been on the books for over 8 years, concerns over the bill's impact on the economy have delayed its implementation of final regulations. NIST regulations are slated to go into effect on July 26 of this year.

H.R. 3824 amends the Fastener Quality Act by exempting fasteners produced or altered to the standards and specifications of aviation manufacturers from the new regulations. Exempting the proprietary fasteners of aviation manufacturers from the Fastener Quality Act makes sense, considering aviation manufacturers are already required by law to demonstrate to the FAA that they have a quality control system which ensures that their products, including fasteners, meet design specifications. Subjecting the proprietary fasteners of aviation manufacturers to a second set of Federal regulations is redundant and unnecessary. In fact, the FAA has stated that doing so may even undermine the current level of aviation safety.

In addition to the Fastener Quality Act's impact on aviation manufacturing, several questions have been raised about the Act's effect on other industries. For instance, the automotive industry projects costs of compliance through the motor vehicle industry could be greater than $300 million a year without necessarily enhancing vehicle safety.

Furthermore, since 1990, the scope of the Fastener Quality Act seems to have grown. Originally intended to ensure public safety, today, if the NIST regulations are to be implemented, even garden hose fasteners such as those produced by Sheboygan Screw Products, Incorporated, in my district could be forced to comply with the additional burdens of the Act. I am not sure what dangers faulty garden hose fasteners may cause, but I am sure that preventing the public from being susceptible to hose failures will be expensive.

Mr. Speaker, H.R. 3824 addresses the concerns by, first, delaying the regulations issued by NIST under the Fastener Quality Act on this subject until after June 1, 1999. Second, requiring the Secretary of Commerce to transmit to Congress a report on changes in fastener manufacturing processes that have occurred since the enactment of the Fastener Quality Act and recommend any changes to the act that may be warranted because of those changes.

Delaying NIST regulations until next year gives us the opportunity to take a closer look at the Fastener Quality Act, especially considering it was crafted over 8 years ago. As Chairman of the Committee on Science, I have pledged to hold additional hearings on this issue in the coming months. We may find that changes in the fastener manufacturing products have diminished the need for further regulations in this area, or even that this act should be repealed.

H.R. 3824 was reported by the Committee on Science on May 13, 1998. It has wide bipartisan support and it has been endorsed by several business organizations, including the United States Chamber of Commerce. Original cosponsors of this legislation include the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from Utah (Mr. COOK).

In addition, I wish to thank the gentleman from Virginia (Mr. DAVIS); the gentleman from Michigan (Mr. BARCIA); the gentleman from Ohio (Mr. TRAFICANT); the gentleman from Pennsylvania (Mr. DOYLE); the gentleman from Illinois (Mr. HASTERT); the gentleman from Tennessee (Mr. GORDON) the gentleman from Illinois (Mr. PORTER); the other gentleman from Illinois (Mr. WELLER); and the third gentleman from Illinois (Mr. MANZULLO) for endorsing this bill and helping promote its speedy passage. I would also like to thank the Committee on Commerce chairman, the gentleman from Virginia (Mr. BLILEY) and the ranking member, the gentleman from Michigan (Mr. DINGELL), as well as the Committee on Transportation and Infrastructure chairman, the gentleman from Pennsylvania (Mr. SHUSTER) and the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), for discharging the bill to enable its passage before the July 26 regulatory deadline.

Mr. Speaker, at this point I would insert our committee's exchange of correspondence into the RECORD, and I strongly urge all of my colleagues to support this common sense regulation.

COMMITTEE ON COMMERCE,
Washington, DC, June 3, 1998.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, House Committee on Science,
Washington, DC.

