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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Mr. MILLER of Florida].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 16, 1997.

I hereby designate the Honorable DAN MILLER to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

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 not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip limited to not to exceed 5 minutes.

The Chair recognizes the gentlewoman from California [Ms. PELOSI] for 5 minutes.

FAMILIAS LATINAS EN LOS ESTADOS UNIDOS

Ms. PELOSI. Mr. Speaker, yesterday began Hispanic heritage month. And for that reason and many others, I am very privileged to read a letter from Familias Latinas to the President and Mrs. Clinton.

The following letter is the product of a radio program called Buenos Dias California on KIQI AM in San Francisco. The hosts of the show, Carlos de Marty and Marcos Gutierrez, asked, "What would you say in a letter to the

Clinton family?" The suggestions from the Spanish listening audience were recorded and a letter written as follows:

DEAR PRESIDENT AND MRS. CLINTON: Congratulations to you and your daughter on selecting Stanford University for her formal education. This means you will be in our State more often since you will want to keep your family together. And that, Mr. President, is the reason for this letter, family unity.

The people who have signed this letter believe that the Latino family in the United States lives in an atmosphere of fear, paranoia, frustration, uncertainty and despair which is detrimental to our community and may eventually have negative effects on the community at large. We want to communicate our feelings and request action now. Our family unit is under a great deal of pressure from propositions and laws which have flourished under your presidency. Among these are Propositions 187, 209 and the latest, a proposition to do away with bilingual classes. We are having a difficult time understanding why you have not been as supportive of us, as we were of you during the last two presidential elections.

Let us look at the specific elements which are hurting our family unit starting from the elderly and working down to our children. Our non-citizen grandparents live in fear of losing their benefits even though they spent a lifetime contributing to the collective wealth of our country, not only in taxes paid, but in hard work done for little pay which allowed the country to flourish. Some of our parents are being deported, even though they have established roots in this country.

You will be leaving your daughter at Stanford for four years in a friendly atmosphere. Imagine having to destroy your family because of immigration rules. Imagine having to leave your children in this country because you are being deported. We must remember that a lot of the men and women being deported now to Central America, came to the United States in defense of democracy, under the hardship of civil war. Citizenship should not be used as a wedge between family members.

Many of us in the Latino family live in a cycle of poverty which forces both parents to work more than eight hours a day. This results in long hours of loneliness for our children. A lot of times we cannot afford to get

good care for them. We are sure that because of your busy schedule there were times when you left your daughter alone, but never under inadequate care.

On the educational front, many non-Latino students get preferential treatment because of their parents' connections to educational institutions. Our children don't. In the recent past our students had affirmative action. Now they don't.

On the drug front, it is hard to imagine that the Nation which can focus on little rocks in far away planets, cannot see the enormous amount of drugs coming into our communities. Instead of sensible help, your government has allowed the construction of a sophisticated, profit-oriented prison system which sits waiting for our children.

All these elements, working steadily and daily, have taken their toll on our family unit. We are sure, Mr. President and Mrs. Clinton, this is not what you want. With these signatures, we are declaring our collective dissatisfaction with the racist, anti-immigrant and anti-Latino atmosphere which has been allowed to prevail for too long. We need your administration's support for our tradition of family unity. We come to this land, as your ancestors did, to find a better way of life, to build community and loyalty to a wonderful country like the United States.

As far as our past, we believe that the Latino community has contributed to the progress of the United States in times of peace, and specifically with our blood in times of war. We know the length of the list of the Latinos who made the ultimate sacrifice for our country. These contributions should have earned for us a more active participation in our country's internal affairs and specifically in the future negotiations and plans between the United States and Latin America.

We recommend that you accommodate more Latinos within your sphere of power so that perhaps you could see our plight under a different light. Many of us feel that as descendants of the original inhabitants of parts of the United States, specifically as described in the Guadalupe-Hidalgo Treaty, we deserve better treatment.

We feel that your role as a leader is to strengthen the Nation's points of agreement, not its differences. We believe that you, Mr. President, have a responsibility to act as a catalyst to rid the xenophobic attitudes

□ 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.



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which have been allowed to enter our Nation's mainstream. We ask that you undertake a rigorous campaign to establish yourself as a leader who will not tolerate anti-immigrant and anti-affirmative action attitudes.

We also ask for our Government's support for a Latino U.S.A. summit in Washington, D.C. to discuss the issues which concern our families in this country. We also want full participation in the President's Initiative on Race. We are sure that the items which we have outlined can be addressed through communication and mutual respect.

Signed, Familias Latinas en los Estados Unidos.

Mr. Speaker, may I add that a letter has gone from members of the Hispanic Caucus in the House of Representatives to the President asking him to receive the enclosed letter, and with it there will be over 30,000 signatures.

TRIBUTE TO FLORIDA SHERIFFS YOUTH RANCHES

Mr. STEARNS. Mr. Speaker, many people come to the floor to complain about things or complain about how things are done. But this morning, Mr. Speaker, I am glad to share a success story with my colleagues about the outstanding efforts of a dedicated group in my home State of Florida. I am talking about those involved with the Florida Sheriffs Youth Ranches.

The Florida Sheriffs Youth Ranches, Inc., is celebrating 40 years of making a difference in the lives of our State and of our young people. Over 30,000 boys and girls have benefited from the guidance and care provided by this organization over the past four decades.

Although created to serve Florida's 67 counties, the Florida Sheriffs Youth Ranches had its genesis in Texas, the result of a trip by two Florida sheriffs in 1955. Sheriff Don McLeod of my home county, Marion County, and Sheriff Ed Blackburn, Jr., of Hillsborough County were in Texas to pick up two fugitives from Florida. While talking with a local deputy, they heard about a nearby camp for needy and neglected boys. They learned that a former wrestler had started the camp with four boys salvaged from the local slums and how this caring individual turned their lives around by providing a home, support, and discipline.

The next day they took charge of their prisoners for the drive back to Florida. One was a young man 18 years old and badly injured, and the other a 17-year-old girl who was 5 months pregnant, two young people who, without proper guidance, got into big, big trouble. The two sheriffs decided that if a former wrestler could make a difference, then certainly law officers working together could repair damaged lives. After all, they knew full well that the youthful victims of neglect, abuse, and indifference too often take to crime.

Sheriffs McLeod and Blackburn presented their idea to the Florida Sheriffs Association. Later that year the Association persuaded the Elks Club of

Suwanee County and a local businessman to donate 140 acres on the banks of the Suwanee River for the ranch. With loans from area banks and contributions to the Association, they began building the Florida Sheriffs Boys Ranch.

Financial contributions, donations of materials, and volunteers helped build the first camp, and four boys moved into the facility in January 1959. Thirteen years later, the Sheriffs opened a camp for girls. And in 1976, a coed facility was built to reunite siblings.

I would like to take note of the support provided by such individuals as Sheriff John P. Hall, Sr., who served as the first treasurer of the Youth Ranches and was sheriff of Clay County, in my congressional district, for a record 36 years. I also commend his children, J.P. Hall, Jr., and Dena Mae Lemen, for continuing their devoted services to the Youth Ranches. These folks are also in my congressional districts.

Mr. Speaker, today there are six camps operated by the Florida Sheriffs Youth Ranches. The goal of these ranches is quite simple: to prevent juvenile delinquency and develop lawful, productive citizens through a broad range of family centered services. They use the basics, tried and true traditional values, to mend broken spirits and lives.

The success of this program is found in the simple values embraced by most Americans today, basic family values that, when abandoned, lead to anguish and despair. By building character and instilling the concept of service and self-sacrifice, these young people learn the importance of community. Add in study, faith and hard work, and we have the ingredients for a future generation of outstanding citizens.

The Florida Sheriffs Youth Ranches are a product of a vision for building a better future for Florida's children, a vision which has flourished with the generous support of Florida's citizens.

It is easy, Mr. Speaker, to look to the Government to solve the problems within our society. However, if we want results, we need to look to ourselves and communities for these solutions. There are many examples of this truth, and I commend the Florida Sheriffs Youth Ranches for making the difference in the lives of 30,000 troubled Florida youths. Thank you for 40 years of service to Florida and Florida's youth.

I also commend J.P. Hall, Jr., and Dena Mae Lemen for coming up here and sharing this 40-year anniversary here in Congress, and I wish them another 40 years or more of success.

TIME FOR ACTION ON CAMPAIGN FINANCE REFORM

Mr. DOGGETT. Mr. Speaker, each day that this Congress has been in action, and not very complete action since we began in September, there have been Members of this House who

have come to the floor and have raised the issue of campaign finance, because we realize that unless the House acts within the next month on the issue of campaign finance, that there may be more headlines of people complaining about campaign finance but absolutely nothing will be done to remedy the problems before the 1998 elections. The time for action is now.

As I was home in Austin, TX, this weekend visiting with people, I was reminded again of how much Americans are concerned with the way that their government is operating and with the fact that the cost of these campaigns just seems to go up geometrically with each election. And I came across a book down there in Austin that would suggest that even our children can understand what is at stake with reference to this race for campaign dollars. It is called "The Money Tree" by Sarah Stewart.

It is a book about gardening really, a woman named Ms. McGillicuddy who is quite a gardener, and one day a strange new tree begins to form in her garden. She is not really sure what it is. But before she knows it, it is doing something that maybe all of us have dreamed about at one time or another. The leaves are coming out as long, green hundred-dollar bills.

At first she is pretty happy about the idea that she has got a money tree growing in her yard. She continues to cultivate it, along with doing her other work. But soon she finds that she has many new friends, and it seems like everyone in the area is coming to look at the money tree and to borrow a ladder and interfere with all of her normal work as a gardener, a housekeeper, and someone who takes care of the animals and does other things in her area. She cannot get any of her ordinary work done because people are over there trying to grab those hundred-dollar bills off her money tree.

Finally, after a long time, she decides that maybe she is better off without the money tree, and she chops it down and converts it into firewood. This is a story our children might understand, and a story that people who observe their Congress might also understand. We have Members of Congress and any serious candidate for Congress out trying to find the money tree just about every day of the year, every year, year in, year out.

□ 1045

Some of those who have experience with gardening and cultivating on a larger scale, like the tobacco companies in this country, seem to have mastered the money tree and its influence over Members of Congress pretty well. They are the top soft money contributors of dollars that are largely unregulated and uncontrolled and which have a truly corrupting influence on the operation of this Congress. That is why many of us are coming out day in, day out now and saying, put a ban on soft money, cut down the soft money tree,

as Ms. McGillicuddy did, and make this Congress a place that more folks can be proud of instead of simply cynical about.

Indeed, members of the freshman class, our newest Members of this Congress, under the able leadership of the gentleman from Maine [Mr. ALLEN], but including both Republicans and Democrats, have come together with a proposal to ban soft money and to make certain other modest reforms in our system. Yet their proposal, though it has been discussed briefly on this floor, has never come forward for full debate because Speaker GINGRICH refuses to schedule any proposal on campaign finance at a time that it might really make a difference for the next election.

To understand why he will not schedule this proposal, one need only look at his comments over time. A few months after he had shaken hands with President Clinton and promised bipartisan campaign finance reform, he had this to say in a committee of this Congress: "One of the greatest myths of modern politics is that campaigns are too expensive. The political process, in fact, is underfunded; it is not overfunded."

I think the people that are out there tending to their families, tending to their gardens across America, and looking at this Congress with periodic interruptions for 30-second TV spots do not share the Speaker's enthusiasm for spending more and more money on our elections. They want honest, bipartisan reform. We call on Speaker GINGRICH again this morning to give us that by scheduling campaign finance reform and a ban on soft money immediately.

END BAN ON NEEDLE EXCHANGE

The SPEAKER pro tempore (Mr. MILLER of Florida). Under the Speaker's announced policy of January 21, 1997, the gentlewoman from the Virgin Islands [Ms. CHRISTIAN-GREEN] is recognized during morning hour debates for 5 minutes.

Ms. CHRISTIAN-GREEN. Mr. Speaker, on Thursday this House voted for an amendment that would ban the use of Federal funds for needle exchange programs, programs that have been proven to reduce the transmission of HIV, the virus which causes AIDS, programs which without question save lives, and which have never been shown to increase the use of injectable or other drugs. In fact, what has been shown is that persons using these programs are more likely to enter treatment when treatment is available.

I realize, Mr. Speaker, that it was recently reported that AIDS is no longer the leading cause of death for Americans between the ages of 25 and 44. While that may be true for European-Americans, it is definitely not true for my patients in the African-American community or other minorities. Women are still disproportionately affected, and in most of these cases, the

transmission is related to intravenous drug use.

Health experts have said that the greatest threat to our public health are legislative bodies such as this. Last Thursday, we may have proved this statement true again.

As a physician who has taken care of patients with AIDS and who has taken care of patients who are addicted to drugs, I look to our colleagues in the conference committee to do the right thing and delete this amendment out of the final legislation. Choose life, my colleagues. Choose life.

IN THE NAME OF OUR CHILDREN'S HEALTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Massachusetts [Mr. MCGOVERN] is recognized during morning hour debates for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, I have taken to this well many times before to speak about the steps that my home State of Massachusetts has taken to guarantee that no child goes without proper health care. This is not a recent phenomenon. Massachusetts has long been a national leader on the issue of children's health.

Some 70 years ago, President Calvin Coolidge, a Massachusetts native, declared the first Monday in October as National Child Health Day. While an issue as important as children's health certainly merits our Nation's full attention, past generations have unfortunately let this day fall from our national calendar. With the help of my Republican colleague, the gentleman from Illinois [Mr. PORTER], and through the hard work of the American Health Foundation, I am proud to declare that Child Health Day is once again getting the attention that it deserves.

Mr. Speaker, no single issue has the potential to impact the future of the United States more than the health of our kids. This issue goes to the heart of our ability to compete globally and will profoundly impact America's ability to lead the world in the 21st century. As President Coolidge stated in his proclamation back in 1928:

The protection and development of the health of the children of today are fundamental necessities to the future progress and welfare of the Nation.

We know that children without adequate health care will cost our Nation dearly if we fail to act now. These children, many of whom come from hard-working families, often fail to excel in schools for reasons that are wholly preventable. No child in America should suffer academically because they cannot afford proper eyeglasses. No child in America should suffer permanent hearing loss because they cannot afford to have an ear infection treated. As a Nation that seeks to compete in an increasingly global economy, we simply cannot afford to have preventable ill-

nesses keep our young people from reaching their fullest potential.

There is a rather simple solution to the challenge of keeping kids healthy, and that is preventative care. A dollar spent on immunizations saves \$10 later in a child's life, yet some 25 percent of our Nation's 2-year-olds go without immunizations. Every year 400,000 children go without the medicines their doctors have prescribed because they are uninsured or their parents simply cannot afford to pay for these prescriptions. This simply must change.

But even children with adequate health care coverage should become active participants in Child Health Day. Too many of our Nation's youth suffer from poor nutrition, bad oral hygiene or failure to exercise. And thousands of young people each year become victims of substance abuse, including drugs, alcohol, and tobacco. These are health risks that cross all socioeconomic lines and habits that will only worsen in time.

Mr. Speaker, we can act decisively on each of these important health issues. Back home in Massachusetts I have taken several steps to bring the full weight of volunteers, community leaders, nonprofit groups and State and local government officials to bear on many of the negative trends I have mentioned. On October 6, National Child Health Day, Massachusetts will proudly unveil the first and only State report card on children's health, quantifying our Commonwealth's strengths and weaknesses. I am also inviting hundreds of people throughout Massachusetts to attend a forum on November 1 which will seek to find long-term solutions to the challenges that we identify.

On Thursday of this week, the gentleman from Illinois [Mr. PORTER] and I will hold a bipartisan luncheon here in the Capitol to build support for National Child Health Day next month. I encourage all Members who would like to hold Child Health Day events in their districts to attend. Together we can reach across political, social, and cultural boundaries to help prepare our children for healthy and successful lives.

RECESS

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

Accordingly (at 10 o'clock and 53 minutes a.m.), the House stood in recess until 12 noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 noon.

PRAYER

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

Remind us always, O gracious God, of those deeds we can do to be Your people and celebrate the good works of life in our world, our Nation, and our communities. May we not only be involved with our own personal needs so that we neglect our concern for the other people that You have created, all the people that You have created, and for whom You share Your love and blessings. May we not only look to our own private relationship with You but the shared blessings and opportunities that You have given to us. May Your good benediction, O God, that is new every morning and with us all the day long, be with us this day and every day, 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.

Mr. MILLER of California. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on agreeing to the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

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

The SPEAKER. Pursuant to clause 5 of rule I, further proceedings on this matter are postponed.

The point of no quorum is considered is withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arkansas [Mr. HUTCHINSON] come forward and lead the House in the Pledge of Allegiance.

Mr. HUTCHINSON 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to fifteen 1-minutes on each side.

H.R. 1270, NUCLEAR WASTE POLICY ACT OF 1997

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

Mr. GIBBONS. Mr. Speaker, the American people have been well served by the 105th Congress. This Republican Congress has created a balanced budget, given tax relief to millions of Americans, and allowed small businesses and companies to create thousands of new jobs. All this was done because the American people wanted it and, Mr. Speaker, they deserved it.

However, before adjournment Congress may consider a bill that the American people do not want, a bill that does not reflect their consolidated voice or best interests. That bill I am referring to is H.R. 1270, the Nuclear Waste Policy Act of 1997.

Residents in cities like New York, Los Angeles, Chicago, Houston, Dallas and many others certainly do not want to put their children and loved ones at severe risk because their elected officials voted to ship toxic nuclear waste through their neighborhoods and communities.

Fellow colleagues, one mishap is all it would take to ravage one of these cities or even your community. Let us not mar the monumental accomplishments of this Congress by voting on a truly dangerous and ill-conceived bill. Vote "no" on H.R. 1270.

KIKA DE LA GARZA U.S. BORDER STATION

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

Mr. HINOJOSA. Mr. Speaker, today we will be considering under suspension of the rules a measure to name the U.S. border station located in Pharr, TX, after my esteemed predecessor, the Honorable Kika de la Garza.

This is indeed a fitting tribute for an individual whom many of us here in this Chamber have had the pleasure and privilege of working with. He is a man who has dedicated his life to public service, who has been an international ambassador for American agriculture, and who is known throughout all of Texas and the Nation simply as "Kika."

This is a man who has made an illustrious institution all the more distinguished by his countenance, his acumen, and his devotion to doing what it takes to get the job done. No one deserves this honor more, and I want to take this opportunity to say from my heart, "Congratulations, Kika, for your decades of outstanding work on behalf of the citizens of the 15th District in Texas."

PERSONAL RESPONSIBILITY, A CONCEPT AMERICANS CAN AGREE ON

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

Mr. HUTCHINSON. Mr. Speaker, recently in my Sunday newspaper, I saw a fascinating article in the USA Week-

end section that was entitled "What Americans Agree On." USA Weekend took a poll over the July 4th holiday and found out that 95 percent of Americans agree that freedom must be tempered with personal responsibility. Ninety-five percent, Mr. Speaker.

Now leaving aside the poll numbers, it is common sense that personal responsibility is vital to the American conception of freedom. But what if children come from homes in which blaming others for our shortcomings is a way of life? How will such children learn the basic American value of freedom in the context of personal responsibility?

The answer is education. The problem is that too many schools are failing to teach what nearly all Americans agree on that is fundamental to our freedom. Personal responsibility, a concept shared by all Americans, is where education reformers should talk more about when thinking about educating our Nation's children.

IRS AUDITS PAULA JONES

(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, just days after Paula Jones rejected a settlement and her lawyers deserted her, the IRS has slammed Paula Jones with an audit. Now, if that does not seem strange, check this out: Paula Jones has no income. Paula's husband makes \$37,000. They do not own a home. They rent. They have two children and only own one car.

Now tell me, Mr. Speaker, how many families of such meager means get audited? The IRS says, "Wait a minute. The IRS did not target Paula Jones." The IRS says, "We have nothing to do with the White House, and the IRS never has political targets."

Beam me up, Mr. Speaker. Let us tell it like it is. The IRS did not just target Paula Jones. The IRS is nuking Paula Jones because of the sensitive politics involved. I say Congress should target the IRS and straighten those bunch of henchmen out.

WHAT DOES CAMPAIGN FINANCE REFORM MEAN?

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

Mr. TIAHRT. Mr. Speaker, Thomas Jefferson said, "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical." And the Supreme Court agreed in what is called the Beck agreement. They did not call it sinful or tyrannical. They called it illegal.

What is it? It is the involuntary spending of union workers' hard-earned money, their union dues, for opinions in which they disbelieve. The workers

have to fund political contributions and candidates they do not support. The administration, by Executive order, refuses to enforce the Beck decision.

So when we hear the term "campaign reform," it means making the Beck decision law; it means removing this injustice that Thomas Jefferson called sinful and tyrannical, it means freeing up the workers of this country.

CONSIDER CAMPAIGN FINANCE REFORM THIS YEAR

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

Mr. SNYDER. Mr. Speaker, on June 11, 1995, the President and Speaker of the House, in a very famous photo of shaking hands, committed themselves to campaign finance reform. It has been over 2 years later. We have had 85 bills filed. There have been no hearings on campaign finance reform. There have been no bills passed.

The President will support campaign finance reform, Mr. Speaker. This House and the House leadership needs to step forward and let this body consider campaign finance reform this year. My own preference is the freshmen bipartisan bill, the Hutchinson-Allen bill. There are other good bills out there, but they will get nowhere without hearings and without being brought to the floor of this House. We need to do our job this year on campaign finance reform.

FOLLOW MINNESOTA'S LEAD IN EDUCATION

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

Mr. GUTKNECHT. Mr. Speaker, I rise today to congratulate my Governor, Arne Carlson, of Minnesota. Back in Minnesota we are very proud of our schools and we are very proud of our students. Many people listen to Garrison Keiler when he talks about Lake Wobegone, and sometimes we talk about the Lake Wobegone syndrome.

In fact, we do believe our women are strong, our men are good looking, and our children are above average. And there is reason to believe that. If we look at the numbers, Minnesota students rank second in graduation rate. On the ACT test, we once again ranked in second place in all of the United States in 1996. But that is the good news.

The bad news is, in some of the tests that we have been giving our students in the last several years on basic skills, Minnesota students are not doing as well as they should. In reading, for example, we asked students to read a few newspaper articles, then answer some questions, and only 59 percent of the students passed that test.

That is why Governor Carlson, together with the legislature, began a

process this year of real reform of our schools, and that was built around choices and giving parents more empowerment. It is tax credits. It is empowering parents with more deductibility for educational expenses.

We in Washington ought to do the same. In fact, they say back in Minnesota, either lead, follow, or get out of the way. In terms of education reform, we ought to follow the lead of Governor Carlson and other brave Governors who are empowering parents to get better education for their kids.

NATIONAL STUDENT TESTING IS NOT THE ANSWER

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

Mr. COOK. Mr. Speaker, the latest great idea from the administration to improve education is national testing. After all, who could be against a proposal that will make it easier to see how your school is doing and make it easier to compare your children against the performance of students nationwide?

I guess my first reaction is that we do not need a national test to discover that a school with fourth graders who do not read has a big problem. We do not need a national test to figure out that something is terribly wrong when kids graduate from high school feeling just wonderful about themselves but are unable to write a coherent paragraph.

The bottom line is, we do not need a national test to determine that our schools are failing us and failing the communities which support them. It is as if the other side actually believes that the same schools that do not enforce standards now will suddenly do so if Washington comes up with a new test.

If academic rigor is absent in our schools now, call it a hunch, but I am guessing that rigor will be absent in our schools after the latest national test is created.

□ 1215

SCHOOL CHOICE

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

Mr. WELDON of Florida. Mr. Speaker, my question is, Would a plan to make it easier for parents to save for their children's college education be a good thing or a bad thing? What if their children took that money and used it to go to a private university like Harvard? Would that be a threat to public universities like the University of Michigan or the University of Virginia? Or would that make schools like the University of Michigan and the University of Virginia try even harder to compete for students that might otherwise go to Harvard?

If allowing parents to send their kids to Harvard is not a threat to public universities, why would making it a little easier for parents to send their kids to private schools be a threat to public schools at the elementary and secondary level? Could it be that many parents would vote with their feet and take their kids out of bad public schools and put them in private schools? That would force bad schools to clean up their act or shut down, which is exactly the point.

CAMPAIGN FINANCE REFORM

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

Mr. MILLER of California. Mr. Speaker, another week has gone by in Washington, and still the Republican leadership has not scheduled a vote on campaign finance reform. Delay has always been the strategy of those who are opposed to curbing the influence of special interest money. We cannot accept delay any longer.

My colleagues and I are demanding that Speaker GINGRICH schedule a vote to ban soft money, the huge unregulated contributions to both political parties that have corrupted our political process in Congress. But the Speaker's response is there is not time, or the Speaker's response is what we need is more money in our election system. That is wrong.

Tomorrow afternoon the Republicans hope to leave work early in the day to travel to New York City to hold a massive fund raiser. Apparently there is enough time in the congressional schedule to leave early and fly to New York on private jets to raise money, but there is not enough time to schedule a vote on campaign finance reform and to ban soft money. This is unacceptable, Mr. Speaker, to me, to my colleagues, and to the majority of the American people.

CAMPAIGN FINANCE IN CURRENT LAW

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

Mrs. CHENOWETH. Mr. Speaker, most children have tried the tactic we are now seeing from the other side regarding the White House scandals and campaign finance reform. If you catch a child with his hands in the cookie jar, sometimes he tries to change the subject on that which they are doing, and if they cannot successfully change the subject, then they get angry.

Most parents see right through what their child is trying to do to escape punishment for disobeying their parents. Fortunately, thank goodness, most Americans are able to see through the hypocrisy of Democrats who claim to want to ban soft money, the very same people who have raised illegal fund raising from foreign sources to an art form.

Current law, I know that the other side is not very concerned about current law, especially last year, in last year's campaign, but current law does not require full disclosure. If it had during 1996, we would have known what the millions of dollars in soft money raised from foreign sources were that was actually returned because of their criminal behavior.

EDUCATION SAVINGS ACCOUNTS

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

Mr. ENGLISH of Pennsylvania. Mr. Speaker, making education affordable, whether at the college level or at the primary and secondary level, has to be one of the primary concerns of Congress. Our Republican tax bill adopted this year contained provisions that provided real tax relief for families that were paying tuition. But unfortunately, at the end of the conference with the administration, the administration demanded that key provisions be stripped out or that the bill would be vetoed.

Specifically the Clinton administration opposed tax relief for prepaid tuition plans like we have in Pennsylvania and tax relief in the form of a parent and student savings account plus, which would provide up to \$2,000 a year for an education savings account with the buildup of interest to be tax free.

Mr. Speaker, I strongly support the legislation introduced by Speaker GINGRICH in the House and Senator COVERDELL in the Senate to create an education savings account to make education affordable and make the American dream more accessible.

Mr. President, please realize this issue is not going to go away. We will not go away until working families and students get the tax relief they deserve. We are going to push this issue this year.

DISPENSING WITH CALL OF PRIVATE CALENDAR

The SPEAKER pro tempore (Mr. LAHOOD). This is the day for the call of the Private Calendar.

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent to dispense with the call of the Private Calendar today.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

is objected to under clause 4 of rule XV. Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 2 p.m. today.

JOHN N. GRIESEMER POST OFFICE BUILDING

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1254) to designate the U.S. Post Office building located at Bennett and Kansas Avenue in Springfield, MO, as the "John N. Griesemer Post Office Building," as amended.

The Clerk read as follows:

H.R. 1254

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

SECTION 1. DESIGNATION.

The United States Post Office building located at 1919 West Bennett Street in Springfield, Missouri, shall be known and designated as the "John N. Griesemer Post Office Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office building referred to in section 1 shall be deemed to be a reference to the "John N. Griesemer Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. MCHUGH] and the gentleman from Maryland [Mr. CUMMINGS] each will control 20 minutes.

The Chair recognizes the gentleman from New York [Mr. MCHUGH].

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

Mr. Speaker, H.R. 1254 was introduced by the gentleman from Missouri [Mr. BLUNT] on April 29. This legislation, as has been noted, designates the U.S. Post Office located at Bennett and Kansas Avenue in Springfield, MO, as the "John N. Griesemer Post Office Building". The amendment at the desk, Mr. Speaker, corrects the address of the building to 1919 West Bennett Street. The exact assignment of the street address was not known when the bill was originally drafted.

Mr. Speaker, in accordance with the policy of the Committee on Government Reform and Oversight, the bill is cosponsored by the entire House delegation of the State of the sponsoring Member, the State of Missouri. The measure was before the Subcommittee on Postal Service on June 5 and was approved, as amended, by all the subcommittee members.

Mr. Speaker, the legislation obviously honors John N. Griesemer, who was born in Mount Vernon, MO, and, as I am sure we will hear later from the sponsor of the bill, amassed a long and very admirable record in civic and public duties. Most particularly of interest to the subcommittee and to myself, Mr. Speaker, the gentleman was, in 1984, named by President Reagan to serve on the U.S. Postal Board of Governors. He was elected chairman of the Board in 1987 and 1988 and served for 3 years as the Board's vice chairman.

I think it is for this reason particularly, Mr. Speaker, that the naming of this post office in memory of a man who served with distinction through his entire public life, but particularly served with distinction as a member of the very body that governs the Postal Service, makes this bill so very appropriate.

Mr. Speaker, I commend the gentleman from Missouri [Mr. BLUNT], the Missouri delegation, and I wish to thank our full committee chairman and ranking members for their cooperation in bringing this, I think, very worthy piece of legislation to the floor. I would urge our colleagues to support this bill, as amended.

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

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

Mr. Speaker, I rise today in support of legislation, H.R. 1254, as amended, which would designate the U.S. Post Office Building located at 1919 West Bennett Street in Springfield, Missouri, as the John N. Griesemer Post Office Building.

Mr. Griesemer, a Springfield, MO businessman, was named to serve on the U.S. Postal Service Board of Governors in 1984. He was elected chairman of the Board in 1987 and 1988 and served for 3 years as the vice chairman.

A native of Billings, MO, John Griesemer worked for his family's business, the Griesemer Stone Co. He served as its president and director until his death in 1993.

H.R. 1254, introduced by the gentleman from Missouri [Mr. BLUNT] enjoys the support and cosponsorship of the entire Missouri congressional delegation. I urge my colleagues to support this measure, which is a fitting testament to the great work of Mr. Griesemer.

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

Mr. MCHUGH. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. BLUNT], the primary sponsor of this legislation.

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

Mr. BLUNT. Mr. Speaker, first I would like to thank the gentleman from New York [Mr. MCHUGH], the chairman of the Subcommittee on Postal Service, for his assistance in moving this legislation through his subcommittee. I would also like to thank the members of the full committee and the gentleman from Indiana [Mr. BURTON], the chairman, for discharging the bill so it could be considered today. And, of course, I would like to thank the other members of the Missouri delegation for joining me unanimously as cosponsors of this resolution.

The resolution we are debating, Mr. Speaker, will name the new postal facility in my district for the late John N. Griesemer. Mr. Griesemer invested

his lifetime in his family, his church and in public service, and perhaps the greatest national impact of that public service, as my colleagues have pointed out from Maryland and New York, was his time as the chairman of the Board of Governors of the Postal Service. He served as vice chairman for 3 years. He served as chairman after that during his remaining time on the Board.

He was dedicated to the Postal Service, and certainly to name a facility in the city, the city of Springfield, where he ran his business, where he was so involved in civic and church affairs, where he and his wife raised their 5 children, is, I think, an appropriate tribute to his service to community, and particularly to his service to the Postal Service.

I want to really join the gentleman from New York [Mr. MCHUGH] and the gentleman from Maryland [Mr. CUMMINGS] in encouraging that the House move for the passage of this resolution, and as this facility is officially opened, it will be officially opened with the name of John N. Griesemer as the name of the facility, Mr. Speaker.

I want to thank the gentleman from New York for yielding me the time.

John Griesemer was born in Mt. Vernon, MO and grew up on a dairy farm near Billings. He graduated from Billings High School in 1948 and he earned a Bachelor of Science degree in Civil Engineering from the University of Missouri, Columbia in 1953. He served as a First Lieutenant, Engineering Officer in the U.S. Air Force from 1954 until 1956.

After his discharge from the Air Force, John returned to southwest Missouri to work for his family's business, Griesemer Stone Co. He served there as president and as a director until his death in 1993.

In defiance of conventional wisdom, John Griesemer balanced a successful career with family life and a dedication to community service. He and his wife, Kathleen, raised five children on a small farm just east of Springfield, MO. John was active in his church, having served as Chairman of the annual Diocesan Development Fund Drive, member of the Financial Advisory Committee and co-trustee of the Heer-Andres Trust of the Catholic diocese of Springfield-Cape Girardeau, MO. He also served as Co-Chairman of the Margin for Excellence fund drive to establish an endowment and build a new Catholic High School in Springfield. John was an Eagle Scout, a Scout Master and, in later years, served on the Board of the Ozarks Council of the Boy Scouts of America. He was also involved with the Junior Achievement Program.

In addition to his work with Griesemer Stone Co., John founded Joplin Stone Co. and Missouri Commercial Transportation Co., and served as president of Springfield Ready Mix Co. He was a director of Boatmen's National Bank and, in 1991 was president of the Springfield Development Council, a non-profit subsidiary corporation of the Springfield Chamber of Commerce.

John Griesemer passed away in 1993, survived by his wife and five children. His legacy is one of service to God, his country and to his fellowman through dedication to family, business and community.

Again I would like to thank Mr. MCHUGH and I would ask all of my colleagues to join in hon-

oring John N. Griesemer by naming this new facility in the city, where he spent his life and spent it wisely, after him.

Mr. MCHUGH. 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 New York [Mr. MCHUGH] that the House suspend the rules and pass the bill, H.R. 1254, as amended.

The question was taken.

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

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

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. MCHUGH. 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. 1254.

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

There was no objection.

COMMENDING AMERICAN AIRMEN HELD POLITICAL PRISONERS AT BUCHENWALD

Mr. MICA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 95) recognizing and commending American airmen held as political prisoners at the Buchenwald concentration camp during World War II for their service, bravery, and fortitude.

The Clerk read as follows:

H. CON. RES. 95

Whereas 168 Allied airmen captured by Axis forces during World War II were held as political prisoners at the Buchenwald concentration camp in Weimar, Germany;

Whereas of these captured airmen, 82 were Americans, 26 were Canadians, 48 were Britons, 9 were Australians, 2 were New Zealanders, and 1 was Jamaican;

Whereas the facts and circumstances of their confinement are amply documented in the official records maintained by the National Archives and Records Administration;

Whereas a report from the International Red Cross concerning Stalag Luft III in Sagan, Germany, mentioned six American airmen held at Buchenwald, including one whose name does not appear on the lists maintained by the National Archives;

Whereas since the liberation of Buchenwald in 1945 numerous personal memoirs, scholarly books, and articles have been published describing the conditions at the concentration camp;

Whereas this extensive documentation records the extraordinarily inhuman treatment, deprivations, and personal suffering inflicted on these 168 Allied airmen and other inmates at Buchenwald; and

Whereas Allied Governments and veterans organizations outside the United States have granted special recognition to their citizens

and servicemembers who were here as political prisoners in World War II concentration camps: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes and commends the 82 American airmen held as political prisoners at the Buchenwald concentration camp during World War II for their faithful service, personal bravery, and exceptional fortitude; and

(2) requests that the President issue a proclamation recognizing and commending, by name, the service, bravery, and fortitude of those airmen.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. MICA] and the gentleman from Maryland [Mr. CUMMINGS] each will control 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. MICA].

□ 1230

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

Mr. Speaker, today the House has an opportunity to recognize the valor and sacrifices of 82 Americans who have earned the gratitude of our Nation. We often speak in this House of the debt that our Nation owes to the many men and women who have served our Armed Forces in defense of this country and its values.

The story of these 82 American airmen forcefully reminds us of the price that others have had to pay to preserve our freedom. These men were held as political prisoners at the notorious Buchenwald concentration camp.

Unlike other American prisoners of war, they were not entitled to the protections of the Geneva Convention. The unspeakable horrors of Buchenwald are well-known, but the ordeal of these men and what they experienced is not known.

For 52 years, this Government has not formally recognized the bravery and loyalty of these 82 airmen. This resolution, which is sponsored by my distinguished colleague and good friend, the gentleman from Florida [Mr. WELDON] and also has the support of the gentleman from Florida [Mr. DEUTSCH], my equally good friend and colleague, will provide public recognition that these men have earned, and it is so long overdue.

But the resolution will do more than that, Mr. Speaker. It will also educate Members of Congress and preserve for the American people the story, the history, and the bravery of these 82 heroic individuals.

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

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

Mr. Speaker, on June 10, 1997, Representatives WELDON and DEUTSCH introduced bipartisan legislation, House Concurrent Resolution 95, to officially honor the only U.S. servicemen to be held prisoner in a concentration camp.

I am delighted that the chairman of the Subcommittee on Civil Service [Mr. MICA] and I have been able to quickly bring this bill to the floor for

the consideration of Members. I strongly support House Concurrent Resolution 95 and urge its immediate passage so that this body might go on record as commending 82 brave United States airmen who were held at the Buchenwald concentration camp in Weimar, Germany, during World War II.

These men shared a unique and painful experience that no other American servicemen have endured. A total of 168 allied airmen were captured and held at Buchenwald, and allied governments in other parts of the world have already bestowed special recognition upon these servicemen.

The deplorable conditions, inhumane treatment, and personal suffering of the 82 American servicemen must not go unrecognized by our Nation any longer.

Though more than 50 years have passed since the liberation of the Buchenwald concentration camp, the appreciation due these men for their bravery, service, and unique sacrifice, is as considerable today as it was in 1945 when the camp was liberated.

It is perhaps even more momentous because it is so long overdue. Tragically, some of these men can no longer be located and informed of this legislation. Thirty-three of them are now deceased. It is my hope that the news of our action here today, our official recognition of their service, reaches all who survive, those who have passed on, and all of their families, so that they might know what has finally transpired here this day.

Mr. Speaker, I respectfully urge this entire body to join me in support of this important resolution so that all 82 Americans held at Buchenwald concentration camp may receive the honor they have for so long deserved.

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

Mr. MICA. Mr. Speaker, I am pleased to yield 5 minutes to the distinguished gentleman from Florida [Mr. WELDON], the sponsor of this important legislation. I want to thank the gentleman for bringing the sacrifices of these airmen to the attention of the Congress and to the American people.

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I want to thank my colleague the gentleman from Florida [Mr. MICA] and the gentleman from Maryland [Mr. CUMMINGS], my good friend, for bringing my bill to the floor today.

I also want to thank the gentleman from Indiana [Mr. BURTON], the chairman of the Committee on Government Reform and Oversight, for allowing the bill to be considered in such a timely fashion. I also, in addition, want to thank my very good friend, the gentleman from Florida [Mr. DEUTSCH] for working with me on this important bipartisan effort.

Mr. Speaker, House Concurrent Resolution 95 is a simple bill. It does not

spend any money, it does not change any regulations, it does not affect any Federal agencies. But this is an important bill, Mr. Speaker, because it recognizes a unique group of soldiers who fought for this country during World War II. Beside me on my left we can see, of those who are remaining and still alive, a picture of them gathered at a meeting.

Now, lots of men and women sacrificed on behalf of our country in World War II. What makes this group so special?

They were not the only members of the United States military to serve, but they were the only ones to be held in a Nazi concentration camp. Those horrible camps will forever occupy a dark place in human history, and we have long recognized the bravery and daring of many prisoners who fought their Nazi oppressors and struggled to win political and religious freedom.

But, tragically, we have never formally recognized these men for their service, sacrifice, and suffering. My attention was first drawn to their situation when they held a reunion in Melbourne, FL, which is in my district. After talking with Bill Williams, the leader of this group, who lives in Lake Placid, FL, I learned that both Sonny Montgomery and TIM HUTCHINSON had championed this bill when they served in the House, and I was determined to complete their work.

When these 82 airmen were shot down, they were captured in civilian clothing and were sent to Buchenwald concentration camp as spies and as criminals. But when our soldiers were sent to a concentration camp instead of a POW camp, they were considered political prisoners, and therefore not subject to the fundamental protections of the Geneva Convention.

My bill simply recognizes their unique service and asks the President to do the same by issuing a proclamation commending them. Other allied airmen were also held at Buchenwald, and their countries have recognized their service. So it seems fitting that we do so as well.

Senators TIM HUTCHINSON and JOSEPH LIEBERMAN have introduced similar legislation in the other body, and I hope this year that both Chambers can pass these bills and give these men the recognition that has been half a century waiting in coming.

The saga of the airmen is recounted by Mitchell Bard in "Forgotten Victims—The Abandonment of Americans in Hitler's Camps." His book details the horror these men suffered, the violent beatings, the days in solitary confinement, the malnutrition, the freezing temperatures, the sleep deprivation, the medical experimentation. We must never forget their sacrifices for freedom around the world.

Mr. Speaker, today's consideration of this bill is also very timely. Just a few weeks ago, the Department of Justice concluded years of negotiations with Germany regarding reparations for

these soldiers and other American civilians held in Nazi concentration and labor camps. I am pleased to report that the negotiations were highly successful and all of the United States soldiers held in Buchenwald are going to be compensated by Germany for their cruel and inhumane imprisonment. I commend the Justice Department for successfully closing out the settlement.

Finally, Mr. Speaker, I would like to submit for the RECORD a note from former President George Bush. President Bush wrote a warm note of greeting to these men when they met in Melbourne last year, and I want to include it as part of the RECORD for today's floor action.

MARCH 10, 1997.

I am delighted to send warm greetings to all gathered in Melbourne for this special reunion of American World War II veterans.

Present at this remarkable gathering this week are men who represented the best of the American spirit during a time of tremendous peril. Like so many others, you answered the call to duty and turned back a threatening tide of tyranny looming over Europe—and those who live there today in freedom are indebted to you for your sacrifices and selfless service. So as you fellow old-timers come together to renew friendships and recall lost comrades, I am honored to join in saluting you, doing so with the hope that you know your Nation respects you and is grateful to each of you.

GEORGE BUSH.

House concurrent resolution 95 is endorsed by the American Ex-prisoners of War and the Veterans of Foreign Wars.

Mr. Speaker, I would urge my colleagues to support this important bill. By passing this bill today, those veterans still living and the families and friends of those who have passed on can fully realize the public recognition these brave men so rightly deserve.

Mr. Speaker, I thank again my colleagues from Maryland and Florida.

Mr. MICA. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to take this opportunity to thank the distinguished gentleman from Florida [Mr. WELDON], the primary sponsor of this legislation, and also the gentleman from Florida [Mr. DEUTSCH] for their timeliness in bringing this legislation before the House. I congratulate them for their fine efforts to provide these brave men with a public expression of gratitude and recognition from this Congress, which they so richly deserve.