DEAR JIM: On May 13, 1998 the Committee on Science ordered reported H.R. 3824, a bill amending the Fastener Quality Act of 1990 (15 U.S.C. §5401 et al.) to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft. As you know, the Committee on Commerce was named as an additional committee of jurisdiction and has had a longstanding interest in the issue of fastener quality and the Fastener Quality Act. This interest goes back to the 100th Congress, at which time the Committee undertook an investigation of counterfeit and substandard fasteners. This investigation resulted in the issuance of a unanimously approved Subcommittee report entitled ''the Threat from Substandard Fasteners: Is America Losing Its Grip?'' which ultimately led to the approval by our respective committees of the Fastener Quality Act of 1990.

H.R. 3824, as ordered reported, would amend the Fastener Quality Act in two ways. First, the bill exempts fasteners approved for use in aircraft by the Federal Aviation Administration from the requirements of the Act. Secondly, it delays implementation of the final regulations until the Secretary of Commerce and the Congress have had an opportunity to consider developments in manufacturing and quality assurance techniques since the law was enacted.

Because of the important and timely nature of these amendments to the Fastener Quality Act, I recognize your desire to bring this legislation before the House in an expeditious manner. I also understand that you

have agreed to address several technical issues raised by this Committee in a manager's amendment to be offered on the Floor. Therefore, with that understanding, I will waive consideration of the bill by the Commerce Committee. By agreeing to waive its consideration of the bill, the Commerce Committee does not waive its jurisdiction over these provisions. In addition, the Commerce Committee reserves its authority to seek conferees on these and any other provisions of the bill that are within the Commerce Committee's jurisdiction during any House-Senate conference that may be convened on this legislation. I would seek your commitment to support any request by the Commerce Committee for conferees on amendments to the Fastener Quality Act or related legislation.

I would appreciate your including this letter as a part of the Committee's report on H.R. 3824 and as part of the record during consideration of this bill by the House.

Sincerely,

TOM BLILEY,
Chairman.

COMMITTEE ON SCIENCE,
Washington, DC, June 4, 1998.

Hon. THOMAS J. BLILEY, Jr.,
Chairman, House Committee on Commerce, Washington, DC.

DEAR CHAIRMAN BLILEY: Thank you for your letter of June 3 regarding H.R. 3824, the recently passed Science Committee amendments to the Fastener Quality Act (FQA) of 1990 (15 U.S.C. §5401 et seq.).

I appreciate your willingness to work with us to examine the need to amend the FQA.

As you note in your letter, the Committees on Commerce and Science have long shared jurisdiction over FQA. By agreeing to the expeditious consideration of H.R. 3824 on the House floor, the Committee on Commerce does not waive any of its jurisdictional rights. Should the Committee on Commerce seek conferees on provisions of the bill within its jurisdiction, I will support such a request.

The Committee on Science will include this exchange of letters within the report of the Science Committee and will work with you to ensure that the technical amendments to the bill requested by your Committee are included in the bill when H.R. 3824 is brought before the full House for its consideration.

I look forward to continuing to work with you on this and other matters.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
Chairman.

COMMITTEE ON SCIENCE,
Washington, DC, June 4, 1998.

Hon. BUD SHUSTER,
Chairman, House Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for helping expedite consideration of H.R. 3824, the recently passed Science Committee amendments to the Fastener Quality Act (FQA) of 1990 (15 U.S.C. §5401 et seq.), by agreeing not to request a sequential referral on the bill. I agree that through this action the Committee on Transportation and Infrastructure does not waive any of its jurisdictional rights associated with the bill.

Additionally, the Committee on Science will include this exchange of letters within the report of the Science Committee.

I look forward to continuing to work with you on this and other matters.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, June 5, 1998.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on Science, Washington, DC.

DEAR MR. CHAIRMAN: I understand that the Committee on Science recently ordered reported H.R. 3824, a bill amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft.

In recognition of your Committee's desire to move this legislation expeditiously through the House of Representatives, the Committee on Transportation and Infrastructure agrees to waive its referral of the bill. However, this action should not be construed as waiving or otherwise diminishing the Committee on Transportation and Infrastructure's jurisdiction over the bill or issues associated with H.R. 3824. In addition, should a conference on H.R. 3824 or a similar measure become necessary, I would ask you to support the Committee on Transportation and Infrastructure being represented on the conference committee. Finally, I ask that you make this letter a part of the Committee on Science's report on the bill.