Mr. Speaker, I also want to take a moment and also thank the gentleman who is not with us, but who served with such a distinguished career in the House, Mr. Sonny Montgomery, who was referred to by my colleague from Florida. He did attempt to bring this matter before the House, and he does deserve credit and recognition on this day as we do pass this legislation long overdue.

I also want to take a moment to thank the gentleman from Maryland [Mr. CUMMINGS], the distinguished ranking member of the Subcommittee on Civil Service, for his assistance on

this matter. I also want to take this opportunity to thank the gentleman from Indiana [Mr. BURTON], the chairman of the Committee on House Government Reform and Oversight, and the gentleman from California [Mr. WAXMAN], the ranking member, for their leadership and helping to expedite consideration of this matter before the House.

Mr. Speaker, this resolution asks the President to issue a proclamation recognizing and commending each of these 82 men by name for their service, their bravery, and their fortitude. In good conscience we can do no less.

Mr. Speaker, I urge all Members to vote for this long overdue resolution.

Mr. GILMAN. Mr. Speaker, I rise today in support of the resolution offered by the gentleman from Florida. The history of mankind has shown us much about human nature. In World War Two, we faced an evil so unprecedented in its inhumanity we refer to those actions today as "atrocities" and as "crimes against mankind." The Nazi regime inflicted many injuries against the world, some of which were still struggling to heal. Let us take a step in a forward manner today and give our support in honoring a special group of American defenders who were witness to this terrible regime.

The 82 American airmen captured and interred at the Buchenwald concentration camp must be commended. In the service of their nation, they were forced to suffer at the hands of a vile enemy.

The suffering and sacrifice of these Americans cannot be forgotten. It was because of them and the Allied forces that we are in a position today to take preventive measures against such an occurrence ever happening again.

As much as some people wish to deny history, this event was real. A Holocaust took place. These 82 soldiers not only became prisoners, they became witnesses and messengers who could share with us firsthand this terrible event so that we might understand and learn from the tragic mistakes of the past.

To let this moment pass us by without action by this body would cast a pall on the memory of these valiant, selfless men. We have learned of the terrible circumstances at the concentration camps. We have previously honored innocent civilian victims of these camps. Some of those people were our friends and family members, and many were people we did not know. Now we have the opportunity to bestow proper honor and recognition of those service men who were fighting on our behalf. And who ended up in the Buchenwald concentration camp. I urge all of my colleagues to join together and support his admirable resolution.

Mr. MICA. 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. MICA] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 95.

The question was taken.

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

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

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution Resolution 95.

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

There was no objection.

HONORING THE CONTRIBUTIONS JIMMY STEWART MADE TO THE NATION

Mr. MICA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 109) recognizing the many talents of the actor Jimmy Stewart and honoring the contributions he made to the Nation.

The Clerk read as follows:

H. CON. RES. 109

Whereas James M. ("Jimmy") Stewart made more than 80 films including comedies, westerns, and dramas of suspense;

Whereas Jimmy Stewart won an Academy Award for best performance by an actor in 1940 for his performance in "The Philadelphia Story" and received four other Oscar nominations for his performances in "Mr. Smith Goes to Washington", "It's a Wonderful Life", "Harvey", and "Anatomy of a Murder";

Whereas Jimmy Stewart received a Screen Actors Guild Award in 1968 for "fostering the finest ideals of the acting profession"; the American Film Institute's eighth life achievement award in 1980, a Kennedy Center Honor in 1983, a special Academy Award in 1984 for "50 years of meaningful performances" and "for his high ideals, both on and off the screen", and the annual tribute by the Film Society of Lincoln Center in 1990;

Whereas Jimmy Stewart appeared in a number of television shows and Broadway plays and received a Tony Award;

Whereas Jimmy Stewart's poetry was compiled into his 1989 book entitled "Jimmy Stewart and his Poems";

Whereas Jimmy Stewart enlisted in the military and served during World War II as operations officer, chief of staff, and squadron commander of the Second Combat Wing of the U.S. Eighth Air Force in England;

Whereas Jimmy Stewart's military decorations include two Distinguished Flying Crosses, the Air Medal, multiple oak leaf clusters, six battle stars, and the Croix de Guerre with Palm;

Whereas Jimmy Stewart attained the rank of colonel during World War II and the rank of brigadier general in 1959, making him the highest ranking entertainer in the American military;

Whereas Jimmy Stewart was active in national politics in his later years and was a close personal friend of former President Ronald Reagan;

Whereas Jimmy Stewart testified before Congress in 1988 in favor of a bill that was later enacted to require film exhibitors and distributors to disclose to the public whether certain culturally, historically, or aestheti-

cally significant films had been colorized or otherwise altered from the original; and

Whereas in 1985 President Ronald Reagan awarded Jimmy Stewart the Nation's highest civilian honor, the Presidential Medal of Freedom: Now, therefore be it

Resolved by the House of Representatives (the Senate concurring), That Congress recognizes the many talents of the late James M. ("Jimmy") Stewart and honors the artistic, military, and political contributions he made to the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. MICA] and the gentleman from Maryland [Mr. CUMMINGS] each will control 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. MICA].

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

Mr. Speaker, from time to time the U.S. House of Representatives and our Congress honors the memory and talents of great Americans. Mr. Speaker, I rise today to pay tribute to the late Jimmy Stewart. As an actor, as a citizen, and in his personal life, Jimmy Stewart exemplified the best of America.

Most Americans know Jimmy Stewart through his many movies. All of us have seen at least some of these movies, and he endeared himself to us by his performances. As laymen, though, we probably did not fully appreciate what a consummate craftsman he was. His acting appeared so natural that many wrongly believed that he was not acting at all, just being himself. But, according to biographers and critics, that was deceptive.

□ 1245

What appeared so natural to us was instead the result of talent magnified many times over by dedication and hard work.

Frank Capra, who directed Jimmy Stewart in his most famous movies, "Mr. Smith Goes to Washington" and "It's A Wonderful Life," had this to say about Jimmy Stewart's acting ability:

There is a higher level than great performances in acting. The actor disappears and there is only a real live person on the screen. There are only a few actors, very few indeed, capable of that level of performance, and that tall string bean sitting over there, he is one of them.

He was referring, of course, to Mr. Stewart.

Jimmy Stewart's personal life was also exemplary. He married his wife Gloria in 1949 and remained married to her until she died in 1994. That is no mean feat in Hollywood and in days where marriages sometimes seem to last only weeks or months. He also contributed to his community. He was an adviser to Princeton University's Theater in Residence, and served on the executive board of the Los Angeles Council of the Boy Scouts of America.

Jimmy Stewart also set a model for all of us in citizenship and patriotism. He was already a famous actor when World War II broke out. Perhaps he could have used his influence to stay

out of the armed forces, but he chose not to do so. To the contrary, when the Army rejected him because he was underweight, Jimmy Stewart ate fattening foods so he could pass the weight test.

He served in the Army Air Corps, flying 25 missions over enemy territory and serving as commander of a bombing wing. His distinguished military performance earned him the Air Medal and the Distinguished Flying Cross with Oak Leaf Cluster. In 1945 he returned to the United States as a colonel. He continued serving in the Air Force Reserve, attaining the rank of brigadier general in 1959.

Mr. Speaker, as an actor Jimmy Stewart could have used his wartime service to enhance his box office appeal, but he did not. True to his core values, he took the opposite track by insisting that his wartime exploits be kept out of his movie publicity.

In all aspects of his life, Mr. Speaker, Jimmy Stewart set an example for us all to follow. It is therefore appropriate that this Congress take time today to recognize the great contributions that this man has made to our great Nation.

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

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentleman from Florida [Mr. MICA], our ranking member, for bringing this resolution to the floor in cooperation with our side of the aisle. I want to thank the gentleman from New York [Mr. KING] for his leadership in guiding this bill to the House floor.

James Stewart was born on May 20, 1908 in his parents' home in Indiana, PA, the only son of Alexander and Elizabeth Stewart. After Jimmy's arrival, the family expanded to include daughters Virginia and Mary.

Young Jimmy graduated with honors from Princeton with a degree in architecture in 1932 in the midst of the Great Depression.

His first film was "Murder Man" with Spencer Tracy for MGM in 1935. He appeared in 24 movies over the next 4 years, with an Oscar nomination for "Mr. Smith Goes To Washington." In 1940, the Oscar went to him for his performance in "The Philadelphia Story." Within the next year his acting career was brought to an abrupt halt by World War II.

Mr. Stewart enlisted in 1941 and became an air corps pilot and a squadron commander. His war record included 20 combat missions as command pilot. After being promoted to squadron commander, he became operations officer, and from 1944 to 1945 served as chief of staff, 2d Combat Wing, 2d Division, 8th Air Force.

It was after the war that Jimmy Stewart, under the direction of Frank Capra, starred in "It's A Wonderful Life." As we all know, it is a story of a small town and how one man's life really does make a difference. This was his favorite film, and for this he won his third Academy Award nomination.

Jimmy Stewart is among Hollywood's most highly honored and deeply

loved men. This is not only for his professional successes, but every bit as much for his integrity, his character, and the fact that he was a true humanitarian. He retained his all-American-boy image; the years only added to his stature.

The American Film Institute recognized the magnitude of Mr. Stewart's accomplishments by awarding him the Life Achievement Award in 1980 for fundamentally advancing the art of American film. In presenting the award, the Institute so accurately declared:

In a career of extraordinary range and depth, Jimmy Stewart has come to embody on the screen the very image of the typical American. Whether flying the ocean as Charles Lindbergh, going to Washington as Senator Jefferson Smith, or playing ordinary men who somehow never got around to leaving their own towns, Stewart has captured the essence of American hopes, doubts, and aspirations. His idealism, his determination, his vulnerability, and above all, his basic decency shine through every role he plays.

Once again, I thank the sponsors of this legislation, and I urge its unanimous passage.

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

Mr. MICA. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from New York [Mr. KING], the sponsor of this resolution, and I congratulate him for providing the House with the opportunity to recognize this great American patriot and hero.

Mr. KING. Mr. Speaker, I thank the gentleman for yielding.

At the very outset I want to thank the gentleman from Florida [Mr. MICA] and the ranking member, the gentleman from Maryland [Mr. CUMMINGS], for all of their support in expediting this matter and bringing it to the House floor, and for the support and assistance they have given me on this resolution. I also want to thank our majority leader, the gentleman from Texas [Mr. ARMEY] for the assistance he has given me also and working with my staff in arranging to have this on the floor today.

Mr. Speaker, Jimmy Stewart's death on July 2nd of this year saddened millions of Americans of all ages. Not only was Jimmy Stewart an extremely talented actor, more importantly, he personified the very best of what it means to be an American. He appeared in more than 80 films. He received an Academy Award and four additional Oscar nominations, and appeared on Broadway and on television.

But Jimmy Stewart was also a man of great courage and a genuine war hero. As the gentleman from Florida [Mr. MICA] and the gentleman from Maryland [Mr. CUMMINGS] have already brought out, Mr. Stewart enlisted in the Army Air Corps during World War II and flew more than 20 combat missions over Europe. He was awarded the Distinguished Flying Cross twice, the Air Medal, and six battle stars. Following World War II, Jimmy Stewart re-

mained active in the Air Force Reserve and rose to the rank of brigadier general.

Mr. Speaker, Jimmy Stewart never had the exalted sense of self-importance that afflicts so many Hollywood stars, especially today. In his dealings with everyday people and in his private life Jimmy Stewart was, by all accounts, modest and unassuming, a man of innate decency and integrity.

Mr. Speaker, in 1985 President Reagan awarded Jimmy Stewart the Medal of Freedom, which is our Nation's highest civilian honor. Today, by adopting this resolution honoring Jimmy Stewart's contributions to our Nation, this House, the people's House, is honoring a man who truly personified the essence of the American people and a man who did, indeed, lead a wonderful life.

Mr. Speaker, I urge the adoption of the resolution.

Mr. MICA. Mr. Speaker, I am pleased to yield 5 minutes to my distinguished colleague, the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for yielding.

I rise in strong support of this legislation. America was greatly blessed for the past 89 years to have had the privilege of knowing Jimmy Stewart. He was a committed family man and a role model on and off the big screen. He recognized his position as a role model and throughout his life taught us much. Those of us in this Chamber and the Chamber across the Capitol have a lot to learn from him and the roles he played.

It has been said that what is said about a person upon one's death is very telling of the value of their life. As a nation we were saddened at the loss of Jimmy Stewart. What did his friends say about him?

Charlton Heston, who starred with Stewart in "The Greatest Show On Earth" said, "He was deeply patriotic, deeply professional, a fine actor, and more important than any of those things, perhaps, he was a gentleman."

Karolyn Grimes, who at the age of 6 played Stewart's daughter Zuzu in "It's A Wonderful Life" recalled, "I remember very distinctly that I did not learn the words to 'Auld Lang Syne' at the end of the movie. I felt like a very silly fool. Stewart sort of didn't know the words, either. He made me feel really at ease about it. I will always consider him a movie legend and someone I can always respect and keep in my heart."

Ronald and Nancy Reagan said, "He never really understood the greatness that others saw in him."

Bob Hope said, "Jimmy was every man's hero and every woman's dream man. He wasn't just a talent, but a genius and a dear friend. America has lost its role model and I've lost a great friend. Jimmy represented the best in all of us in the characters he played. Who can ever forget his Mr. Smith? Yup, that was Jimmy. I love Jimmy for

his humor and warmth and for his commitment to our country. He was a great war hero and did so much for the USO. All that and he played a mean game of golf. I'm going to miss him."

Bob's wife Dolores said, "His life was lonely without his beloved wife Gloria, who died in 1994. He missed her so, and now they're together again. What joy there must be."

"It's A Wonderful Life" and "Mr. Smith Goes To Washington" are stories of commitment to principle and to family. These movies are a far cry from many of the movies we see today, characterized by "Powder", "Pulp Fiction" and "Priest."

We need to continue to send Hollywood the message that America longs for movies in the spirit of Jimmy Stewart, movies about commitment to family, to a husband or a wife, commitment to children, to love them and care for them, to put them first, not our own selfish interests.

Again, I commend the gentleman from New York for bringing forward this legislation, and the subcommittee chairman and the ranking member for supporting it.

Mr. MICA. Mr. Speaker, I yield myself the balance of our time.

Mr. Speaker, I want to take a moment to thank again the distinguished gentleman from New York [Mr. KING] for bringing this resolution before the House. I also want to take a moment to thank the distinguished gentleman from Pennsylvania [Mr. MURTHA] for his leadership relating to this memorial to a great American, and the gentleman from Maryland [Mr. CUMMINGS], my colleague and distinguished ranking member of our Subcommittee on Civil Service, for his assistance in bringing this resolution to the floor.

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Of course, I also want to thank Chairman BURTON, chairman of our full committee, and the ranking member, the gentleman from California [Mr. WAXMAN], who has also helped in expediting the consideration of this resolution.

In closing, Mr. Speaker, I thought it would be interesting to read from "Mr. Smith Goes to Washington," a 1939 classic about Congress, and Mr. Stewart's famous words as Mr. Smith. He said, as many of us remember, about his feelings, "I wouldn't give you two cents for all your fancy rules if behind them they didn't have a little bit of plain, ordinary kindness and a little lookin' out for the other fella." And that is what Congress is sometimes about, and we remember that as we remember this great American today.

Mr. Speaker, as we have heard on the floor today, Jimmy Stewart was an exemplary American. He personified the traditional American virtues of hard work, dedication to family, dedication to country, and personal modesty. He enriched our culture, and he enriched our civic life.

He could have used his heroic military service during World War II to

bring additional glory to himself, but like so many of the men and women of his era who served our Nation in war at a perilous time, he did not. Instead, he served his Nation quietly. I have read, Mr. Speaker, that Jimmy Stewart only once used his influence while in the military. He used it to request that he be treated the same as all other men and women in uniform.

It is indeed a privilege for me, Mr. Speaker, to join my distinguished colleague, the gentleman from New York [Mr. KING], and all Members to support this resolution, recognizing the many and lasting contributions of James Maitland Stewart.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Florida [Mr. MICA] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 109.

The question was taken.

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

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

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that following passage of this legislation, all Members may have 5 legislative days within which to revise and extend their remarks on the concurrent resolution, House Concurrent Resolution 109.

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

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

COMPUTER SECURITY ENHANCEMENT ACT OF 1997

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1903) to amend the National Institute of Standards and Technology Act to enhance the ability of the National Institute of Standards and Technology to improve computer security, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1903

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 "Computer Security Enhancement Act of 1997".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) The National Institute of Standards and Technology has responsibility for developing standards and guidelines needed to ensure the cost-effective security and privacy of sensitive information in Federal computer systems.

(2) The Federal Government has an important role in ensuring the protection of sensitive, but unclassified, information controlled by Federal agencies.

(3) Technology that is based on the application of cryptography exists and can be readily provided by private sector companies to ensure the confidentiality, authenticity, and integrity of information associated with public and private activities.

(4) The development and use of encryption technologies should be driven by market forces rather than by Government imposed requirements.

(5) Federal policy for control of the export of encryption technologies should be determined in light of the public availability of comparable encryption technologies outside of the United States in order to avoid harming the competitiveness of United States computer hardware and software companies.

(b) PURPOSES.—The purposes of this Act are to—

(1) reinforce the role of the National Institute of Standards and Technology in ensuring the security of unclassified information in Federal computer systems;

(2) promote technology solutions based on private sector offerings to protect the security of Federal computer systems; and

(3) provide the assessment of the capabilities of information security products incorporating cryptography that are generally available outside the United States.

SEC. 3. VOLUNTARY STANDARDS FOR PUBLIC KEY MANAGEMENT INFRASTRUCTURE.

Section 20(b) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3(b)) is amended—

(1) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (3), (4), (7), and (8), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

"(2) upon request from the private sector, to assist in establishing voluntary interoperable standards, guidelines, and associated methods and techniques to facilitate and expedite the establishment of non-Federal management infrastructures for public keys that can be used to communicate with and conduct transactions with the Federal Government;"

SEC. 4. SECURITY OF FEDERAL COMPUTERS AND NETWORKS.

Section 20(b) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3(b)), as amended by section 3 of this Act, is further amended by inserting after paragraph (4), as so redesignated by section 3(1) of this Act, the following new paragraphs:

"(5) to provide guidance and assistance to Federal agencies in the protection of interconnected computer systems and to coordinate Federal response efforts related to unauthorized access to Federal computer systems;

"(6) to perform evaluations and tests of—

"(A) information technologies to assess security vulnerabilities; and

"(B) commercially available security products for their suitability for use by Federal agencies for protecting sensitive information in computer systems;"

SEC. 5. COMPUTER SECURITY IMPLEMENTATION.

Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) is further amended—

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

(2) by inserting after subsection (b) the following new subsection:

“(c) In carrying out subsection (a)(3), the Institute shall—

“(1) emphasize the development of technology-neutral policy guidelines for computer security practices by the Federal agencies;

“(2) actively promote the use of commercially available products to provide for the security and privacy of sensitive information in Federal computer systems; and

“(3) participate in implementations of encryption technologies in order to develop required standards and guidelines for Federal computer systems, including assessing the desirability of and the costs associated with establishing and managing key recovery infrastructures for Federal Government information.”.

SEC. 6. COMPUTER SECURITY REVIEW, PUBLIC MEETINGS, AND INFORMATION.

Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3), as amended by this Act, is further amended by inserting after subsection (c), as added by section 5 of this Act, the following new subsection:

“(d)(1) The Institute shall solicit the recommendations of the Computer System Security and Privacy Advisory Board, established by section 21, regarding standards and guidelines that are being considered for submittal to the Secretary of Commerce in accordance with subsection (a)(4). No standards or guidelines shall be submitted to the Secretary prior to the receipt by the Institute of the Board's written recommendations. The recommendations of the Board shall accompany standards and guidelines submitted to the Secretary.

“(2) There are authorized to be appropriated to the Secretary of Commerce \$1,000,000 for fiscal year 1998 and \$1,030,000 for fiscal year 1999 to enable the Computer System Security and Privacy Advisory Board, established by section 21, to identify emerging issues related to computer security, privacy, and cryptography and to convene public meetings on those subjects, receive presentations, and publish reports, digests, and summaries for public distribution on those subjects.”.

SEC. 7. LIMITATION ON PARTICIPATION IN REQUIRING ENCRYPTION STANDARDS.

Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3), as amended by this Act, is further amended by adding at the end the following new subsection:

“(g) The Institute shall not promulgate, enforce, or otherwise adopt standards, or carry out activities or policies, for the Federal establishment of encryption standards required for use in computer systems other than Federal Government computer systems.”.

SEC. 8. MISCELLANEOUS AMENDMENTS.

Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3), as amended by this Act, is further amended—

(1) in subsection (b)(8), as so redesignated by section 3(l) of this Act, by inserting “to the extent that such coordination will improve computer security and to the extent necessary for improving such security for Federal computer systems” after “Management and Budget”;

(2) in subsection (e), as so redesignated by section 5(l) of this Act, by striking “shall

draw upon” and inserting in lieu thereof “may draw upon”;

(3) in subsection (e)(2), as so redesignated by section 5(l) of this Act, by striking “(b)(5)” and inserting in lieu thereof “(b)(8)”;

and

(4) in subsection (f)(1)(B)(i), as so redesignated by section 5(l) of this Act, by inserting “and computer networks” after “computers”.

SEC. 9. FEDERAL COMPUTER SYSTEM SECURITY TRAINING.