Once again, it has been a pleasure working with you and your staff, and I look forward to seeing H.R. 3824 scheduled for Floor consideration very soon.

With warm personal regards I am

Sincerely,

BUD SHUSTER,
Chairman.

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

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

Mr. Speaker, I would like to thank the Committee on Science leadership, especially the gentleman from Wisconsin (Mr. SENSENBRENNER); the ranking Democratic Member, the gentleman from California (Mr. BROWN); and the chairwoman of the Subcommittee on Technology (Mrs. MORELLA); as well as the gentleman from Michigan (Mr. DINGELL), the principal author of the Fastener Quality Act, for their diligence in bringing House Resolution 3824 to the floor on an expedited basis.

Through today's action, we in the House are showing that we are ready and willing to do our part in making these corrections, and we hope that the Senate will find a way to bring their bill to the floor as soon as possible. We on the House side stand ready to do all that is necessary to clear this legislation for the President in advance of the July 4th district work period.

It is clear from our subcommittee hearing, and from extensive conversations we have had with a cross-section of manufacturing companies, that it would be unwise to allow regulations implementing the Fastener Quality Act to go into effect without a careful review of how that act relates to the current state of manufacturing. In fact, the automobile industry has estimated that they will incur more than $300 million in annual compliance costs should this legislation fail to be signed by the President before the July 26 implementation date.

The primary purpose of the Fastener Quality Act was to avoid disasters caused by the counterfeiting of bolts by unscrupulous manufacturers. Unlike the proprietary fasteners of auto or aircraft manufacturers, many of these fasteners were not easily traceable from their end use back to their manufacturer.

However, while it has been argued that an increasingly competitive marketplace has made the Fastener Quality Act unnecessary, we know of no current study showing the extent to which protections, other than the Fastener Quality Act, are now in place to prevent a recurrence of the old problem. In fact, many of the countries that exported defective fasteners in the 1980s are currently in economic turmoil and their current economic situation may cause them to once again exhibit unscrupulous behavior and flood American markets with counterfeit fasteners.

Therefore, I feel the study contained in the act is necessary to give us the assurance that the problem is permanently under control before we relax the act for nonproprietary fasteners.

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

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Maryland (Mrs. MORELLA), who is the chair of the subcommittee that helped develop this bill.

Mrs. MORELLA. Mr. Speaker, I rise today as an original cosponsor of H.R. 3824 and a very strong proponent of its speedy enactment. I want to very much thank the Committee on Science chairman the gentleman from Wisconsin (Mr. SENSENBRENNER); the ranking member the gentleman from California (Mr. BROWN); and indeed the ranking member on the Subcommittee on Technology (Mr. BARCIA). We have all worked together very closely on this bill, because it is important.

Last month, the Subcommittee on Technology held a hearing to examine the 1990 Fastener Quality Act in aviation manufacturing. There was wide agreement by the aviation industry, the FAA, and NIST, that passage of the aviation exemption found in H.R. 3824 would save aviation manufacturers and their consumers money, while enhancing public safety.

In addition to addressing issues raised about the Fastener Quality Act's impact on the aviation industry, I am pleased that H.R. 3824 also includes an amendment that I offered during the Committee on Science's markup of the legislation, in cooperation with the Subcommittee on Technology's ranking member, the gentleman from Michigan (Mr. BARCIA), to delay the implementation of the Fastener Quality Act's regulations on all other industries until June of 1999, or 120 days after the Secretary of Commerce issues a report on changes needed to the law, whichever is later.