Section 5(b) of the Computer Security Act of 1987 (49 U.S.C. 759 note) is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting in lieu thereof “; and”; and

(3) by adding at the end the following new paragraph:

“(3) to include emphasis on protecting sensitive information in Federal databases and Federal computer sites that are accessible through public networks.”.

SEC. 10. COMPUTER SECURITY FELLOWSHIP PROGRAM.

There are authorized to be appropriated to the Secretary of Commerce \$250,000 for fiscal year 1998 and \$500,000 for fiscal year 1999 for the Director of the National Institute of Standards and Technology for fellowships, subject to the provisions of section 18 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-1), to support students at institutions of higher learning in computer security. Amounts authorized by this section shall not be subject to the percentage limitation stated in such section 18.

SEC. 11. STUDY OF PUBLIC KEY INFRASTRUCTURE BY THE NATIONAL RESEARCH COUNCIL.

(a) REVIEW BY NATIONAL RESEARCH COUNCIL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall enter into a contract with the National Academy of Sciences to conduct a study of public key infrastructures for use by individuals, businesses, and government.

(b) CONTENTS.—The study referred to in subsection (a) shall—

(1) assess technology needed to support public key infrastructures;

(2) assess current public and private plans for the deployment of public key infrastructures;

(3) assess interoperability, scalability, and integrity of private and public entities that are elements of public key infrastructures;

(4) make recommendations for Federal legislation and other Federal actions required to ensure the national feasibility and utility of public key infrastructures; and

(5) address such other matters as the National Research Council considers relevant to the issues of public key infrastructure.

(c) INTERAGENCY COOPERATION WITH STUDY.—All agencies of the Federal Government shall cooperate fully with the National Research Council in its activities in carrying out the study under this section, including access by properly cleared individuals to classified information if necessary.

(d) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Commerce shall transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report setting forth the findings, conclusions, and recommendations of the National Research Council for public policy related to public key infrastructures for use by individuals, businesses, and government. Such report shall be submitted in unclassified form.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce \$450,000 for fiscal year 1998, to remain available until expended, for carrying out this section.

SEC. 12. PROMOTION OF NATIONAL INFORMATION SECURITY.

The Under Secretary of Commerce for Technology shall—

(1) promote the more widespread use of applications of cryptography and associated technologies to enhance the security of the Nation's information infrastructure;

(2) establish a central clearinghouse for the collection by the Federal Government and dissemination to the public of information to promote awareness of information security threats; and

(3) promote the development of the national, standards-based infrastructure needed to support commercial and private uses of encryption technologies for confidentiality and authentication.

SEC. 13. DIGITAL SIGNATURE INFRASTRUCTURE.

(a) NATIONAL POLICY PANEL.—The Under Secretary of Commerce for Technology shall establish a National Policy Panel for Digital Signatures. The Panel shall be composed of nongovernment and government technical and legal experts on the implementation of digital signature technologies, individuals from companies offering digital signature products and services, State officials, including officials from States which have enacted statutes establishing digital signature infrastructures, and representative individuals from the interested public.

(b) RESPONSIBILITIES.—The Panel established under subsection (a) shall serve as a forum for exploring all relevant factors associated with the development of a national digital signature infrastructure based on uniform standards that will enable the widespread availability and use of digital signature systems. The Panel shall develop—

(1) model practices and procedures for certification authorities to ensure accuracy, reliability, and security of operations associated with issuing and managing certificates;

(2) standards to ensure consistency among jurisdictions that license certification authorities; and

(3) audit standards for certification authorities.

(c) ADMINISTRATIVE SUPPORT.—The Under Secretary of Commerce for Technology shall provide administrative support to the Panel established under subsection (a) of this section as necessary to enable the Panel to carry out its responsibilities.

SEC. 14. SOURCE OF AUTHORIZATIONS.

Amounts authorized to be appropriated by this Act shall be derived from amounts authorized under the National Institute of Standards and Technology Authorization Act of 1997.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin [Mr. SENSENBRENNER] and the gentleman from Tennessee [Mr. GORDON] each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. SENSENBRENNER.]

Mr. SENSENBRENNER. Mr. Speaker, today, in a bipartisan effort, the Committee on Science brings to the floor H.R. 1903, the Computer Security Enhancement Act of 1997. I would like to thank the ranking member, the gentleman from California, Mr. GEORGE BROWN, the Subcommittee on Technology chairwoman, the gentlewoman from Maryland, Mrs. CONSTANCE MORELLA, the ranking member of the subcommittee, the gentleman from

Tennessee Mr. BART GORDON, as well as the 25 other members of the committee who cosponsored this bill.

The Computer Security Act of 1987 gave authority over computer and communication security standards in Federal civilian agencies to the National Institute of Standards and Technology. The Computer Security Enhancement Act of 1997 strengthens that authority and directs funds to implement practices and procedures which will ensure that the Federal standard-setting process remains strong, despite its increasing reliance on a network infrastructure.

The need for this renewed emphasis on the security of Federal civilian agencies is underscored by a recently released report from the General Accounting Office. The 1997 Report on Information Management and Technology highlighted information security as a Governmentwide high-risk issue. It stated that despite having critical functions, Federal systems and data are not adequately protected.

Since June 1993, the GAO has issued over 30 reports describing serious information security weaknesses at Federal agencies. In September 1996, it reported that during the previous 2 years, such weaknesses had been determined for 10 of the 15 largest Federal agencies. For half of these agencies, the weakness had been disclosed repeatedly for 5 years or longer.

Much has changed in the 10 years since the Computer Security Act of 1987 became law. The proliferation of network systems, the Internet, and web access are just a few of the dramatic advances in information technology that have occurred. The Computer Security Enhancement Act of 1997 addresses these changes and provides for greater security for the Federal civilian agencies that base their buying decisions for computer security hardware on NIST standards.

Specifically, H.R. 1903 requires NIST to encourage the acquisition of off-the-shelf products to meet civilian agencies' security needs. Such practices will reduce the cost and improve the availability of computer security technologies for Federal civilian agencies.

The bill strengthens the role played by the independent Computer System Security and Privacy Advisory Board in NIST's decision-making process. The CSSPAB, which is made up of representatives from industry, Federal agencies, and private organizations, has long been considered a vital part of NIST's standard-setting process on emerging computer security issues. Strengthening the board's role will help ensure that the Federal Government benefits from private sector expertise.

H.R. 1903 establishes a new computer science fellowship program for graduate and undergraduate students studying computer security.

It provides for the National Research Council to study the desirability of key infrastructures. The NRC would also

examine the technologies required for establishing such an infrastructure.

Further, the bill requires the Under Secretary of Commerce for Technology to actively promote the use of technologies that will enhance the security of communications networks and electronic information; to establish a clearinghouse of information available to the public on information security threats; and to promote the development of standards-based infrastructure that will enable the widespread use of encryption technologies for confidentiality and authentication.

Finally, H.R. 1903 establishes a national panel to discuss digital signatures. The panel will explore all factors associated with developing a national digital signature infrastructure based on uniform standards.

Mr. Speaker, Members will notice the old section 7 directing NIST to assess foreign encryption products has been removed, to satisfy the concerns of the administration and my colleagues on the Permanent Select Committee on Intelligence. I trust this action will help assure that all Members can support this legislation without reservation.

Mr. Speaker, the Computer Security Enhancement Act of 1997 will ensure that Federal civilian agencies enjoy the highest standard of information technologies, both for transmitted and stored data. The protection of this vital data is necessary for the security of all Americans.

Mr. Speaker, I encourage my colleagues to support this measure, and I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of H.R. 1903, the Computer Security Enhancement Act of 1997. I am an original cosponsor of H.R. 1903, and have worked closely with the chairman, the gentlewoman from Maryland [Mrs. MORELLA], to improve the bill during the Subcommittee on Technology's deliberations.

Not a day goes by that we do not see some reference to the Internet and the explosive growth of electronic commerce. What was originally envisioned as a network of defense communications and university researchers has now become an international communications network, of which we are just beginning to realize its potential.

Reports from both the Office of Technology Assessment and the National Research Council have identified a major obstacle to the growth of electronic commerce: the lack of widespread use of computer security products. H.R. 1903 is a first step to encourage the use of computer security products, both by Federal agencies and the private sector, which in turn will support the growth of electronic commerce.

I want to highlight the underlying purpose of this legislation: to encourage the use of computer security products, both by Federal agencies and the

private sector. I am convinced that we must have a trustworthy and secure electronic network system to foster the growth of electronic commerce.

H.R. 1903 builds upon the successful track record of the National Institute of Standards and Technology, in working with industry and other Federal agencies, to develop a consensus on the necessary standards and protocols required for electronic commerce.

I would like to take a few minutes to explain provisions I added to this legislation. One of the provisions aims to increase the public awareness of the need to improve the security of communication networks by requiring the Technology Administration to establish a clearinghouse of public information on electronic security threats.

And the other provision I felt necessary was to establish a coordination mechanism in the development of national digital signature infrastructure by establishing a national panel of business, technical, legal, State, and Federal experts.

Digital signature technology is essential to ensure the public trust of networks such as the Internet. Digital signature verifies that the businesses or individual we are communicating with is who we think they are, and that the information being exchanged has not been altered in transit. For this technology to be developed, a trusted certification authority for the digital signature must exist.

Several States already have statutes in place to regulate this technology. However, for a national system to develop, uniform standards must be in place. Without this uniformity, variations will exist among different State requirements for certification authorities which could affect the reliability and security of operations associated with issuing and managing certification.

These provisions do not give the Federal Government the authority to establish standards or procedures. We simply create a national panel of public and private representatives to begin to address how to develop and integrate a consistent policy regarding digital signatures.

H.R. 1903 is entirely consistent with recommendations of the Office of Technology Assessment, the National Research Council, and independent experts who have appeared before the subcommittee. I want to stress that the underlying principle of H.R. 1903 is that it recognizes that Government and private sector computer security needs are similar. Hopefully the result will be lower cost and better security for everyone.

This bill is a result of bipartisan cooperation. It has been a pleasure working with Chairman MORELLA on this legislation, as well as Chairman SEN-SEN-BRENNER and the former chairman, the gentleman from California, [Mr. GEORGE BROWN]. I urge my colleagues to support H.R. 1903.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS of Virginia. Mr. Speaker, I appreciate the chairman yielding time to me.

Mr. Speaker, I very enthusiastically support H.R. 1903, the Computer Security Enhancement Act. This amends, of course, the 1987 act, because the world has changed since 1987. Last year the Department of Defense systems experienced as many as 250,000 attacks, just in 1995. It was estimated that 64 percent of these attacks were successful in gaining access to the Department of Defense systems. I think Federal agencies have to employ appropriate countermeasures, and today we are not set to do that.

With the growth in the Internet, individual users across the country are relying more and more and on communications and business commerce through the Internet, but the testimony before the committee shows that there continue to be problems, and the technologies to better protect users does not exist. Security problems in individual computers that connect to the Internet are very much at risk.

One interesting note, and I think this starts to address it with a system that authorizes the National Institute of Standards to reserve \$750,000 for new computer science fellowship programs for students to study security. Of 5,500 Ph.D.'s granted in computer science and engineering last year, a scant 16 pertained to computer security. It is not even a required course to get a doctorate in computer science and engineering. Only 50 percent of the 16 were given to U.S. nationals.

Mr. Speaker, I think this will start to move in a different direction and rectify this. I congratulate the chairman of the committee, the ranking member, and others who are cosponsoring this. I think it is a needed change. I rise in support, and ask my colleagues to support it.

Mr. GORDON. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. BROWN], my leader and mentor on the Committee on Science.

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

Mr. BROWN of California. Mr. Speaker, I thank the gentleman for yielding time to me. I appreciate the opportunity to speak briefly on this subject.

Mr. Speaker, I recognize that the gentleman has already, together with the chairman, the gentleman from Wisconsin [Mr. SENSENBRENNER], laid out the basic content of the legislation, and I hope I do not duplicate what he has said unnecessarily.

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I am, of course, in support of H.R. 1903, the Computer Security Enhancement Act of 1997. This bill will increase the protection of electronic information in Federal computer systems, and moreover, will help to stimulate the

development of computer hardware and software technologies by American companies.

The bill was developed as a collaborative initiative by majority and minority members of the Committee on Science, and I applaud the efforts of the gentleman from Wisconsin [Mr. SENSENBRENNER], the chairman, in moving the bill expeditiously through the committee and bringing it to the floor as he has on so many other bills before our committee.

I would also like to acknowledge the valuable contribution of the gentleman from Maryland [Mrs. MORELLA], the chair of the Subcommittee on Technology, and the gentleman from Tennessee [Mr. GORDON], the ranking Democratic member of the subcommittee, who I am sure all of my colleagues recognize actually do the difficult work of developing the language in legislation of this sort and making whatever necessary compromises have to be made. I of course will defer to their judgment as to what needs to be in a bill of this sort.

A decade ago the Committee on Science was instrumental in the passage of a measure that gave the National Institute of Standards and Technology the responsibility for the protection of unclassified information in Federal computer systems. Specifically, the Computer Security Act of 1987 charged NIST to develop appropriate technical standards and administrative guidelines as well as guidelines for training Federal employees in security practices. We were just beginning to recognize at that time the importance of these new technology communication initiatives which are becoming such an important part of our lives today.

Overall, NIST has received somewhat mixed reviews on its performance in carrying out its responsibilities under the 1987 statute. The agency has been criticized for allowing the National Security Agency to exercise too much influence on the development of standards for unclassified Federal computer systems and for developing standards that were inconsistent with emerging market standards.

We in California, of course, are very much concerned with the role we play in global commerce in systems of this sort because such a large part of new developments in this area occur in California and it has become a large part of our economy.

Also, according to NIST's external advisory committee, the agency ought to devote greater resources and effort to providing advice and assistance to Federal agencies in order to help them to satisfy their information security needs.

H.R. 1903 seeks to elevate NIST's commitment to meeting its responsibilities under the Computer Security Act. It also reinforces the policy established by the 1987 act that NIST has the primary responsibility for the protection of unclassified Federal computer systems and networks.

Mr. Speaker, I want to emphasize two important themes of the bill. First, it seeks to expand the use of validated commercially available cryptography technologies by Federal agencies, which will in turn stimulate the U.S. market for computer security products; and, second, the bill puts in place mechanisms to ensure greater public participation in the development of computer security standards and guidelines for Federal systems.

The threats to electronic information are much greater than when the Computer Security Act was passed in the House in 1987. H.R. 1903 is an important step toward addressing this vulnerability.

Mr. Speaker, I commend H.R. 1903 to my colleagues for their approval and encourage their support for its passage in the House.

Mrs. MORELLA. Mr. Speaker, I rise in support of H.R. 1903, legislation I introduced with Chairman SENSENBRENNER and ranking Members GORDON and BROWN on June 17, 1997, and which was unanimously reported out of the Technology Subcommittee, which I chair, on July 29, 1997.

The Computer Security Enhancement Act of 1997, updates the Computer Security Act of 1987 to take into account the evolution of computer networks and their use by both the Federal Government and the private sector.

H.R. 1903 recognizes that the U.S. Government is not grappling with the issues of data security in a vacuum. The bill encourages the setting of standards which are commercially available, thus aiding our software and hardware industries as well as assuring that the government can secure its information technology infrastructure with the most effective and cost efficient products. This is significant both because of the vital role the information infrastructure plays in our lives and the role that technology has in our economy.

Information technology security, or rather the lack of attention paid to it by the Federal Government, may well make the year 2000 computer problem seem small in comparison if we do not focus our attention on this vital area.

In their May 1996 report, the General Accounting Office [GAO] stated that the Department of Defense systems may have experienced as many as 250,000 attacks during 1995, of that total, about 64 percent of attacks were successful at gaining access to the DOD system. This information is even more troubling when you realize, as the report points out, that these numbers may be underestimated because only a small percentage of attacks are detected.

Federal agencies are incurring significant risk by not effectively employing cryptographic countermeasures for transmitted and stored data.

H.R. 1903, which seeks to promote the effective use of cryptography along with other security tools by Government agencies, is consistent with the conclusions of the National Research Council's CRISIS report and should help to ensure that Federal systems remain safe and the integrity of sensitive and private data is not compromised.

Additionally, according to statistics from the Business Software Alliance, the software industry alone is reported to have employed

over 619,400 people last year, with an additional 1,445,600 jobs created in related industries. Placing a renewed emphasis on setting standards for procurement by Federal civilian agencies—standards which consider market driven specifications—will assist industry as well as ensure that Federal civilian agencies benefit from the wealth of knowledge which the private sector can provide.

Mr. Speaker, H.R. 1903 is a good and much needed bill. It was authored and is supported in equal measure on both sides of the aisle and carries over half of the full roster of the Science Committee as its cosponsors. I urge all my colleagues to support its passage.

Mr. TAUZIN. Mr. Speaker, I rise today to explore the issues presented by H.R. 1903, the Computer Security Enhancement Act of 1997, some of which are within the jurisdiction of the Committee on Commerce. The main purpose of H.R. 1903 appears to be to update the Computer Security Act of 1987 to improve computer security for Federal civilian agencies. This is a laudable goal. However, certain provisions of the bill before us today are not limited to issues within the purview of the National Institute of Standards and Technology [NIST], or to the improvement of computer security for Federal civilian agencies. Therefore, I must make note of the fact that the House Committee on Commerce maintains a strong jurisdictional interest in the telecommunications and commerce issues addressed in H.R. 1903.

For example, the findings listed in section 2 of H.R. 1903 include language asserting that the development and use of encryption should not be driven by Government requirements, and that export policy should be determined in light of the public availability of comparable encryption products outside the United States. Neither of these findings, nor policies to promote the findings, are within the scope of the Computer Security Act of 1987, or the authority of NIST.

Several provisions of H.R. 1903 address the use and development of a public key management infrastructure. Public key management infrastructure is an issue between private entities and law enforcement officials. Such infrastructure does not currently exist and is not part of the administrative question of how to improve computer security for Federal civilian agencies.

In addition, H.R. 1903 calls for the establishment of a national panel on digital signatures. While the formation of a panel may or may not be the right course of action, the issue is a question of electronic commerce that is completely outside the scope of this legislation.

Finally, H.R. 1903, as reported by the Committee on Science, included language that would have transferred authority currently vested in the Bureau of Export Administration to NIST. I understand this language regarding the determination of whether a product is generally available abroad has been removed from the bill before us today. However, the existence of the provision illustrates how far afield from the issue of computer security for Federal civilian agencies H.R. 1903 has traveled.

I will not plow through a provision-by-provision analysis of H.R. 1903 in my statement today. For the record, however, I must point out that H.R. 1903 seeks to establish encryption, telecommunications, and commerce policy far beyond the reach of the au-

thority of either NIST or the Computer Security Act of 1987.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to thank Chairman SENSENBRENNER and Ranking Member BROWN for their work in bringing this opportunity to the House to construct a legislative response to the growing dependency of this Government and the public on computers and related technology.

As a cosponsor of this bill I would also like to thank Congresswoman MORELLA for her critical leadership in this area as chair of the Technology Subcommittee.

While telecomputing technologies have generated a great deal of excitement in our country these communications innovations have also presented daunting challenges to privacy and security both in the Federal Government and private sectors.

The challenge for this Congress is to solve the problems of security and privacy while allowing full public access and utilization of the technology to heighten the exchange of information between Government agencies and its citizens. Federal computers must be secured from unwanted intrusions.

I support strong encryption products being made available to the private sector domestically and internationally to insure privacy of communications, business transactions, commercial exchanges and for the protection of Internet accessible copyrighted materials. I believe that well-thought-out Federal encryption policy is the first of many steps that this Congress can take to facilitate the development of telecomputing technology and the strengthening of domestic computer-related industries.

It concerns me that many communications today are carried over channels that are easily tapped. For example, satellites, cellular telephones, and local area networks are vulnerable to interception. Tapping wireless channels is almost impossible to detect and to stop, and tapping local area networks may be very hard to detect or stop as well.

Approximately 10 billion words of information in computer-readable form can be scanned for \$1.00 today, allowing intruders, the malicious individuals or groups, or spies to gain access to sensitive information. A skilled person with criminal intentions can easily develop a program that recognizes and records all credit card numbers in a stream of unencrypted data traffic.

As a member of the House Committee on the Judiciary, I am particularly interested in the vulnerabilities and weaknesses that have been raised during hearings on government computer security on the House and Senate. Beginning last year under the direction of then Senator Nunn hearings on Security in Cyberspace were held. It is unprecedented in our Nation's history of technology dissemination that in 5 years the number of Internet users has grown from 1 million to 58 million with an estimated growth rate of 183 percent per year.

This rapid growth, which is creating the interconnection of civilian, Government, private, and foreign computers, is the foundation of the Global Information Infrastructure. The expansion of computer telecommunication technology has created growing efficiencies in information management, the delivery of goods and access to ideas. While accomplishing this end, it has created more vulnerability in networked systems that have not incor-

porated security measures, both private and government.

Unfortunately, as the hearings have so effectively pointed out, our Nation's information infrastructure is increasingly vulnerable to computer attack from foreign states, sub-national groups, criminals and vandals. Your own staff's research revealed that computer hackers use different routes of attack, often crossing national boundaries and using private and public computer network systems. I recognize the complex and novel legal and jurisdictional issues that hinder the detection of and response to computer intrusions. However, I am equally mindful of the need to protect government systems with technology which is available from the growing problem of unwanted intrusion or tampering.

It is estimated that the private sector experiences \$800 million in losses in a year according to a group of security firms who responded to an inquiry for evidence during the Senate's review of security in cyberspace.

The original design of the Internet was intended for 256 computer networks in the United States. Today, the Internet is a constellation of more than 135,000 networks throughout the world and growing. It is estimated that one-fifth of the American population is already connected to the Internet. The number of worldwide Internet users tripled between 1993 and 1995, to somewhere between 40 and 60 million users. There will be a quarter billion regular users by the year 2000. About 100 countries have Internet access, with 22 joining in 1995. There were fewer than 30,000 Internet-linked computer networks 2 years ago. Today, there are more than 90,000.

In an "Issue Update On Information Security and Privacy in Network Environments" produced by the now disbanded Office of Technology Assessment under the section on safeguarding unclassified information in Federal Agencies it states that, "The need of congressional oversight of federal information security and privacy is even more urgent in time of government reform and streamlining. When the role, size, and structure of the federal agencies are being reexamined, it is important to take into account both the additional information that security and privacy risks incurred in downsizing, and the general lack of commitment on the part of top agency management to safeguarding unclassified information."

The Department of Defense's computer systems are attacked every day according to a GAO Report on Information Security. The Defense Information Systems Agency [DISA] estimates that in 1995 as many as 250,000 attacks may have occurred.

The need to provide guidance to agencies regarding computer security and encryption for Government which is reliable and adequate for the information it is intended to protect, is well established.

I support the need to provide an escrow system for the encryption that is used on Government systems whether they be mainframes or desktop personal computers. These machines are not for private use nor should they be considered personal property. They are purchased and maintained at taxpayer expense and the information they contain is our responsibility to protect.

This legislation would also provide important information on the state of encryption abroad. This will allow us to plan better for a stronger economy and heightened security for information and systems.

Overall, the goals of encryption and its use in the Federal Government may offer the measure of protection needed to secure computers from unwanted intrusions.

I urge my colleagues to vote in favor of H.R. 1903.

Mr. GORDON. Mr. Speaker, I have no additional requests for time, 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. LAHOOD). 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. 1903, as amended.

The question was taken.

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

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

The point of no quorum is considered withdrawn.

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. 1903.

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

There was no objection.

EARTHQUAKE HAZARDS REDUCTION ACT OF 1977 AUTHORIZATION

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 910) to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes.

The Clerk read as follows:

S. 910

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

SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

Section 12 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706) is amended—

(1) in subsection (a)(7)—

(A) by striking “and” after “1995,”; and

(B) by inserting before the period at the end the following: “, \$20,900,000 for the fiscal year ending September 30, 1998, and \$21,500,000 for the fiscal year ending September 30, 1999”;

(2) in subsection (b)—

(A) by striking “and” after “September 30, 1995,”;

(B) by inserting before the period at the end the following: “, \$52,565,000 for the fiscal year ending September 30, 1998, of which \$3,800,000 shall be used for the Global Seismic Network operated by the Agency; and \$54,052,000 for the fiscal year ending September 30, 1999, of which \$3,800,000 shall be used for the Global Seismic Network operated by the Agency”; and

(C) by adding at the end the following: “Of the amounts authorized to be appropriated under this subsection, at least—

“(1) \$8,000,000 of the amount authorized to be appropriated for the fiscal year ending September 30, 1998; and

“(2) \$8,250,000 of the amount authorized for the fiscal year ending September 30, 1999,

shall be used for carrying out a competitive, peer-reviewed program under which the Director, in close coordination with and as a complement to related activities of the United States Geological Survey, awards grants to, or enters into cooperative agreements with, State and local governments and persons or entities from the academic community and the private sector.”;

(3) in subsection (c)—

(A) by striking “and” after “September 30, 1995,”; and

(B) by inserting before the period at the end the following: “, (3) \$18,450,000 for engineering research and \$11,920,000 for geosciences research for the fiscal year ending September 30, 1998, and (4) \$19,000,000 for engineering research and \$12,280,000 for geosciences research for the fiscal year ending September 30, 1999”;

(4) in the last sentence of subsection (d)—

(A) by striking “and” after “September 30, 1995,”; and

(B) by inserting before the period at the end the following: “, \$2,000,000 for the fiscal year ending September 30, 1998, and \$2,060,000 for the fiscal year ending September 30, 1999”.

SEC. 2. AUTHORIZATION OF REAL-TIME SEISMIC HAZARD WARNING SYSTEM DEVELOPMENT, AND OTHER ACTIVITIES.

(a) AUTOMATIC SEISMIC WARNING SYSTEM DEVELOPMENT.—

(1) DEFINITIONS.—In this section:

(A) DIRECTOR.—The term “Director” means the Director of the United States Geological Survey.

(B) HIGH-RISK ACTIVITY.—The term “high-risk activity” means an activity that may be adversely affected by a moderate to severe seismic event (as determined by the Director). The term includes high-speed rail transportation.

(C) REAL-TIME SEISMIC WARNING SYSTEM.—The term “real-time seismic warning system” means a system that issues warnings in real-time from a network of seismic sensors to a set of analysis processors, directly to receivers related to high-risk activities.

(2) IN GENERAL.—The Director shall conduct a program to develop a prototype real-time seismic warning system. The Director may enter into such agreements or contracts as may be necessary to carry out the program.

(3) UPGRADE OF SEISMIC SENSORS.—In carrying out a program under paragraph (2), in order to increase the accuracy and speed of seismic event analysis to provide for timely warning signals, the Director shall provide for the upgrading of the network of seismic sensors participating in the prototype to increase the capability of the sensors—

(A) to measure accurately large magnitude seismic events (as determined by the Director); and

(B) to acquire additional parametric data.

(4) DEVELOPMENT OF COMMUNICATIONS AND COMPUTATION INFRASTRUCTURE.—In carrying out a program under paragraph (2), the Director shall develop a communications and computation infrastructure that is necessary—

(A) to process the data obtained from the upgraded seismic sensor network referred to in paragraph (3); and

(B) to provide for, and carry out, such communications engineering and development as is necessary to facilitate—

(i) the timely flow of data within a real-time seismic hazard warning system; and

(ii) the issuance of warnings to receivers related to high-risk activities.

(5) PROCUREMENT OF COMPUTER HARDWARE AND COMPUTER SOFTWARE.—In carrying out a program under paragraph (2), the Director shall procure such computer hardware and computer software as may be necessary to carry out the program.

(6) REPORTS ON PROGRESS.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Director shall prepare and submit to Congress a report that contains a plan for implementing a real-time seismic hazard warning system.

(B) ADDITIONAL REPORTS.—Not later than 1 year after the date on which the Director submits the report under subparagraph (A), and annually thereafter, the Director shall prepare and submit to Congress a report that summarizes the progress of the Director in implementing the plan referred to in subparagraph (A).

(7) AUTHORIZATION OF APPROPRIATIONS.—In addition to the amounts made available to the Director under section 12(b) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(b)), there are authorized to be appropriated to the Department of the Interior, to be used by the Director to carry out paragraph (2), \$3,000,000 for each of fiscal years 1998 and 1999.

(b) SEISMIC MONITORING NETWORKS ASSESSMENT.—

(1) IN GENERAL.—The Director shall provide for an assessment of regional seismic monitoring networks in the United States. The assessment shall address—

(A) the need to update the infrastructure used for collecting seismological data for research and monitoring of seismic events in the United States;

(B) the need for expanding the capability to record strong ground motions, especially for urban area engineering purposes;

(C) the need to measure accurately large magnitude seismic events (as determined by the Director);

(D) the need to acquire additional parametric data; and

(E) projected costs for meeting the needs described in subparagraphs (A) through (D).

(2) RESULTS.—The Director shall transmit the results of the assessment conducted under this subsection to Congress not later than 1 year after the date of enactment of this Act.

(c) EARTH SCIENCE TEACHING MATERIALS.—

(1) DEFINITIONS.—In this subsection:

(A) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given that term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(B) SCHOOL.—The term “school” means a nonprofit institutional day or residential school that provides education for any of the grades kindergarten through grade 12.

(2) TEACHING MATERIALS.—In a manner consistent with the requirement under section 5(b)(4) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)(4)) and subject to a merit based competitive process, the Director of the National Science Foundation may use funds made available to him or her under section 12(c) of such Act (42 U.S.C. 7706(c)) to develop, and make available to schools and local educational agencies for use by schools, at a minimal cost, earth science teaching materials that are designed to meet the needs of elementary and secondary school teachers and students.

(d) IMPROVED SEISMIC HAZARD ASSESSMENT.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the

Director shall conduct a project to improve the seismic hazard assessment of seismic zones.

(2) REPORTS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually during the period of the project, the Director shall prepare, and submit to Congress, a report on the findings of the project.

(B) FINAL REPORT.—Not later than 60 days after the date of termination of the project conducted under this subsection, the Director shall prepare and submit to Congress a report concerning the findings of the project.

(e) STUDY OF NATIONAL EARTHQUAKE EMERGENCY TRAINING CAPABILITIES.—

(1) IN GENERAL.—The Director of the Federal Emergency Management Agency shall conduct an assessment of the need for additional Federal disaster-response training capabilities that are applicable to earthquake response.

(2) CONTENTS OF ASSESSMENT.—The assessment conducted under this subsection shall include—

(A) a review of the disaster training programs offered by the Federal Emergency Management Agency at the time of the assessment;

(B) an estimate of the number and types of emergency response personnel that have, during the period beginning on January 1, 1990 and ending on July 1, 1997, sought the training referred to in subparagraph (A), but have been unable to receive that training as a result of the oversubscription of the training capabilities of the Federal Emergency Management Agency; and

(C) a recommendation on the need to provide additional Federal disaster-response training centers.

(3) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director shall prepare and submit to Congress a report that addresses the results of the assessment conducted under this subsection.

SEC. 3. COMPREHENSIVE ENGINEERING RESEARCH PLAN.

(a) NATIONAL SCIENCE FOUNDATION.—Section 5(b)(4) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)(4)) is amended—

(1) by striking “and” at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting “; and”; and

(3) by adding at the end the following:

“(F) develop, in conjunction with the Federal Emergency Management Agency, the National Institute of Standards and Technology, and the United States Geological Survey, a comprehensive plan for earthquake engineering research to effectively use existing testing facilities and laboratories (in existence at the time of the development of the plan), upgrade facilities and equipment as needed, and integrate new, innovative testing approaches to the research infrastructure in a systematic manner.”.

(b) FEDERAL EMERGENCY MANAGEMENT AGENCY.—Section 5(b)(1) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)(1)) is amended—

(1) by striking “and” at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting “; and”; and

(3) by adding at the end the following:

“(F) work with the National Science Foundation, the National Institute of Standards and Technology, and the United States Geological Survey, to develop a comprehensive plan for earthquake engineering research to effectively use existing testing facilities and laboratories (existing at the time of the development of the plan), upgrade facilities and equipment as needed, and integrate new,

innovative testing approaches to the research infrastructure in a systematic manner.”.

(c) UNITED STATES GEOLOGICAL SURVEY.—Section 5(b)(3) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)(3)) is amended—

(1) by striking “and” at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (G) and inserting “; and”; and

(3) by adding at the end the following:

“(H) work with the National Science Foundation, the Federal Emergency Management Agency, and the National Institute of Standards and Technology to develop a comprehensive plan for earthquake engineering research to effectively use existing testing facilities and laboratories (in existence at the time of the development of the plan), upgrade facilities and equipment as needed, and integrate new, innovative testing approaches to the research infrastructure in a systematic manner.”.

(d) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—Section 5(b)(5) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)(5)) is amended—

(1) by striking “and” at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting “; and”; and

(3) by adding at the end the following:

“(D) work with the National Science Foundation, the Federal Emergency Management Agency, and the United States Geological Survey to develop a comprehensive plan for earthquake engineering research to effectively use existing testing facilities and laboratories (in existence at the time of the development of the plan), upgrade facilities and equipment as needed, and integrate new, innovative testing approaches to the research infrastructure in a systematic manner.”.

SEC. 4. REPEALS.

Sections 6 and 7 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7705 and 7705a) are repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin [Mr. SENSENBRENNER] and the gentleman from California [Mr. BROWN] each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. SENSENBRENNER].

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

Mr. Speaker, Senate 910, an act to authorize appropriations for carrying out the National Earthquake Hazards Reduction Act for fiscal years 1998 and 1999 is nearly identical to H.R. 2249, a bill reported out of the Committee on Science by voice vote on July 29, 1997, and discharged from further consideration by the Committee on Resources on August 1, 1997.

S. 910 is the result not only of a bipartisan effort but also a bicameral effort to craft legislation that is in the national interest. This legislation is strongly supported by both Democrats and Republicans on the Committee on Science and the Committee on Resources.

The National Earthquake Hazards Reduction Program has been successful in increasing our understanding of the science of earthquakes, where earthquakes are likely to occur and how the built environment is impacted by the

ground shaking and other effects of this phenomenon. Because of what this program has taught us over the years, measures have been taken at the Federal, State and local levels to mitigate the effect of potential earthquakes, reducing our risk and vulnerability.

Despite these advances, much more remains to be done. Many areas of this country face an earthquake threat that could result in the loss of thousands of lives and hundreds of billions of dollars of economic damage. Early in 1995, Kobe, Japan suffered just such a catastrophe. Over 6,000 people lost their lives in that earthquake, and the economists have estimated the economic losses at over \$200 billion.

The legislation we have before us today will do much to further our understanding of the effects of earthquakes and enable additional mitigation to occur. Specifically, S. 910 enables the program to continue its good work in earthquake research and hazards mitigation. This legislation authorizes approximately \$105 million in fiscal year 1998 and \$108 million in fiscal year 1999 for the four NEHRP agencies, the Federal Emergency Management Agency, the U.S. Geological Survey, the National Science Foundation, and the National Institute of Standards and Technology.

In addition, the bill provides \$3.8 million in each of fiscal years 1998 and 1999 for the U.S. Geological Survey for the operation of the global seismic network.

There are several other provisions of this legislation I would like to highlight which I believe will strengthen NEHRP and provide for a more robust earthquake science and engineering research infrastructure into the next century.

First, the legislation authorizes \$8 million specifically for the U.S. Geological Survey's external grants program. This action is consistent with the Committee on Science's ongoing efforts to recognize and support external competitive peer review programs within the science agencies.

Second, the bill requires the Director of the U.S. Geological Survey to develop a prototype, real-time seismic hazard warning system which will enable our Nation's vital lifelines, such as electric utilities, gas lines, and high speed railroads to receive warnings in advance of an earthquake. It is hoped that these warnings can be provided in time to shut down the lifelines, thereby guarding against the catastrophic effects that occur when such facilities are ruptured or damaged by earthquakes.

Third, this reauthorization requires an assessment of regional seismic monitoring networks to determine the state of facilities and equipment.

Fourth, the bill authorizes the Director of the National Science Foundation to use funds to develop Earth science teaching materials and to make them available to local elementary and secondary schools. This is consistent with

the increased emphasis which the Committee on Science is placing on all science education for grades K through 12.

Fifth, the legislation directs the Director of the U.S. Geological Survey to approve hazard assessment of seismic zones throughout the United States and report to the Congress.

Sixth, the bill requires the Director of FEMA to assess and report on disaster training capabilities and programs offered by the agency.

And finally, the bill requires the Director of the National Science Foundation to work with the other NEHRP agencies to develop a plan to effectively use earthquake engineering research facilities, which includes upgrading facilities and equipment and integrating innovative testing approaches.

Mr. Speaker, S. 910 is a well thought out bill which has broad bipartisan support as well as the support of the earthquake science and engineering communities.

Before closing, I would like to thank and commend the gentleman from California [Mr. BROWN], my committee's ranking member, for his work on this legislation and his abiding interest throughout his congressional career in earthquake-related research and mitigation.

I would also like to thank the gentleman from Alaska [Mr. YOUNG], the chairman, and the gentleman from California [Mr. MILLER], the ranking member of the Committee on Resources, who share jurisdictions on portions of this legislation, for their timely efforts in bringing this reauthorization to the House floor.

Mr. Speaker, I urge support of my colleagues for the passage of Senate 910, and I reserve the balance of my time.

Mr. BROWN of California. Mr. Speaker, I yield myself such time as I may consume.

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

Mr. BROWN of California. Mr. Speaker, the distinguished chairman of the full Committee on Science has, I think, given an excellent statement explaining the nature of the bill. I, of course, strongly support the reauthorization of the act. I was involved in 1977 in the passage of the original program and I have watched it flourish from its original passage up to the present time.

I should comment here that developing a program which involves close cooperation of four separate agencies is not easy to do in the bureaucratic world of Washington, and it does challenge the oversight role of the appropriate committees. I think that on the Committee on Science, and particularly under the chairmanship of the gentleman from Wisconsin [Mr. SENSENBRENNER], that we have tried to measure up to the requirements of this challenge.

The program, over the last two decades, has accomplished many things. It

has produced geological maps and model building codes, for example, that have helped many communities not only understand their seismological risk but to know what to do about it.

In the Nation's public schools the program has introduced schoolchildren to the science of earthquakes, and with our universities it has trained many of the Nation's leading seismologists and earthquake engineers but, most importantly, for 20 years, NEHRP has provided an authoritative voice informing the public about what are real and what are imagined threats from earthquakes, and this is a job that we must not trivialize, especially since Hollywood still produces films like "Volcano," a film that I enjoyed by the way, no matter how factually incorrect it was.

Despite this long list of accomplishments, NEHRP has also failed to meet many of the expectations of its original sponsors, and I think I can say that objectively, as one of those sponsors. For example, it has been unable to convince every earthquake prone community to adopt stronger building codes or to enforce testing protocols for new construction methods or to completely monitor earthquake prone areas with state-of-the-art equipment.

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While these shortcomings can be blamed on such things as a lack of funding, they are also a result of priority-setting efforts within the four different NEHRP agencies that are focused primary on each agency's individual initiatives and not on the needs of the multiagency NEHRP program.

I have already commented on how difficult that is to do in large scale organizations, and this program gives us an opportunity to experiment with ways of handling these kinds of complex interagency programs.

I am excited that the bill before us today addresses some of these concerns. In addition to authorizing increased funding for the base program, the bill begins an ongoing effort to modernize earthquake engineering research facilities, to assess seismic monitoring needs across the Nation, and to explore rapid-response technologies to alert communities to the advent of an earthquake, as the chairman has already described. I look forward to the initiation of these new efforts, and I hope that this committee vigorously oversees the progress.

Before I finish, I would like to commend the chairman of the Committee on Science by noting that this bill is the product of outstanding bipartisan cooperation on the committee and bicameral cooperation between our committee and the Committee on Commerce in the Senate. In a sense we have short-circuited some of the normal processes by meeting informally with the Members on the Senate side to make sure that the bill which finally emerged from that body was compatible with our interests. That has been

successfully achieved. And I particularly want to commend the gentleman from Wisconsin [Mr. SENSENBRENNER] for his commitment to utilizing this informal cooperation to expedite the progress of legislation.

I want to also applaud the work of the other Committee members and their staff, especially Kristine Dietz and Tom Weimer of the majority committee staff. I rarely have the opportunity to praise staff members on the majority side, and I delight in doing so when I can.

During the remainder of the Congress I hope we can continue to work in a bipartisan manner and with our Senate counterparts as we have.

Mr. Speaker, I urge the passage of this bill and yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. BOEHLERT] for purpose of a colloquy.

Mr. BOEHLERT. Mr. Speaker, I thank the gentleman from Wisconsin [Mr. SENSENBRENNER] for yielding me the time.

Mr. Speaker, first I would like to point out that the passage of this legislation shows what can happen when we all work together. Since its inception in 1977, the National Earthquake Hazards Reduction Program has contributed greatly to what we now know about the science of earthquakes as well as how to reduce the damage that they can cause. This bill enables the program to continue its good work through continued research, hazard assessment, and public education.

As my colleagues know, Mr. Speaker, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or Stafford Act, as it is commonly referred to, is the primary authority under which FEMA operates many of its preparedness and response programs. The Stafford Act and, in general, Federal management of emergencies and natural disasters falls under the jurisdiction of the Committee on Transportation and Infrastructure and, more specifically, under the Subcommittee on Water Resources and the Environment which I chair. The relationship between the Stafford Act and NEHRP has always been complementary, and I just want to clarify how this bill fits in with the Stafford Act.

Mr. Chairman, section 2(a) authorizes the development of a prototype seismic hazard warning system. It is my understanding that this system will not dictate how disaster warnings are relayed, who is to receive such warnings, or any other aspects of disaster warning or communication systems which are addressed by section 202 of the Stafford Act. Is that correct?

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. The gentleman from New York [Mr. BOEHLERT] is correct.

Mr. BOEHLERT. I thank the gentleman from Wisconsin [Mr. SENSENBRENNER], the chairman, for that response.

Further, section 2(c) provides for the study of disaster-response training by FEMA. The purpose of this study is to inform the Congress on the adequacy of training for earthquake response. However, it is my understanding this section is not intended to change or otherwise affect the authority for, or implementation of, disaster preparedness training programs. NEHRP does not currently provide authority for such training, and there is no intention that this section is meant to provide such authority. Is that correct?

Mr. SENSENBRENNER. Mr. Speaker, if the gentleman will continue to yield, the gentleman is correct again.

Mr. BOEHLERT. I thank the chairman, and I urge my colleagues to support this well-crafted bipartisan bill.

Mr. SENSENBRENNER. 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 Wisconsin [Mr. SENSENBRENNER] that the House suspend the rules and pass the Senate bill, S. 910.

The question was taken.

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

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

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 910, the bill just considered.

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

There was no objection.