Under the amendment, the Secretary of Commerce is required to submit to

Congress a report on the improvements that have taken place over the last 9 years and the manner in which fasteners are manufactured. Based on these improvements and any other relevant information derived from the Secretary's review, or the Committee on Science's hearing record, the Secretary must make recommendations to Congress on how best to alter the 1990 act. Mr. Speaker, it is my expectation that the Secretary will find that substantive and important changes to the act are needed in order to ensure that our Nation's economy does not suffer from outdated regulations.

Following the Secretary's report, Congress will have 120 days to act on the recommended changes or proposed alternative provisions. To ensure that we are ready when the time comes, the Subcommittee on Technology will begin to hold hearings this summer on the need to further revise the Fastener Quality Act.

Without the delay in implementation of the regulations, several industries, including the automotive manufacturing industry, may suffer production delays that will impede product delivery and increase costs. As we all know, increases in production costs result in job lay-offs and higher prices charged to consumers.

Over the next year, I look forward to continuing my work with the automotive manufacturers, the fastener manufacturers, and countless other businesses, both large and small, which are impacted by the Fastener Quality Act. Working together, I am certain that we can remove the act's most burdensome and redundant provisions without in any way jeopardizing public safety.

The General Aviation Manufacturers of America, Aerospace Industries Association of America, American Automobile Manufacturers Association, the Association of International Automobile Manufacturers, the National Air Transportation Association, and the U.S. Chamber of Commerce, and others, have all endorsed H.R. 3824, and indeed, it has bipartisan support from the Committee on Science, and I am pleased the Committee on Commerce has passed it forward. I urge all of my colleagues to support this very important legislation.

I reiterate my thanks to Chairman SENSENBRENNER, Ranking Member BROWN, my Technology Ranking Member BARCIA and my appreciation to our capable staffs. On the majority side, thanks to Jeff Grove, Richard Russell, Mike Bell, and Barry Beringer, and on the minority side, Jim Turner and Rob Ryan.

Mr. BARCIA. Mr. Speaker, I too would like to compliment the gentlewoman from Maryland (Mrs. MORELLA) for her bipartisan approach towards solving this particular problem, but in general also the very fair and impartial fashion that she conducts business before our Subcommittee on Technology, and that also is extended to the chairman of the full committee the gentleman from Wisconsin (Mr. SENSENBRENNER), who I consider certainly a privilege to be able to work with both of those, as well as the ranking Democrat, the outstanding gentleman from California (Mr. BROWN).

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE), a good friend and colleague of mine from my home State.

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

Mr. Speaker, as cochairman of the Congressional Automotive Caucus, I rise in support of H.R. 3824, the Fastener Quality Act Amendments of 1998. Mr. Speaker, I proudly represent a district with strong ties to the automotive industry. Automakers are committed to quality, and recent history proves quality is the number 1 concern for workers, management, and suppliers. This commitment has not only improved sales, but it has improved pride.

Few can deny the changes in the auto industry over the past decade. Faced with increasing competition overseas, the Big Three have worked hard to improve efficiency and service. I am concerned that dedicated workers be valued and protected during times of change. I am also impressed with innovative developments in inventory and supply.

One innovation is QS–9000, a quality assurance system that provides high-quality parts to the auto industry. Furthermore, it ensures safety by mandating consistent, measurable production standards.

The National Institute of Standards and Technology has interpreted FQA to require lot testing of fasteners supplied to the auto industry, and implementation of this requirement is set to begin later this summer. Unfortunately, a shortage of certified laboratories currently exists, threatening to delay parts supply to vehicle assembly lines nationwide. With passage of H.R. 3824, this implementation will be postponed, and a near-term crisis can be avoided.

Mr. Speaker, working together, government and industry will continue to ensure quality and safety. At the same time, we will promote the long-term health of an industry that produces high-quality vehicles and high-quality jobs.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Minnesota (Mr. GUTKNECHT), a member of the Committee on Science.