AUTHORIZING USE OF CAPITOL ROTUNDA TO ALLOW MEMBERS OF CONGRESS TO RECEIVE HIS ALL HOLINESS PATRIARCH BARTHOLOMEW

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 134) authorizing the use of the rotunda of the Capitol to allow Members of Congress to greet and receive His All Holiness Patriarch Bartholomew, as amended.

The Clerk read as follows:

H. CON. RES. 134

Resolved by the House of Representatives (the Senate concurring). That the rotunda of the Capitol is authorized to be used on October 21, 1997, from 11:00 a.m. to 12:00 noon for a ceremony to allow Members of Congress to greet and receive His All Holiness Patriarch

Bartholomew, the 270th Ecumenical Patriarch of Constantinople, Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio [Mr. NEY] and the gentlewoman from Michigan [Ms. KILPATRICK] each will control 20 minutes.

The Chair recognizes the gentleman from Ohio [Mr. NEY].

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

This resolution provides for the use of the rotunda on October 21, 1997, for a ceremony to allow Members of Congress to greet and receive His All Holiness Patriarch Bartholomew, the 270th Ecumenical Patriarch of Constantinople.

At the request of the resolution's sponsor, the gentleman from Florida [Mr. BILIRAKIS], the resolution has been amended to change the time of the ceremony from 10 a.m. to 11 a.m.

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

Ms. KILPATRICK. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I listened carefully to the gentleman from Ohio [Mr. NEY] and concur with his resolution.

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

Mr. NEY. Mr. Speaker, I yield as much time as he may consume to the gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman from Ohio [Mr. NEY] for yielding me the time.

Mr. Speaker, I rise today in strong support of House Concurrent Resolution 134. Mr. Speaker, this bipartisan legislation authorizes the use of the Capitol rotunda for a ceremony where Members of Congress may receive His All Holiness Ecumenical Patriarch Bartholomew, the Archbishop of Constantinople and new Rome.

The Ecumenical Patriarch occupies the foremost position among the National Autocephalous Orthodox Churches worldwide and has the responsibility to coordinate the affairs of the Russian, Eastern Europe, Middle and Far Eastern churches. He is the spiritual leader of nearly 300 million Orthodox Christians worldwide, including approximately 5 million people in the United States.

It is important that Members of Congress, as leaders of a nation that was built on religious freedom and tolerance, have an opportunity to receive and honor one of the world's preeminent religious leaders. Ecumenical Patriarch Bartholomew not only promotes peace and religious understanding throughout the world, but he is also profoundly committed to preserving and protecting the environment. In fact, he has sponsored a conference on the environment at the Theological School of Halki. Today, as the 270th

successor to Apostle Andrew, His All Holiness continues his efforts on behalf of religious freedom and human rights.

Finally, Mr. Speaker, I would like to thank Speaker GINGRICH; the gentleman from California Mr. THOMAS, chairman of the Committee on House Oversight, the gentleman from Connecticut Mr. GEJDENSON, the ranking member, and the gentleman from Texas Mr. ARMEY, the majority leader, for their efforts toward bringing this resolution to the floor of the House of Representatives.

I also want to express certainly my appreciation to the members of the Hellenic Caucus for their support of this resolution as well as H.R. 2248, the recommendation to award the Patriarch with a Congressional Gold Medal.

In closing, I urge my colleagues to support this most bipartisan legislation.

Ms. KILPATRICK. Mr. Speaker, I yield as much time as he may consume to the distinguished gentleman from California [Mr. CAPPS].

Mr. CAPPS. Mr. Speaker, I thank the gentlewoman from Michigan [Ms. KILPATRICK] for yielding me the time.

I do want to thank the sponsors of this resolution, the gentleman from California [Mr. THOMAS], the gentleman from Connecticut [Mr. GEJDENSON], the gentleman from Florida [Mr. BILIRAKIS], the Hellenic Caucus and everyone involved. It is a very timely resolution, and I want to give all my support to it.

The Patriarch of Constantinople is one of the world's leading religious figures. He is a man of great intellect, a man of great compassion, and he represents a religious tradition of incomparable majesty. I think that is the only way to describe it.

The Orthodox tradition that he represents is a religious tradition of spiritual validity which combines aesthetic consonance with ancient wisdom. We will bestow the honor on him in allowing him to use the rotunda of the Capitol. But actually, we are the ones who are being honored by his presence here.

I am also very happy to say that he will visit my hometown, my city in the 22d District of California, Santa Barbara, this October for a conference on the environment. He knows spirituality. He knows environmental concerns. He has a very, very keen sense of the geopolitical dynamics of our world today.

So I urge my colleagues to pass this resolution, and I would like to congratulate the authors of the resolution on a very fine resolution.

Mr. NEY. Mr. Speaker, I yield as much time as he may consume to the gentleman from New York [Mr. GILMAN], the chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Ohio [Mr. NEY] for yielding me the time.

Mr. Speaker, I rise in strong support of this resolution authorizing use of the rotunda of the Capitol for Members to greet and receive His All Holiness Bartholomew, Patriarch of the Greek Orthodox Church. I commend the gentleman from Florida [Mr. BILIRAKIS] for introducing this measure which I was pleased to cosponsor, along with many of our colleagues.

We rarely have the occasion to receive individuals of such high character and moral standing as His All Holiness; and when we receive them, we should do so in a manner befitting their rank and title.

Accordingly, I believe reserving the rotunda on the morning of October 21, 1997, for this occasion is highly appropriate, and it is hoped that all of our Members will avail themselves of the opportunity to greet and receive the Patriarch, who is one of the world's great spiritual leaders and the 270th Ecumenical Patriarch of Constantinople. He is also a great environmental leader.

His All Holiness is a man of peace who has worked tirelessly to bridge the differences that have sometimes troubled relations between our two friends and NATO allies, Turkey and Greece. As the head of the Orthodox denomination which has close to 300 million congregants worldwide, including millions in North and South America, His All Holiness is looked to for guidance as the principal spiritual leader by many of our fellow citizens.

Accordingly, I urge our colleagues to approve this resolution permitting the use of the rotunda for this important legislation.

Mr. NEY. Mr. Speaker, I yield as much time as he may consume to the distinguished gentleman from New Jersey [Mr. PAPPAS].

Mr. PAPPAS. Mr. Speaker, I thank the gentleman from Ohio [Mr. NEY] for yielding.

Mr. Speaker, I rise in strong support of House Concurrent Resolution 134, which was introduced by the distinguished gentleman from Florida [Mr. BILIRAKIS], a national leader in the effort to raise awareness of issues of concern to the Greek American community and the Orthodox religion.

Mr. Speaker, House Concurrent Resolution 134 would allow the use of the Capitol rotunda for a ceremony where Members of Congress could greet and receive His All Holiness Patriarch Bartholomew. Patriarch Bartholomew is leader to over 300 million Orthodox Christians worldwide and many millions here in the United States, a religious leader who resides in Istanbul, once referred to as Constantinople, at the ecumenical patriarchate under some very difficult conditions at times.

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Patriarch Bartholomew's visit comes only a few months after the visit of the late Mother Teresa. Having participated in Mother Teresa's visit, I was moved by her presence and felt blessed

to be in attendance. It was an honor to meet someone who has done so much to advance the cause of Christ and to "love even the least of these."

Patriarch Bartholomew is similarly a person who is outspoken in his views. He believes in protection of religious freedoms, combating human rights abuses and protecting the vulnerable, born and unborn. As the 270th successor to the Apostle Andrew, His All Holiness Patriarch Bartholomew has been very active in seeking spiritual renewal within the Orthodox Church as well as opening lines of communication between all Christian denominations and other religions.

As such, I am very proud to join with my colleagues in supporting this resolution to make available the Capitol Rotunda to this religious leader who has opened up so many hearts and souls to the good mission of the Orthodox Church. I look forward to his visit next month and urge all my colleagues to participate in his visit. Many of us are excited about this visit as are many of my constituents.

Again, I would like to commend the gentleman from Florida [Mr. BILIRAKIS] on all his hard work to move this matter forward as well as this Congress for considering this important resolution.

Mr. PALLONE. Mr. Speaker, I rise in support of House Concurrent Resolution 134 which, as you know, would authorize the use of the Capitol rotunda for an address by His All Holiness Ecumenical Patriarch Bartholomew. Earlier in the year, I signed a letter to Speaker GINGRICH with over 40 other members of the Hellenic Caucus requesting that the Patriarch have the opportunity to address Congress during his October visit. I consequently signed on as a cosponsor of House Concurrent Resolution 134 when it was introduced just a few months ago and am naturally very pleased to see this bill on the floor today.

On a related front, I hope to see H.R. 2248, another bill concerning His All Holiness Ecumenical Patriarch Bartholomew, on the floor soon. This bill would authorize the President to present a Congressional Gold Medal to the Patriarchate—an honor from this body that I believe he richly deserves.

Mr. Speaker, His All Holiness Bartholomew is one of the world's most important religious leaders. As the Archbishop of Constantinople and New Rome, he is the 270th successor of the almost 2,000-year-old Christian Center founded by Apostle Andrew. In this capacity he serves as the spiritual leader of some 300 million people worldwide. He is also one of the world's most outspoken champions for religious freedom and human rights.

In a recent interview with Time magazine Patriarch Bartholomew provided some insight on the direction he wants to steer the Orthodox Church. "The Ecumenical Patriarchate," he said "wishes to remain only a church, one which is free and respected by everybody. We have lived side by side with Muslims and Jews, and we have developed trusting relationships with both. It is our belief that Orthodox Christians have a special responsibility to East-West rapprochement."

These are, of course, the types of sentiments that are surely going to be reiterated by

Patriarch Bartholomew, and well received by Congress, in October. Indeed, I know many of my colleagues are well aware of the struggles the Eastern Ecumenical Patriarchate in Istanbul has had in exercising its faith free of persecution from the Turkish Government. To date, Patriarch Bartholomew has had no success in persuading the Turkish Government to reopen the Orthodox Church's theological school on Halki. The school was closed by the Turkish Government 25 years ago. It's closure, Mr. Speaker, has prevented the church from preparing new generations of religious leaders.

I am proud to have joined with many of my colleagues in the 104th and 105th Congresses in support of legislation calling on the administration to use its influence with the Turkish Government to help secure religious freedom for Orthodox Christians in Turkey. To that end, I very much look forward to Patriarch Bartholomew's visit and to working with him to pursue religious freedom in Turkey and across the world. I think it is extremely appropriate to make our Capitol available for this purpose and urge all my colleagues to support this resolution.

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

Mr. NEY. Mr. Speaker, I have no further requests for time, and 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 Ohio [Mr. NEY] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 134, as amended.

The question was taken.

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

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

The point of no quorum is considered withdrawn.

HOUSING PROGRAMS EXTENSION ACT OF 1997

Mr. LAZIO of New York. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 562) to amend section 255 of the National Housing Act to prevent the funding of unnecessary or excessive costs for obtaining a home equity conversion mortgage, as amended.

The Clerk read as follows:

S. 562

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 "Housing Programs Extension Act of 1997".

TITLE I—SENIOR CITIZEN HOME EQUITY PROTECTION

SECTION 101. SHORT TITLE.

This title may be cited as the "Senior Citizen Home Equity Protection Act".

SEC. 102. DISCLOSURE REQUIREMENTS; PROHIBITION OF FUNDING OF UNNECESSARY OR EXCESSIVE COSTS.

Section 255(d) of the National Housing Act (12 U.S.C. 1715z-20(d)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

“(C) has received full disclosure of all costs to the mortgagor for obtaining the mortgage, including any costs of estate planning, financial advice, or other related services; and”;

(2) in paragraph (9)(F), by striking “and”;

(3) in paragraph (10), by striking the period at the end and inserting “; and”;

(4) by adding at the end the following:

“(11) have been made with such restrictions as the Secretary determines to be appropriate to ensure that the mortgagor does not fund any unnecessary or excessive costs for obtaining the mortgage, including any costs of estate planning, financial advice, or other related services.”

SEC. 103. IMPLEMENTATION.

(a) NOTICE.—The Secretary of Housing and Urban Development shall, by interim notice, implement the amendments made by section 102 in an expeditious manner, as determined by the Secretary. Such notice shall not be effective after the date of the effectiveness of the final regulations issued under subsection (b).

(b) REGULATIONS.—The Secretary shall, not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, issue final regulations to implement the amendments made by section 102. Such regulations shall be issued only after notice and opportunity for public comment pursuant to the provisions of section 553 of title 5, United States Code (notwithstanding subsections (a)(2) and (b)(B) of such section).

TITLE II—TEMPORARY EXTENSION OF PUBLIC HOUSING AND SECTION 8 RENTAL ASSISTANCE PROVISIONS

SEC. 201. PUBLIC HOUSING CEILING RENTS AND INCOME ADJUSTMENTS AND PREFERENCES FOR ASSISTED HOUSING.

Section 402(f) of The Balanced Budget Downpayment Act, I (42 U.S.C. 1437aa note) is amended by striking “and 1997” and inserting “, 1997, and 1998”.

SEC. 202. PUBLIC HOUSING DEMOLITION AND DISPOSITION.

Section 1002(d) of the Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 (42 U.S.C. 1437c note) is amended by striking “September 30, 1997” and inserting “September 30, 1998”.

SEC. 203. PUBLIC HOUSING FUNDING FLEXIBILITY AND MIXED-FINANCE DEVELOPMENTS.

Section 201(a)(2) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (as contained in section 101(e) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134)) (42 U.S.C. 1437l note) is amended by striking “fiscal year 1997” and inserting “fiscal year 1998”.

SEC. 204. MINIMUM RENTS.

Section 402(a) of The Balanced Budget Downpayment Act, I (Public Law 104-99; 110 Stat. 40) is amended in the matter preceding paragraph (1) by striking “fiscal year 1997” and inserting “fiscal years 1997 and 1998”.

SEC. 205. PROVISIONS RELATING TO SECTION 8 RENTAL ASSISTANCE PROGRAM.

(a) TAKE-ONE-TAKE-ALL, NOTICE REQUIREMENTS, AND ENDLESS LEASE PROVISIONS.—Section 203(d) of the Departments of Veterans Affairs and Housing and Urban Develop-

ment, and Independent Agencies Appropriations Act, 1996 (as contained in section 101(e) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134)) (42 U.S.C. 1437f note) is amended by striking “and 1997” and inserting “, 1997, and 1998”.

(b) FAIR MARKET RENTALS.—The first sentence of section 403(a) of The Balanced Budget Downpayment Act, I (Public Law 104-99; 110 Stat. 43) is amended by striking “fiscal year 1997” and inserting “fiscal years 1997 and 1998”.

TITLE III—REAUTHORIZATION OF FEDERALLY ASSISTED MULTIFAMILY RENTAL HOUSING PROVISIONS

SEC. 301. SECTION 8 PROJECT-BASED ASSISTANCE CONTRACT RENEWAL AUTHORITY.

Section 211 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (42 U.S.C. 1437f note) is amended—

(1) in subsection (a)(1), by inserting “or 1998” before the semicolon at the end; and

(2) in subsection (b)(4)(A), by inserting after “fiscal year 1997” each place it appears the following: “or 1998”.

SEC. 302. MORTGAGE RESTRUCTURING DEMONSTRATION FOR FHA-INSURED MULTIFAMILY HOUSING.

Section 212 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (42 U.S.C. 1437f note) is amended—

(1) in subsection (a)(3)(B), by inserting “or 1998” before the semicolon at the end;

(2) in subsection (h)(1)(B), by striking “fiscal year 1997” and inserting “fiscal years 1997 and 1998”;

(3) in subsection (h)(1)(F)(ii), by striking “fiscal year 1997” and inserting: “fiscal years 1997 and 1998”; and

(4) in subsection (k), by striking “50,000 units” and inserting “100,000 units”.

SEC. 303. MULTIFAMILY HOUSING FINANCE PILOT PROGRAMS.

Section 542 of the Housing and Community Development Act of 1992 (12 U.S.C. 1707 note) is amended—

(1) in subsection (b)(5), by inserting before the period at the end of the first sentence the following: “, and not more than an additional 15,000 units during fiscal year 1998”; and

(2) in the first sentence of subsection (c)(4)—

(A) by striking “and” and inserting a comma; and

(B) by inserting before the period at the end the following: “, and not more than an additional 15,000 units during fiscal year 1998”.

SEC. 304. HUD DISPOSITION OF MULTIFAMILY HOUSING.

Section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (12 U.S.C. 1715z-11a) is amended by inserting after “owned by the Secretary” the following: “, including the provision of grants and loans from the General Insurance Fund for the necessary costs of rehabilitation or demolition.”

SEC. 305. MULTIFAMILY MORTGAGE AUCTIONS.

Section 221(g)(4)(C) of the National Housing Act (12 U.S.C. 1715(g)(4)(C)) is amended—

(1) in the first sentence of clause (viii), by striking “September 30, 1996” and inserting “December 31, 2005”; and

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

“(ix) Subject to the limitation in clause (x), the costs of any multifamily auctions under this subparagraph occurring during any fiscal year shall be paid from amounts in the General Insurance Fund established under section 519.

“(x) This authority of the Secretary to conduct multifamily auctions under this subparagraph shall be effective for any fiscal year only to the extent or in such amounts that amounts in the General Insurance Fund are or have been approved in appropriation Acts for costs of such auctions occurring during such fiscal year.”

SEC. 306. INTEREST REDUCTION PAYMENTS IN CONNECTION WITH SALES OF SECTION 236 MORTGAGES HELD BY HUD.

Section 236 of the National Housing Act (12 U.S.C. 1715z-1) is amended—

(1) in the first sentence of subsection (b), by inserting before the colon at the end of the first proviso the following: “and when the mortgage is assigned or otherwise transferred to a subsequent holder or purchaser (including any successors and assignees)”;

(2) in subsection (c)—

(A) by inserting “(1)” after the subsection designation; and

(B) by adding at the end the following new paragraphs:

“(2)(A) The Secretary may continue to make interest reduction payments to the holder or purchaser (including any successors and assignees) of a mortgage formerly held by the Secretary upon such terms and conditions as the Secretary may determine. In exercising the authority under the preceding sentence, upon cancellation of any contract for such interest reduction payments as a result of foreclosure or transfer of a deed in lieu of foreclosure, any amounts of budget authority which would have been available for such contract, absent cancellation, shall remain available for the project for the balance of the term of the original mortgage upon such terms and conditions as the Secretary may determine.

“(B) The Secretary may exercise the authority to make payments under this paragraph (i) only with respect to mortgage loans under this section which, at the time of the Secretary's assignment or other transfer, have a total amount of unpaid principal obligation of not more than \$92,000,000, and (ii) only to the extent or in such amounts as are or have been provided in advance in appropriation Acts.

“(3) Notwithstanding subsection (i)(2) or any other provision of law, in connection with the sale of mortgages held by the Secretary, the Secretary may establish appropriate terms and conditions, based on section 42 of the Internal Revenue Code of 1986 or another appropriate standard, for determining eligibility for occupancy in the project and rental charges.”

SEC. 307. ASSIGNMENT OF REGULATORY AGREEMENTS IN CONNECTION WITH SALES OF MORTGAGES HELD BY HUD.

Section 203(k) of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z-11(k)) is amended by adding at the end the following new paragraph:

“(7) ASSIGNMENT OF REGULATORY AGREEMENT IN CONNECTION WITH SALE OF MORTGAGES.—Notwithstanding any other provision of law, and upon such terms and conditions as the Secretary may prescribe, the Secretary may, in connection with the sale of mortgages held by the Secretary, provide for the assumption of all rights and responsibilities under the regulatory agreement executed by or for the benefit of the Secretary. Such assumption shall further provide for the regulatory agreement to be so assumed by any successor or assignee of the initial assuming entity. Such regulatory agreement shall continue to be binding upon the mortgagor and its successors and assignees.”

TITLE IV—REAUTHORIZATION OF RURAL HOUSING PROGRAMS

SEC. 401. HOUSING IN UNDERSERVED AREAS PROGRAM.

The first sentence of section 509(f)(4)(A) of the Housing Act of 1949 (42 U.S.C. 1479(f)(4)(A)) is amended by striking "fiscal year 1997" and inserting "fiscal years 1997, 1998, and 1999".

SEC. 402. HOUSING AND RELATED FACILITIES FOR ELDERLY PERSONS AND FAMILIES AND OTHER LOW-INCOME PERSONS AND FAMILIES.

(a) **AUTHORITY TO MAKE LOANS.**—Section 515(b)(4) of the Housing Act of 1949 (42 U.S.C. 1485(b)(4)) is amended by striking "September 30, 1997" and inserting "September 30, 1999".

(b) **SET-ASIDE FOR NONPROFIT ENTITIES.**—The first sentence of section 515(w)(1) of the Housing Act of 1949 (42 U.S.C. 1485(w)(1)) is amended by striking "fiscal year 1997" and inserting "fiscal years 1997, 1998, and 1999".

SEC. 403. LOAN GUARANTEES FOR MULTIFAMILY RENTAL HOUSING IN RURAL AREAS.

Section 538 of the Housing Act of 1949 (42 U.S.C. 1490p-2) is amended—

(1) in subsection (q), by striking paragraph (2) and inserting the following:

"(2) **ANNUAL LIMITATION ON AMOUNT OF LOAN GUARANTEE.**—In each fiscal year, the Secretary may enter into commitments to guarantee loans under this section only to the extent that the costs of the guarantees entered into in such fiscal year do not exceed such amount as may be provided in appropriation Acts for such fiscal year.";

(2) by striking subsection (t) and inserting the following:

"(t) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for each of fiscal years 1998 and 1999 for costs (as such term is defined in section 502 of the Congressional Budget Act of 1974) of loan guarantees made under this section such sums as may be necessary for such fiscal year."; and

(3) in subsection (u), by striking "1996" and inserting "1999".

TITLE V—REAUTHORIZATION OF NATIONAL FLOOD INSURANCE PROGRAM SECTION 501. PROGRAM EXPIRATION.

Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking "September 30, 1997" and inserting "September 30, 1999".

SEC. 502. BORROWING AUTHORITY.

Section 1309(a)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)) is amended by striking "September 30, 1997" and inserting "September 30, 1999".

SEC. 503. EMERGENCY IMPLEMENTATION OF PROGRAM.

Section 1336(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4056(a)) is amended by striking "September 30, 1996" and inserting "September 30, 1999".

SEC. 504. AUTHORIZATION OF APPROPRIATIONS FOR STUDIES.

Subsection (c) of section 1376 of the National Flood Insurance Act of 1968 (42 U.S.C. 4127(c)) is amended to read as follows:

"(c) For studies under this title, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 1998 and 1999, which shall remain available until expended."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. LAZIO] and the gentleman from Massachusetts [Mr. KENNEDY] each will control 20 minutes.

The Chair recognizes the gentleman from New York [Mr. LAZIO].

Mr. LAZIO of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 562, the Housing Programs Extension Act of 1997, will provide security and peace of mind for senior citizens seeking to obtain an FHA-insured reverse mortgage. In short, this legislation gives the Department of Housing and Urban Development authority to issue regulations protecting senior homeowners from being charged excessive or unnecessary fees in the reverse mortgage application process.

I should say here, Mr. Speaker, the Department of Housing and Urban Development supports not just this provision, but, as I understand it, the entirety of this bill.

According to a HUD investigation earlier this year, seniors applying for reverse mortgages were being charged up to 10 percent of the total loan amount for estate-planning services from third-party service providers. In some cases this amounted to as much as \$10,000 for simply driving homeowners to the bank and sitting with the applicants during discussions with the lender.

Mr. Speaker, seniors use these funds for assistance with medical expenses, critical home repairs, groceries and other everyday living expenses. Charging senior citizens \$10,000 for services that are essentially free is truly an abomination.

In response to these allegations, I, along with members of the minority, including the gentleman from Massachusetts [Mr. KENNEDY], introduced H.R. 1297, the Senior Homeowner Reverse Mortgage Protection Act, earlier this year with the support of the administration. H.R. 1297 was included in the manager's amendment to H.R. 2, which passed the House with strong bipartisan support last May.

Mr. Speaker, last Congress we extended the FHA-insured reverse mortgage program until the year 2000. The program has helped make the American dream of home ownership a continued reality for more than 20,000 seniors who might otherwise be forced to sell their homes because of the rising costs of living associated with aging.

Reverse mortgages allow seniors who are house rich but cash poor to tap into the equity in their homes for much needed assistance with everyday living expenses. For many, the program provides seniors with the opportunity to remain in their own neighborhoods, close to family and friends instead of being forced to live in nursing homes.

Mr. Speaker, it is profoundly disturbing that such a valuable tool for our Nation's most vulnerable population has been jeopardized by such practices. This legislation will prevent these activities and will ensure that the reverse mortgage proceeds will go toward sustaining the quality of life of seniors across America.

Mr. Speaker, the committee amendment to S. 562 will also extend certain noncontroversial public housing reform measures for 12 months. The committee amendment originally extended these provisions for 6 months, but at

the request of the minority, the legislation will extend these measures for a full year.

During this Congress and the last Congress, these public housing reform measures have been enacted annually through the appropriations process. These interim reforms are set to expire in only a few weeks, on September 30, 1997. A short-term extension measure from the authorizing committee, therefore, is necessary for the House and Senate to complete a conference and enact permanent public housing reform.

Mr. Speaker, since the 103d Congress we have been working hard to systematically and systemically reform our Nation's public housing programs. In the last Congress both the House and Senate passed comprehensive public housing reform legislation. Unfortunately, we were unable to complete a conference on the two bills before recess. In the 105th Congress, this Congress, the House passed comprehensive public housing reform last May by a vote of 293 to 132. Senate passage of comparable legislation is anticipated in the next few weeks. A conference is fully expected with a conference report to be completed early in the second session.

Mr. Speaker, the legislation also extends the existing section 8 multifamily housing demonstration program for 1 year to prevent any disruption to tenants or owners of section 8 developments while we continue to pursue a permanent solution to the problem of expiring section 8 contracts.

I will say that even if we could come to an agreement tomorrow, Mr. Speaker, with the Senate on this provision, it would probably be at least 1 year to 18 months before regulations were in place. This demo extension is needed and is supported by the administration as well as the National Leased Housing Association and other stakeholders. I want to repeat it is supported by the administration and other stakeholders.

Finally, the legislation includes a number of housekeeping measures, including a number of multifamily housing reforms at the request of the administration, a 2-year extension of rural housing programs and a 2-year extension of the National Flood Insurance Program, both of which will expire at the end of this fiscal year unless we take action now.

Mr. Speaker, these extensions are critical to avoid a destabilization of the marketplace and to ensure the continuity of service to needy Americans. In particular, in regard to the National Flood Insurance Program, if we fail to extend the program's borrowing authority, we risk being unable to serve devastated families that are affected by natural disasters. FEMA Director Witt indicated to me earlier this month, as a matter of fact only a couple of days ago when he called me at home, that without the extension of borrowing authority, FEMA would be forced to turn away families in the

event of a significant disaster. We do not want that result. Mr. Speaker, I urge all Members to support this legislation.

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

Mr. KENNEDY of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, reluctantly I rise in opposition to S. 562 and urge my colleagues to vote against it. I was surprised to learn, although I was a few minutes late for the beginning of the opening statement of the gentleman from New York [Mr. LAZIO], that he indicated that the administration supports this.

The fact of the matter is I talked to Secretary Cuomo over the weekend. He indicated he was very strongly opposed, not to the provisions that pertain to the Senior Citizen Home Equity Protection Act, but he as well as the White House have all indicated to me that they are very much opposed to the addition of the extenders plus the mark-to-market provisions that are contained in this bill.

I think it is important to recognize that while I do not believe the White House or that HUD or would we take much issue on the extenders on various provisions that both the gentleman from New York [Mr. LAZIO] and I have talked about and agree in most of the provisions that we are talking about here, the real problem comes with the containment of the mark-to-market provisions.

There are two major problems with the bill. First, I would like to point out to Members that we should not be deceived by the title, the Senior Citizen Home Equity Protection Act. I am an original cosponsor of that legislation in the House which would provide important protections against scam artists who bilk senior citizens by charging them excessive fees for reverse mortgage equity loans for services which HUD provides as a matter of course.

The Senate has already passed the bill, and the right thing to do would be to take up the Senate bill without modifications or additions. If the majority party were doing so today, it would pass overwhelmingly, and we could have it on the President's desk this week for enactment into law.

Instead the majority party is playing games, adding on provisions that the Senate will never take up, in effect delaying the final passage of this important consumer protection bill for senior citizens.

Instead S. 562 has been modified to include many other provisions. While most of these are reasonable, we in the minority believe that one provision will undermine efforts to reach final agreement on critically needed mark-to-market legislation.

This is an issue which we in the minority simply disagree with the majority party in the House. We Democrats strongly support the Senate bipartisan

mark-to-market proposal which was included in both the Senate reconciliation and the VA-HUD appropriations bills. We Democrats want to include that bill in the VA-HUD conference report, but we are opposed by the same House Republicans who do not support the bill.

In fact, the Senate bipartisan mark-to-market bill is essential to provide an orderly transition to market-based section 8 rental payments. This is necessary to preserve affordable housing and to protect low-income families and seniors from displacement.

Also, the Congressional Budget Office has scored the Senate bill as saving an additional \$500 million. Including this in the VA-HUD conference report would allow us to spend \$500 million more on critical priority areas like education, health care and housing. But instead, today we are being called upon to reject the mark-to-market proposal and instead pass a continuation of the demonstration program. It is simply the wrong approach.

Finally, I would like to respond to the claim that it is important to pass this bill to reassert the authority of the authorizing committee, the Committee on Banking and Financial Services. This is a curious claim indeed. First, I would like to point out that the Committee on Banking and Financial Services itself has not even considered the bill that we are voting on today. Second, I would like to point out that most of the provisions of the bill are not new authorizing legislation, but simply a continuation of existing policy or appropriations riders.

Finally, with regard to the mark-to-market approach, we have been debating this issue in the Congress for years, but we have never held a committee markup. It is understandable why Senate Republicans and Democrats alike are frustrated with our lack of progress and have moved on their own. It is time to send a bill to the President.

In conclusion, I would urge my colleagues to reject this bill. It will not speed up the final enactment of senior citizens' home equity protections, simply because the Senate will refuse to take up the language if it is included with these extenders and the mark-to-market legislation. All it will do is impede the progress of the critical mark-to-market approach. It is the wrong bill, the wrong process, and I urge a "no" vote.

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

Mr. LAZIO of New York. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa [Mr. Leach], the distinguished chairman of the Committee on Banking and Financial Services.

Mr. LEACH. I thank the gentleman for yielding me this time.

Mr. Speaker, let me say there are several aspects of this bill before us. One is an issue of sheer compassion, the whole precept of whether senior citizens should be preyed upon and

whether profiteering should occur with regard to a very responsible Federal program which is applicable in a limited number of circumstances, the so-called reverse mortgage. The second relates to a series of issues of extenders that are part of this bill and what is perceived to be a delaying tactic on the minority side.

I think it fair to ask the gentleman from Massachusetts, what extender does he object to? I say this because all of these provisions were dealt with in a bill that came out of the Committee on Banking and Financial Services called H.R. 2, or they are in current law. And so my concern is what precise extenders does the gentleman object to?

Mr. KENNEDY of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. LEACH. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. For the sake of the record, I would just like to point out to the gentleman that neither title III, title IV nor title V were included in the legislation the gentleman is referring to, No. 1.

No. 2, I do not really have a problem with a lot of the extenders. I tried to pass a message along to the office of the gentleman from New York [Mr. LAZIO] saying that if he wanted to include the extenders but exclude the mark-to-market approach, that I would be happy to support this bill today.

What we are trying to get at here is the gentleman knows because he was, I believe, at a meeting last week where he understands that Senator MACK simply is not going to allow this legislation to be taken up. Why do we not just mark up the mark-to-market legislation, separate that out and go ahead and pass these protections on for the senior citizens?

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Mr. LEACH. Mr. Speaker, reclaiming my time, I would simply say the gentleman gave an opening introduction in which he objected to the extenders. So there is no misunderstanding, the minority has no objection to the extenders. They only object to the mark-to-market provisions. The mark-to-market approach, which is a fairly subtle thing in terms of the public perspective, is simply an extension of an ongoing program.

Now, the question then becomes, what are we doing with the larger issue for which there are certain differences with the other body? The gentleman from New York [Mr. LAZIO] has very thoughtfully introduced a very comprehensive bill. It is in the public record. We have modest differences with the other body on two large issues, both of which, however, are in the context of which there is 95 percent agreement on approach. It is the intent of the House side to be very forthcoming in negotiations with the Senate on these issues. What we are attempting to pass today is by no means intended to be delaying. It is intended to take care of extenders that must occur this

month, and also to take care of a very compassionate issue.

So I would only say to the gentleman from Massachusetts [Mr. KENNEDY] that we have some very minor concerns about a given Senate approach in the mark to market. We will negotiate with them very straightforwardly, very reasonably, with the intent of protecting the U.S. taxpayer and the public interest, and no other intent or any other motivation whatsoever.

In so doing, we hope to come out with a better protective taxpayer approach than has simply been endorsed by the other side today. But there is nothing in this proposal that is designed to do anything except advance what must be done this month under law and to take care of an approach, if there is no agreement that can be reached with the Senate. But we have total desire to reach agreement with the Senate. The chairman of the subcommittee and the chairman of the full committee are very committed to resolving this issue in this Congress and if at all possible, in this session.

Mr. KENNEDY of Massachusetts. Mr. Speaker, I yield myself 1 minute to respond to the statement by the chairman of the full committee, the gentleman from Iowa [Mr. LEACH]. I would like to point out while he suggests that the mark to market issue is some minor issue that is not out there in the public purview, that does not mean that it is not by far and away the most important issue that we are talking about here. It is fully half of the housing programs of this country.

What we are talking about is whether or not we are going to cost the taxpayers of this country an additional \$500 million this year. I would suggest to the chairman of the full committee that there is in fact a substantive reason for doing this, and that is that it will take away from the impetus to get this bill passed.

You have a bipartisan approach that has passed in the U.S. Senate. All it requires is for us to move this bill in the Committee on Appropriations and get this thing done. While we sit and dawdle and dither, we end up costing the taxpayer millions and millions of dollars.

This is simply a tactic to throw in what is not an issue that is in the public view, it is out of the public view, but if you shove this into this bill, what will end up occurring is we will cost the taxpayer money. We will do it without ever showing them the light of day as to what has happened, and it will give a great deal more credence to the ability of the chairman of the Subcommittee on Housing and Community Opportunity to then gut the protections for the poor that will be contained in the bill. That is the ultimate objective of what is occurring here today.

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

Mr. LAZIO of New York. Mr. Speaker, I yield myself two minutes for the

purpose of entering into a dialog with the gentleman from Massachusetts [Mr. KENNEDY].

Let me begin by saying that I believe deeply that this demonstration program needs to be extended. I think even if we were to come to an agreement tomorrow with the Senate, and I think the chairman of the full panel has explained what our position is, we would still need, because of regulations and rules, there would be a time between 12 and 18 months before we would get an actual program in effect, in which we would need this extension.

I hear the gentleman from Massachusetts has no intention of going along with that, and these other reforms and extensions are so important at this point. We cannot allow the flood insurance program to lapse, we cannot allow these extenders to lapse, and we need to protect seniors to the point where I am wondering if I made a unanimous consent request to delete the sections that are offensive to the gentleman from Massachusetts, if that would win his support of the rest of the provisions of this measure?

Mr. KENNEDY of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. LAZIO of New York. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Speaker, it would indeed. I very much appreciate the chairman's willingness to provide that kind of compromise and I look forward to working with the gentleman on the mark to market issue. I think there are a number of extenders, and I just wanted to let the gentlemen know as well as the chairman of the full committee, the gentleman from Iowa [Mr. LEACH], know that I know the gentleman from Nebraska [Mr. BEREUTER] and others have had concerns about rural housing programs and a number of other extenders.

I did try to communicate to the chairman's office that we would be happy to work with the gentleman on those noncontroversial extenders, and I appreciate the offer that the gentleman has made here on the floor.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. LAZIO of New York. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I want to express my appreciation to the gentleman for doing this. I would urge the next time, to the gentleman, work this out before the gentleman ruins my afternoon.

Mr. LAZIO of New York. Mr. Speaker, reclaiming my time, let me hold my tongue.

MODIFICATION TO MOTION OFFERED BY MR. LAZIO OF NEW YORK

Mr. LAZIO of New York. Mr. Speaker, I ask unanimous consent that S. 562 be amended to strike sections 301 and 302 from title III.

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

There was no objection.

The text of the modification is as follows:

Modification offered by Mr. LAZIO of New York.

Beginning on page 6, line 5 strike out sections 301 and 302 and renumber succeeding sections accordingly.

Mr. LAZIO of New York. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Nebraska [Mr. BEREUTER], my friend and colleague on the Committee on Banking and Financial Services and the Subcommittee on Housing and Community Opportunity.

Mr. BEREUTER. Mr. Speaker, I rise in strong support of S. 562, as amended, and urge my colleagues to vote for this important measure. I thank the gentleman for his work on the legislation, his initiative, and this Member also felt that the comments of the gentleman from Iowa, the chairman, should have been compelling when he discussed the motivations and objectives of the legislation. But I am glad to see we seem to have arrived at an arrangement here which while it will not satisfy everybody, nevertheless permits, for example, the extenders to go ahead.

Mr. Speaker, as the title of the bill implies, this measure protects senior citizens, one of the Nation's most exploited populations, from unscrupulous financial service providers.

Recent years have seen the development of truly innovative financial tools to assist our aging population. Among these is the reverse mortgage. This product rewards seniors for exercising financial prudence by allowing them to have access to the equity they have built up in their homes without taking out a new first trust mortgage.

Unfortunately, as mentioned a few moments ago, unscrupulous financial planners sometimes have been gouging seniors with inappropriate fees for information which is otherwise available free of charge.

This measure authorizes the Secretary of Housing and Urban Development to take appropriate actions to restrict unnecessary and excessive costs associated with reverse mortgages. The authority should enable HUD to maintain the reverse mortgage as a valued tool in financial planning for seniors, and protect them from being exploited unwittingly.

In addition to the important protections provided to seniors, this measure also contains two other important provisions, among others, which this Member supports.

First, the bill extends for two years section 538, the rural rental multifamily housing loan guarantee program. Legislation permanently authorizing the section 538 loan guarantee program passed the House on April 8, 1997, by an overwhelming bipartisan vote. Unfortunately, the other body has failed to consider this legislation for other extraneous reasons, I gather, and, thus, a more modest authorization is included in this measure.

The section 538 loan guarantee program, which this Member authored with lots of help from his colleagues on both sides of the aisle, guarantees repayment of loans made by private lenders to either State housing agencies, nonprofit organizations, or for-profit investors, who build or rehabilitate affordable multifamily rental problems in nonmetropolitan areas. This innovative program is a prudent and cost-effective supplementary program to the traditional expensive Federal direct lending program.

Another provision which this Member supports is a 2-year reauthorization of the National Flood Insurance Program, which the subcommittee chairman has mentioned, or NFIP. As a member of the Committee on Banking and Financial Services, this Member was actively involved in writing parts of the recently enacted NFIP reform legislation under the leadership of the gentleman from New York, Chairman LAZIO.

Therefore, this Member is pleased that the program will continue to operate at least somewhat more effectively for 2 more years until this Congress or some future Congress finally enacts the more fundamental reforms which are certainly needed. Note should be made that a problematic provision included in recent disaster assistance legislation has expired and is not extended by this bill. Specifically, a provision lowering the waiting period on new flood policies from 30 to 15 days has expired, and for the benefit of the American taxpayer it should not be resurrected.

In closing, Mr. Speaker, this Member strongly supports this legislation and urges his colleagues and the Members of the other body to approve this measure as soon as possible.

Mr. KENNEDY of Massachusetts. Mr. Speaker, if the chairman of committee has no further speakers, I yield back the balance of my time.

Mr. LAZIO of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just once again urge all Members to support these important extensions, protection for senior citizens from being ripped off, anti-fraud provisions, protections for public housing in general. This is an important vote for rural housing, for people in flood-prone areas to ensure they have proper protection, and I would urge an aye vote.

Mr. Speaker, I include a section-by-section analysis of S. 562 for the RECORD.

S. 562—SECTION-BY-SECTION

Section 1. Short title

Provides that the name of the Act may be cited as the "Housing Programs Extension Act of 1997".

TITLE I—SENIOR CITIZEN HOME EQUITY PROTECTION

Section 102. Disclosure requirements, prohibition of funding of unnecessary or excessive costs

Amends Section 235(d) of the National Housing Act involving Home Equity Conversion Mortgages insured under FHA, and (1)

requires a full disclosure of all costs related to originating the mortgage and (2) clarifies the HUD Secretary's authority to appropriately restrict unnecessary or excessive costs related to the origination of the reverse mortgage.

Section 103. Implementation

Requires the HUD Secretary to issue expeditiously an interim notice to implement the provisions of the Act. Further provides that the Secretary shall, within ninety days of the date of enactment, issue final regulations, after notice and opportunity for comment.

TITLE II—TEMPORARY EXTENSION OF PUBLIC HOUSING AND SECTION 8 RENTAL ASSISTANCE PROVISIONS

Section 201. Public housing ceiling rents and income adjustments and preferences for assisted housing

Extends the public housing ceiling rents authority and the definition of adjusted income under the public housing program, and the suspension of Federal preferences, through September 30, 1998.

Section 202. Public housing demolition and disposition

Extends the suspension of the one-for-one replacement requirement through September 30, 1998.

Section 203. Public housing funding flexibility and mixed-finance developments

Extends the public housing flexible funding and mixed-finance development authorities through September 30, 1998. The flexible funding authority enables public housing authorities to use their modernization assistance under section 14 and their development assistance under section 5 of the 1937 Act for any eligible activity authorized under sections 14, 5, or applicable Appropriations Acts (HOPE VI), and for up to 10% of such assistance, any operating subsidy purpose authorized by section 9 of the 1937 Act.

Section 204. Minimum rents

Extends the minimum rent requirement (requiring minimum rents of up to \$50) through September 30, 1998.

Section 205. Provisions relating to section 8 rental assistance program

(a) Take-One, Take-All, Notice Requirements, and Endless Lease Provisions. Extends suspension of three requirements of the Section 8 program ("take-one, take-all"; 90-day notice requirement; and "endless lease") through September 30, 1998.

The "take-one, take-all" provision of the 1937 Act requires owners who have entered into a housing assistance payments contract on behalf of any tenant in a multifamily housing project to lease any available unit in the project to an otherwise qualified holder of a certificate or voucher.

The 90-day notice provision for the Certificate and Voucher programs require that owners notify tenants 90 days prior to termination of a contract.

The "endless lease" provision requires that owners not terminate tenancy except for serious or repeated violations of the lease, the law, or for other good cause. This section would limit this requirement to the lease term.