Mr. GUTKNECHT. Mr. Speaker, I want to thank first of all the gentleman from Wisconsin (Mr. SENSENBRENNER) for yielding me this time, and for his leadership on this. I also want to say a special ''thank you'' to the gentlewoman from Maryland (Mrs. MORELLA) for her leadership on this issue.

□ 1515

I rise in support of H.R. 3824, but I want to talk just for a few moments about the history and how the United States got into this business.

About 10 years ago, there was a walkway at a hotel down in Kansas City that collapsed. Many believed that the reason was faulty fasteners. It is interesting that that was the motivation of getting us into the business of regulating the manufacture of fasteners. The truth of the matter is when the final study was done, it was not the result of faulty fasteners even in the first place.

Mr. Speaker, let me just read a paragraph from a letter from Mr. Bruce Josten from the United States Chamber of Commerce. This is the middle paragraph:

''The Fastener Quality Act sought to ensure the quality of industrial fasteners by requiring uniform inspections and testing by the National Institute of Standards and Technology accredited laboratories. Despite its enactment in 1990, its emanating regulations have not been implemented due to the enormous difficulty in fulfilling the Act's requirements and its attendant burdens and costs to manufacturers, particularly small businesses and consumers.''

Mr. Speaker, that is what a lawyer would say, and what I would say, is a $20 solution to a $2 problem. And frankly I am delighted that we have this bill before us today. I think it is a good step in the right direction. But even better news is that the chairman of the Committee on Science and the chairwoman of the Subcommittee on Technology have agreed that this is a good starting point and that we ought to have hearings to talk about repealing this legislation altogether.

When this bill was first introduced eight years ago, the National Institute of Standards and Technology opposed this bill, and they oppose it still.

So this is a step in terms of common sense. I support the bill, and I do support having additional hearings geared towards ultimately eliminating this needless regulation.

Mr. BARCIA. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. BROWN), the very distinguished former chair of the House Committee on Science, as well as the current ranking member of that committee, who of course has a very long period of service in terms of science issues on the committee.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Speaker, I thank the distinguished gentleman from Michigan (Mr. BARCIA) for being so generous in yielding time to me. I was only going to make a short 1-minute statement, so now I will have to speak for the whole 5 minutes, I guess.

Mr. Speaker, let me first confirm what the gentleman from Michigan (Mr. BARCIA) has said earlier about the high degree of cooperation that we have enjoyed in the committee from the gentleman from Wisconsin (Mr. SENSENBRENNER), chairman of the full committee, and the gentlewoman from

Maryland (Mrs. MORELLA), chairman of the subcommittee. It has been a pleasure to work with both of these distinguished Members in connection with this bill.

I will confess that I have not been particularly deeply involved in the drafting of this legislation but, of course, I fall back on the fact that 10 years ago I was deeply involved and that qualifies me to say anything I wish today.

Mr. Speaker, I rise in support of H.R. 3824 because I feel that it is the only practical short-term solution to the problem of revisiting the Fastener Quality Act. Our committee record on these revisions of the Fastener Quality Act was developed rapidly and is of necessity fairly narrow in scope. This effort was triggered, of course, by the announcement already referred to by the National Institute of Standards and Technology that the long-delayed regulations to implement the Fastener Quality Act would take effect on July 26, 1998, and the universal agreement that the law should be changed to exempt certain aircraft industry fasteners from the Act's coverage. Therefore, time was of the essence if the Congress was to intervene legislatively in advance of that date.

The committee scheduled just one panel of witnesses which was largely drawn from the aerospace community, and with the exception of one witness from the National Institute of Standards and Technology, did not have the expertise to discuss the impact of the Fastener Quality Act beyond aircraft manufacture.

The committee became aware that the auto industry, and perhaps other manufacturers, also faced potential adverse impacts from the scheduled July implementation of the Fastener Quality Act regulations.

Mr. Speaker, the original Fastener Quality Act was based on extensive investigative, legislative and judicial records of defective fasteners, largely of overseas origin, which had turned up in tanks, submarines, aircraft carriers, planes of all types, bridges, and even nuclear power plants.

Of course, as the gentleman from Minnesota (Mr. GUTKNECHT) mentioned, there was considerable public attention given to the quality of fasteners by such events as the Kansas City bridge failure. I have forgotten exactly what it was that caused that failure, but it at least focused attention on the problem of fasteners.

The Committee on Energy and Commerce conducted an 18-month investigation during the 100th Congress, including five open and two closed hearings. It also involved numerous Federal Agencies and resulted in dozens of criminal prosecutions, civil actions and debarments. The situation cried out for legislative action.

We face a much different situation in 1998 than we did in 1990. Eight years have passed since the Act was put in place without implementing regulations. The problems now seem much less daunting. During the 1990s, some industries had developed their own quality assurance systems which appeared to provide protections to the public comparable to those under the Fastener Quality Act, but at less cost. Even NIST, the agency charged with regulating fasteners, seems to have some second thoughts about the breadth of the Act, but no one had done a careful analysis either of the extent to which the Fastener Quality Act is still necessary and still serves its original purpose.

The committee solution is the best possible under the circumstances. The delay will permit the Secretary of Commerce to study the extent to which the problems being addressed still exist, including the potential for defective fasteners from overseas once again penetrating the U.S. markets. It will also permit the Secretary to get an expert opinion on the degree of compatibility between the Fastener Quality Act and modern business practice and to make suggestions on how to update the Act.

Mr. Chairman, I urge my colleagues to vote in favor of this important legislation.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, I am privileged to represent the fastener capital of the United States, Rockford, Illinois. There are more fastener manufacturers per capita in Rockford than any other city in the Nation.

The implementation of the Fastener Quality Act is of key importance to the livelihood of northern Illinois, but its impact reaches far beyond our congressional district. In fact, a disruption in the supply of fasteners to our industry would be the equivalent of a nationwide trucking or rail strike.

With the release of the latest set of regulations by the National Institute of Standards and Technology last April, I surveyed the fastener manufacturers in northern Illinois for their input, listening to people such as the Pearson family who have been manufacturing fasteners for years and have been wrestling with the Fastener Quality Act.

Mr. Speaker, let me review for the benefit of my colleagues the results this survey: 54 percent of the fastener manufacturers still do not know which fasteners are covered by the Fastener Quality Act; 46 percent of the fastener manufacturers are so small they cannot afford to adopt the expensive quality assurance system, even though they have their own system of testing and ensuring quality. Thus, the April regulations permitting larger companies which use QAS to become Fastener Quality Act certified means nothing to these small fastener manufacturing firms; 92 percent, almost every one of the fastener manufacturers in Illinois, still do not know what they have to do to fully comply with the Fastener Quality Act regulations.

Finally, every fastener manufacturer in the Sixteenth Congressional District agreed there will not be enough labs up and running on July 26 to certify products coming off the assembly line as Fastener Quality Act approved.

That is why I am pleased to join my colleagues, the gentleman from Wisconsin (Chairman SENSENBRENNER) and the gentlewoman from Maryland (Mrs. MORELLA), chairwoman of the Subcommittee on Technology, in cosponsoring and strongly supporting H.R. 3824. I recommend and strongly urge my colleagues to vote for it.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. COOK), a member of the Committee on Science.

Mr. COOK. Mr. Speaker, I rise in support of H.R. 3824, the Fastener Quality Act amendments.

Mr. Speaker, as a freshman Congressman one of my overriding desires is to cut government waste, duplication of effort, and bureaucracy, which is exactly what this bill does.

H.R. 3824 ensures that America's manufacturing economy and American consumers are not harmed by outdated or unnecessary regulations. The bill will help business be more competitive with foreign manufacturers while keeping safety standards for consumers that we have come to expect.

The Fastener Quality Act was intended to make structures more safe and it was a good idea. Unfortunately, it set up two government bureaucracies with the same regulation to oversee manufacturing of nuts, bolts, studs and screws.

For example, aviation manufacturers are already subject to the Federal quality assurance programs of the Federal Aviation Administration and, therefore, the fasteners they manufacture already meet or exceed the quality standards of the Fastener Quality Act. Requiring another government agency other than the FAA to certify aviation industry nuts, bolts, studs, and screws would be a waste of taxpayers' dollars. It would create an enormous duplication of effort and would create significantly higher airline ticket prices.

In the motor vehicle industry, the safety of fasteners is assured and monitored by the National Highway Transportation Safety Administration in compliance with the National Traffic and Motor Vehicle Safety Act. Auto manufacturers already have ample incentive and regulation to use the highest quality fasteners possible.

The auto industry has concluded that the annual cost of duplicative regulations would be $317 million, which would be directly passed on to consumers, yet automobiles would be no safer because current Federal regulations and recall authority ensure a high level of safety.

Manufacturers have made tremendous strides in improving the safety of their products, not because of some

government bureaucracy mandates but because a market-driven economy rewards well-built products.

Mr. Speaker, I urge my colleagues to vote for H.R. 3824, which will reduce unnecessary regulation.

Mr. HOBSON. Mr. Speaker, I was surprised when several of my constituents contacted me about a little-known law passed eight years ago which has not yet been implemented. The original intent of this law, the Fastener Quality Act of 1990, was to regulate and test certain critical nuts, bolts, and similar fasteners. Yet, eight years later, the National Institute for Standards and Technology (NIST), which is the agency responsible for implementing this law, has not done so. In the years that this law languished, the fastener industry and other regulatory federal agencies have taken steps to meet and surpass the original safety goals of the 1990 law. Unfortunately, this late attempt to impose these new requirements unnecessarily duplicates superior quality efforts already underway in the industry and the regulatory community.

Originally, the law was supposed to cover a specific number of critical fasteners used in such things as public buildings, bridges, and airliners. NIST since has expanded the scope of the original law to cover nearly half of all nuts, bolts, and other fasteners made or used in this country.

For example, an employer in my district supplies fasteners to the automotive industry. They are a certified QS 9000 facility, which means they meet strict quality standards and continually test their product at all stages of the manufacturing process. They meet the standards set by their customers and those set by the National Highway Traffic Safety Administration, which already regulates safety standards for these products. Under this 1990 law, they are additionally required to employ another separate, specially accredited lab to test their products, over and above the steps the company is already taking to ensure the safety and quality of their product.

This employer meets the standards provided for by their customer, the industry, and the industry safety regulator, in addition to maintaining a certified QS 9000 facility and providing for continual in-process testing of their products. Application of this 1990 law does not meet the demands of today's manufacturing processes, and would impose additional and costly requirements that duplicate these efforts and do not increase the public safety. Additionally, there are not enough accredited labs to do this testing. In my district, this means this same employer would have to shut down for six months until an accredited laboratory is available to duplicate the strong quality control efforts already being made by this manufacturer.

The legislation we are considering today requires the Secretary of Commerce to first study this issue and report to Congress on the best way to address the public safety intent of the original legislation in light of changes in manufacturing processes since passage of the original act. Mr. Speaker, H.R. 3824 will provide Congress the opportunity to rationally address the public safety aspect to fasteners in the context of today's modern manufacturing processes without imposing duplicative, unnecessary, or confusing new programs on responsible American manufacturers. I urge my colleagues to support this common-sense legislation.

Mr. BLILEY. Mr. Speaker, I rise in strong support of H.R. 3824, a bill amending the Fastener Quality Act. The Committee on Commerce was named as an additional committee of jurisdiction on this bill and has had a longstanding interest in the issue of fastener quality and the Fastener Quality Act. This interest goes back to the 100th Congress, at which time the Committee undertook an investigation of counterfeit and substandard fasteners. This investigation resulted in the issuance of a unanimously approved Subcommittee report entitled ''The Threat from Substandard Fasteners: Is America Losing Its Grip?'' which ultimately led to the approval by our respective committees of the Fastener Quality Act of 1990.

H.R. 3824, as reported, would amend the Fastener Quality act in two ways. First, the bill exempts fasteners approved for use in aircraft by the Federal Aviation Administration from the requirements of the Act. Secondly, it delays implementation of the final regulations until the Secretary of Commerce and the Congress have had an opportunity to consider developments in manufacturing and quality assurance techniques since the law was enacted.

While the Commerce Committee was generally pleased with the legislation reported by the Science Committee, we asked for several technical clarifications in the Manager's amendment under consideration today. First, we asked that language be clarified to ensure that all regulations issued pursuant to the Fastener Quality Act be place don hold until the Secretary of Commerce can deliver his report to Congress. Secondly, we asked that the report be delivered to both the Science Committee and the Commerce Committee directly so that we can continue our cooperative role in protecting American consumers from substandard fasteners. I appreciate Chairman SENSENBRENNER's willingness to listen to the concerns of Members of the Commerce Committee.

Due to Chairman SENSENBRENNER's cooperation and the need to ensure enactment of this legislation prior to the July 26 effective date of the current regulations, the Commerce Committee has chosen not to exercise its right to a referral. I have been assured by Chairman SENSENBRENNER of his continued cooperation through this process, and look forward to working with him should this legislation be the subject of a House-Senate conference committee.

Mr. Speaker, I strongly support H.R. 3824, and urge my colleagues support this bill as well.

Mr. PORTER. Mr. Speaker, I rise today in support of H.R. 3824, a bill to amend the Fastener Quality Act of 1990. I am pleased that a proposed rule to implement this Act has been repeatedly delayed over the last few years. The proposed rule's effectiveness remains unproven and it would impose tremendous costs on industry which would, in turn, be passed on to the consumer. In my judgment, compliance with the proposed rule would not only result in a loss of jobs and productivity, but also would seriously interrupt deliveries to numerous industry sectors for which fasteners are an integral part of their product. These major industries, the aerospace, automotive, and heavy industries, should be strengthened, not weakened, by our laws. I am greatly concerned about the financial costs that would be borne by these industries to implement regulations, the effects of which have not been ascertained.

For this reason, I strongly support passage of H.R. 3824 to ensure that the implementation of the Fastener Quality Act rule be delayed by one year. During this time the Commerce Secretary and the National Institute of Standards & Technology would be required to review current law and regulations and recommend changes to make regulations consistent with current industry practices. I believe that a thorough review of current policies will reveal duplicitious regulations. The reports submitted to Congress as a result of H.R. 3824 would take into account technological advances that have occurred since the passage of the Fastener Quality Act in 1990 and precipitate the necessary changes to ensure its effectiveness as intended by Congress. I urge my colleagues to support the passage of this bill.

Mr. BROWN of California. Mr. Speaker, we have no further speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. EWING). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 3824, 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.

□ 1530

TELEMARKETING FRAUD PREVENTION ACT OF 1997

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1847) to improve the criminal law relating to fraud against consumers.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Telemarketing Fraud Prevention Act of 1997''.

SEC. 2. CRIMINAL FORFEITURE OF FRAUD PROCEEDS.

Section 982 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating the second paragraph designated as paragraph (6) as paragraph (7); and

(B) by adding at the end the following:

''(8) The Court, in sentencing a defendant convicted of an offense under section 1028, 1029, 1341, 1342, 1343, or 1344, or of a conspiracy to commit such an offense, if the offense involves telemarketing (as that term is defined in section 2325), shall order that the defendant forfeit to the United States any real or personal property—

''(A) used or intended to be used to commit, to facilitate, or to promote the commission of such offense; and

''(B) constituting, derived from, or traceable to the gross proceeds that the defendant obtained directly or indirectly as a result of the offense.''; and