(b) Fair Market Rentals. Extends through September 30, 1998, the requirement that the Secretary establish fair market rents for an area, for purposes of the Section 8 program, at a level equal to the 40th percentile rent of rental distributions of standard quality rental units for the area.

TITLE III—REAUTHORIZATION OF FEDERALLY ASSISTED MULTIFAMILY RENTAL HOUSING PROVISIONS

Section 303. Multifamily housing finance pilot programs

Extends through September 30, 1998, two multifamily risk-sharing demonstration programs, with a 15,000 additional unit limitation for each. Multifamily risksharing with qualified financial entities was authorized by the Housing and Community Development Act of 1992 (Section 542). The program enables HUD to enter into risk-sharing partnerships to provide rental housing through two pilot programs for qualified financial entities and for qualified housing finance agencies, and allows FHA to support the multifamily housing market through traditional and new products.

Section 304. HUD disposition of multifamily housing

Enhanced Authority for HUD Disposition of Multifamily Housing. Section 204 of HUD's FY 1997 appropriations Act gave HUD permanent authority to manage and dispose of HUD-owned multifamily properties and mortgages held by the Secretary on such terms and conditions as HUD determines, notwithstanding any other provision of law. Clarifies that the authority to manage and dispose of HUD-owned properties includes the provision of grants and loans from the General Insurance Fund for the necessary costs of rehabilitation or demolition.

Section 305. Multifamily mortgage auctions

Extends the authority to auction mortgages insured under Section 221 of the National Housing Act through December 31, 2005. The current authority expired at the end of FY 1996, and unless extended, HUD will be forced to take assignment of any mortgage where the mortgagee elects to assign such mortgage to HUD. As a result, HUD will incur the financial costs of servicing these mortgages until they are sold in a competitive sale. In addition, extending HUD's ability to auction mortgages prior to assignment allows the mortgage to remain in private hands and avoids payment of a claim against the FHA fund. Costs of the auction activity would be paid from multifamily credit subsidy.

Section 306. Interest reduction payments in connection with sales of section 236 mortgages held by HUD

Provides HUD with limited authority to sell a certain percentage of section 236 mortgages under the National Housing Act with the interest reduction payments contract intact. In this way, the payments would remain available to the project to assist with affordability of the units, support rehabilitation (if any), and increase the selling price of the mortgage. The authority under this provision is limited to an amount of loans which in the aggregate shall not have an unpaid principal balance in excess of \$92,000,000, and exercise of the authority shall be subject to prior approval in an appropriations Act.

Section 307. Assignment of regulatory agreements in connection with sales of mortgages held by HUD

Permits HUD to provide for the assumption of all rights and responsibilities under the regulatory agreement when it sells a HUD-held mortgage. The provision would enable HUD to reduce staff time associated with assets which have already been sold.

TITLE IV—REAUTHORIZATION OF RURAL HOUSING PROGRAM ACT OF 1997

Section 401. Housing in underserved areas program

Amends Section 509(f)(4)(A) of the Housing Act of 1949 to extend its authorization for

two additional fiscal years, from fiscal year 1997 to fiscal year 1999. This program provides a set-aside out of Sections 502 (single-family), 504 (Repair Loans and Grants), 514 (Farm Labor), 515 (Multifamily Housing) and 524 (site loans) for projects in underserved counties as defined by the Housing Act of 1949.

Section 402. Housing and related facilities for elderly persons and families and other low-income persons and families

(a) Authority to Make Loans. Extends Section 515(b)(4) of the Housing Act of 1949, the authority of the Secretary of Agriculture to make loans, for two additional fiscal years until September 30, 1999. Section 515 provides for multifamily housing loans.

(b) Set-Aside for Non-Profit Entities. Extends Section 515(w)(1) of the Housing Act of 1949, providing for a certain level of funding to be set-aside for non-profit entities, for an additional two fiscal years until September 30, 1999.

Section 403. Loan guarantees. For multifamily rental housing in rural areas

Amends Section 538(q) of the Housing Act of 1949 by inserting a new provision establishing that the Secretary may enter into loan guarantee commitments under this section only to the extent that the costs of the guarantees entered into in a fiscal year do not exceed the amounts provided for that fiscal year in appropriations Acts.

Amends Section 538(t) to extend authorization for loan guarantees made under this title until fiscal year 1999.

TITLE V—REAUTHORIZATION OF NATIONAL FLOOD INSURANCE PROGRAM

Section 501. Program expiration

Amends Section 1319 of the National Flood Insurance Act of 1968 to extend the Act for two additional years until September 30, 1999.

Section 502. Authorization of borrowing authority

Amends Section 1309 of the National Flood Insurance Act of 1968 to extend the borrowing authority until September 30, 1999.

Section 503. Emergency implementation of program

Amends Section 1336(a) of the National Flood Insurance Act of 1968 to extend the expiration date until September 30, 1999.

Section 504. Authorization of appropriations for studies

Amends Section 1376(c) of the National Flood Insurance Act of 1968 to extend funding authorization for appropriations, in such sums as may be necessary, for studies conducted under the relevant title of the Act, for each of fiscal years 1998 and 1999.

Mr. GILMAN. Mr. Speaker, I rise in support of the Senior Citizen Home Equity Protection Act. Senior citizens are one of our Nation's greatest assets. The guidelines set by this bill will help protect seniors from losing the financial independence they have worked all their lives to achieve.

The Senior Citizen Home Equity Protection Act gives the U.S. Department on Housing and Urban Development authority to issue rules to protect seniors from being overcharged while trying to obtain reverse mortgages. This act also requires that the mortgagor receives a full disclosure of all the costs acquired while attempting to attain this type of mortgage.

A reverse mortgage allows senior citizens age 62 or older to borrow money against the equity of their homes and does not require them to make monthly or principal payments. The purpose of a reverse mortgage is to allow

seniors who are "house rich," but "cash poor" to access the equity they have invested in their homes so they may have the money they need to live comfortably on a day to day basis.

If it were not for reverse mortgages, a senior citizen homeowner might have to put their home on the market to cash in on its equity just so they can survive. This would also result in their having no other option but to move into a retirement home, ultimately making them lose the peace of mind and security they had built up in the neighborhoods they used to live in.

Some senior citizens may need our help in protecting the equity which they spent most of their lives in building. That is why I urge my colleagues to join in unanimously supporting the Senior Citizen Home Equity Act.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of S. 562, the Senior Citizen Home Equity Protection Act.

This bill would authorize the Housing and Urban Development [HUD] Department to issue rules to protect senior citizens from being charged unreasonable fees for obtaining reverse mortgages; it reauthorizes for 2 years Federal rural multifamily rental housing development programs and the National Flood Insurance program; it extends for 6 months certain public housing reforms that have been included in appropriations acts the past 2 fiscal years; and it extends for 1 year a section 8 portfolio reengineering demonstration program included in last year's VA-HUD appropriations act.

Maintaining a secure, fair and reliable source of credit for home purchases by senior citizens is very important to me. The service that past generations provided this country is invaluable. Through two World Wars and economic downturns, they stayed the course and kept this country on track to become the economic, social and political success that it is today.

This bill will provide security for seniors who for whatever reason want to purchase a home.

On the behalf of the residents of the 18th Congressional District I am in full support of this bill and would like to urge my colleagues to join me in voting for this measure.

Mr. PAUL. Mr. Speaker, today we are asked to support a bill which has the Federal Government engaged in the unconstitutional business of further regulating mortgage brokers, extending Federal housing programs—some of which would be extended permanently by this bill—and offering flood insurance programs.

This bill will add new regulations by Government and impose new restrictions on the private sector which provides most of the safe and affordable housing in this country. Such regulations and restrictions raise costs and limit availability of housing for our citizens insofar as such additional costs may ultimately be passed along to the consumer. This bill will further add to the Federal Government's intrusion in the housing market by limiting private sector initiatives to help consumers obtain mortgage loans, and eventually, their own homes.

Second, this bill would make authorization of some programs permanent so that future representatives of the people will not be able to judge the wisdom of these specific programs. To the extent Congress has any constitutional right to legislate in this sphere at all,

certainly, Representatives must have the legal ability to weigh the specific needs of their constituents and make appropriate decisions. Some of these multi-housing programs are mere demonstration projects which have not proved their worthiness. They have, however, proved their cost to the taxpayer with ever-rising tax bills without the corresponding benefits. Government-run housing schemes are less efficient, more costly and limit the private sector's ability to provide the services that the public wants at a price that properly takes into account true economic costs. Even such misnamed "good government" housekeeping provisions merely perpetuate and extend the Government's reach into the private sector and, ultimately, into the wallets of taxpaying Americans.

With respect to Federal flood insurance programs, the constitutional separation of powers strictly limited the role of the Federal Government and, at the same time, anticipated that maintaining the balance between cost, risk, and the benefits of insuring one's property was best reserved—via the ninth and tenth amendments—to State and local governments, or individuals respectively. One can insure oneself against virtually every natural disaster at some policy premium. Determination of whether the peace of mind and other benefits of insurance outweigh the premium for any particular property is not amongst the constitutionally enumerated Federal powers. The private market provision and resulting cost internalization of such insurance premiums will accomplish much toward enhancing macroeconomic efficiency and, at the same time, eliminate the necessity for the national government to overstep its constitutional bounds with governmental "pseudo-insurance."

In addition, this bill did not go through the proper committee process. I am a member of the House Committee on Banking and Financial Services and have not had the opportunity to vote on, amend, improve, or block this piece of legislation. It is in the committee process, where respective Members make it their responsibility to be better versed in that committee's respective issues, amend and hopefully improve bills as they move through the legislative process. Members of the Banking Committee should have had the opportunity to review relevant legislation before it is voted on by the entire House of Representatives.

As a U.S. Congressman, I remain committed to the Constitution which I, only months ago, swore to uphold. This country's founders recognized the genius of separating power amongst Federal, State and local governments as a means to maximize individual liberty and make Government most responsive to those persons who might most responsibly influence it. For each of these reasons, I must rise in opposition to S. 562, the Senior Citizen Home Equity Protection Act.

Mr. LAZIO of New York. 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 New York [Mr. LAZIO] that the House suspend the rules and pass the Senate bill, S. 562, as amended.

The question was taken.

Mr. CONDIT. Mr. Speaker, I object to the vote on the ground that a quorum

is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. LAZIO of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 562 and that I be allowed to include a section-by-section analysis of the bill.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2016, MILITARY CONSTRUCTION APPROPRIATIONS

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 228 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H.RES. 228

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2016) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. LINDER] is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 228 waives all points of order against the conference report and against its consideration. The conference report for H.R. 2016, the military construction appropriations bill for fiscal year 1998, shall be considered as read. The House rules provide for 1 hour of general debate, divided equally between the chairman and ranking member of the Committee on Appropriations.

Mr. Speaker, this conference report appropriates a total of \$9.2 billion, which is \$600 million less than was appropriated last year. It is important to note, however, this amount is \$800 million more than the amount requested by the President.

We know that much of this Nation's military housing and on-base housing have deteriorated to substandard con-

ditions, unsuitable for the men and women who serve our Nation. While our Armed Forces deserve the very best we can provide, the current facilities assure that we will not be able to retain the best and brightest in our military.

□ 1415

This bill addresses the need to improve the quality of life of our military and their families.

Specifically, the bill provides \$3.9 billion for family housing, including funding for new housing and improvements. Regarding improvements in the quality of life that I mentioned earlier, H.R. 216 provides \$32 million for child development centers, \$163 million for medical facilities, and \$3 billion for the operation and maintenance of existing family housing units.

It is also important to note that the conference report appropriates \$857 million for environmental cleanup and \$104 million for environmental compliance.

I hope that we can pass this bill quickly so that there is no delay in cleaning up contaminated sites on our military bases.

This bill achieves our goal of spending taxpayer money more efficiently and where it is needed most. Notwithstanding the constraints we now face after decades of fiscal irresponsibility, H.R. 2016 effectively funds programs that will provide child day care centers and improved hospital facilities. These appropriations guarantee the health and safety of the families and children of our service men and women.

I want to congratulate the gentleman from California [Mr. PACKARD], the chairman of the subcommittee, and the gentleman from North Carolina [Mr. HEFNER], the ranking minority member, for their continued bipartisanship. These two men and their committee understand that this is an important bill for the men and women who defend our country.

I urge the House to pass this rule without delay so that we may proceed with the consideration of a conference report that will improve the quality of life, housing, and medical services of our Armed Forces, their families and their children.

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

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

Mr. Speaker, I rise in support of this rule and this conference report providing appropriations for military construction in fiscal year 1998. This conference report rightfully retains the emphasis the House-passed bill placed on quality-of-life issues for the men and women of our Armed Forces and their families, and deserves the support of all of the Members of this body.

Forty-two percent of the funds in this conference agreement are dedicated to family housing, including \$900 million for new family housing units and for improvements to existing units

and \$3 billion for the operation and maintenance of existing units. Decent housing for our troops and their families should be one of the highest priorities, and this bill makes a significant continued commitment toward improving the housing available on our military installations around the world.

But improvements are not just for family housing, Mr. Speaker. This conference agreement also provides \$724 million for barracks for single and unaccompanied military personnel. This conference report also includes \$32 million for child development centers and \$160 million for hospital and medical facilities on military installations.

In combination, these items total more than half of the \$9.2 billion recommended in this conference report, amply demonstrating the commitment of this conference on a bipartisan basis to improving the standard of living of the men and women we depend upon to protect and defend our Nation. It is the very least we can do, and I commend this conference report to my colleagues.

Mr. LINDER. Mr. Speaker, I will continue to reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker and Members of the House, at the time that the previous question is put I will ask for a vote on it, hoping to defeat the previous question so that we can make in order a resolution at the end of the resolution, adding a new section which would say that before the House adjourns sine die for the first session of this Congress it shall consider campaign finance reform legislation under an open amendment process.

Mr. Speaker and Members of the House, the purpose of this is to try once again to get the House to consider the important issue of campaign finance reform. We have seen, we have just come through an historic election in this country where hundreds of millions of dollars were raised and spent on behalf of various campaigns, and what we are witnessing now, both in the Senate and soon in the House, are investigations into how that money was spent by both the national committees and the administration and congressional campaign committees.

However, what has become very, very clear in that situation is that there is a dramatic need to overhaul our campaign finance system in this country. Money is now flowing into campaigns that overwhelms all of the limits that originally were placed on Federal campaigns in terms of what individual candidates can take, what individuals can contribute, what organizations, political action committees can contribute. We now see that those reforms are being overwhelmed by the huge influx of soft money into these campaigns.

I personally believe that we should have a ban on soft money, but more important than my personal belief is whether or not this House will schedule campaign finance reform for an open debate on the floor of the House of Representatives.

Last week, the American public witnessed the dictatorial activities of a senior Senator on the Foreign Relations Committee barring a hearing, a simple hearing, as to the fitness of a candidate for Ambassador to Mexico. Democracy seems to have been thrown out of the window here in terms of how these two bodies are now proceeding.

We now see that clearly a majority of Members of the House support some kind of campaign finance reform in one fashion or another, but we are not allowed to debate it. We are not allowed to debate it because a handful of people in the leadership have decided that it will not come to the floor.

POINT OF ORDER

Mr. LINDER. Point of order, Mr. Speaker.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman will state his point of order.

Mr. LINDER. Mr. Speaker, I would like to inquire of the Chair whether it is within the Rules of the House to refer to Members in the other body.

The SPEAKER pro tempore. It is not within the rules, and the Chair would advise the Member not to refer to individual Members from the other body.

The gentleman from California may proceed in order.

Mr. MILLER of California. Mr. Speaker, could the Chair explain to me how one talks about the other body, then?

The SPEAKER pro tempore. One refers to it as the other body, and one may not be critical of individual Senators.

Mr. MILLER of California. So some Member in the other body.

The SPEAKER pro tempore. The gentleman may proceed in order.

Mr. MILLER of California. I would be happy to. It is just an interesting notion of free speech.

I would have to say again that some Member in the other body, apparently a single Member in the other body which I cannot identify, but the other body, acted in such a fashion that one cannot get a hearing on the Presidential nomination for Ambassador to Mexico. Those of my colleagues who are familiar with encryption can figure out what I said. Those of my colleagues who are not can read the morning paper and find out what took place.

But the fact of the matter is in this body we see the same kinds of activities to deny a majority in this House a debate and a discussion and a vote on campaign finance reform, and that is tragic. That is tragic because what we see is the infusion of money. The infusion of money, much of the money that cannot be tracked, cannot be traced, nobody takes credit for it, and yet it shows up in campaigns on behalf of one

interest versus another, apparently completely unregulated by the campaign laws of this Nation, is influencing how we are making decisions. It is corroding the democratic process. It is corroding the democratic process in this House, and it is corroding the democratic process in the Senate. The time has come to give the people an opportunity to see where we stand on campaign finance reform.

This is not a liberal or conservative issue. This is not a Republican or Democratic issue, although it is the Republican leadership that is currently blocking this. We just noticed this week in one of the more conservative magazines in this country that campaign finance reform has become one of the top issues among conservative constituencies, about whether Republicans will have campaign finance reform or they will not. It has jumped from being of little notice by the American people to now in the double digits of what they consider to be the most important issue confronting this country.

Why is it the most important issue? Because whether we are doing military construction or whether we are doing a tax bill or a commerce bill or whatever it is, what we see now is the special interest influence on the outcome of these debates is disproportionate to that of the average American, and it is disproportionate for one reason. It is disproportionate because of money.

That we are influenced no longer is just the fact that Congressman so-and-so represents us and we can pick up the phone and say "I am an interested citizen in your district." What we now see is too often that phone call is delayed while we talk to people who give tens of thousands of dollars, hundreds of thousands of dollars, and most recently now million dollar contributions.

We now see it is the tobacco companies. We can talk all we want about tobacco while we were doing the tax bill, but it was not in there. And then late one night, the last night of the session, in the dark of night a \$50 billion provision got put in that bill because of soft money and special interest money, not because of the American people.

Mr. LINDER. Mr. Speaker, I yield myself 30 seconds to point out that the single largest special interest in the last election were the labor unions which spent, according to a Rutgers University study, between \$300 and \$500 million in campaigns, 100 percent of it against Republicans, and of the 84 or 85 proposals being proposed or offered as bills, not a single one from the Democrat side proposes dealing with that expenditure.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the Chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank my colleague from Georgia [Mr. LINDER], a member of the Committee on Rules, for yielding me this time.

Mr. Speaker, I would just like to remind the membership that we are de-

bating a rule which waives points of order against the conference report on the military construction appropriation bill. One would not believe that from what I heard when I was sitting up in my office a few minutes ago. Members should generally follow the Rules of the House around here and address themselves to the questions under debate. However, the issue that has been raised by some on the other side of the aisle is of great concern to me, and I really feel compelled to respond to it.

Today, many Members in the minority are advocating that the House should consider some form of campaign finance reform. Well, Mr. Speaker, according to the Congressional Research Service, there are approximately 85 campaign finance reform bills pending before this Congress right now. There are proposals from liberals, there are proposals from conservatives and Republicans and Democrats which approach this issue from differing philosophical perspectives.

But before any legislative body can make laws, it must first assess the functioning of the existing laws. The enforcement of existing law, Mr. Speaker, has experienced an absolute meltdown here in Washington. It is unbelievable to the American public.

When I talk to my constituents in upstate New York, I hear less interest in how political campaigns are financed and more interest in whether public officials in the Clinton White House will obey the law. That is what they were telling me this past weekend when I was home.

Mr. Speaker, the revelations of wrongdoing at the highest levels of the Clinton administration appear in this Nation's newspapers and magazines every single day, not just in conservative publications, but the New York Times just over the weekend calling for an independent counsel to be appointed, and yet nothing is being done by this Attorney General.

The fund-raising scandal of the Clinton administration which continues to unfold on a daily basis raises grave questions about economic espionage that every Member of this body ought to be concerned about. Economic espionage means the loss of American jobs and the extent to which American foreign policy was compromised by influence from a foreign power. Does that not bother my colleagues on the other side of the aisle? I am going to tell my colleagues something, it bothers me as a U.S. citizen.

Was American national security compromised by campaign contributions from abroad, Mr. Speaker? The newspaper editorials across this country say it was, and they call for an independent counsel. Did officials at the highest levels of the Clinton administration break the law in their zeal to raise funds for the President's reelection? Mr. Speaker, these are the profound issues which must be addressed by the investigative functions of this Congress

before we can adequately reshape campaign finance laws, if we need to do it at all.

Mr. Speaker, I would urge my friends on the other side to focus their attention on these congressional investigations which are ongoing, rather than call the House into consideration of a nefarious campaign finance reform bill. My constituents are not asking for a vague financing reform proposal, but rather that the occupants of the White House today simply respect their office, and especially the Cabinet level members of the White House, respect their office and obey the laws of the land and carry out their obligations. That is what we ought to be debating on this floor today. That is what the people back home want to know about, Mr. Speaker.

□ 1430

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. TIERNEY].

Mr. TIERNEY. Mr. Speaker, I rise also to talk about the fact that underlying all of the expenditures and the considerations for expenditures is the issue of how we do our business, and whether or not we do it in a credible fashion.

I take some issue with the previous speaker indicating that the voters in his district perhaps are not interested in having us debate campaign finance reform, and instead want to know more what is happening in the investigatory sense.

We have two committees, one in the House and one in the Senate, that are supposedly investigating past practices. Unfortunately, the one in the House is spending a lot of time doing depositions that, I might add, seem to be unfocused, accomplishing very little; in fact, I understand again today have postponed certain hearings with regard to that.

But people in the country are worried about what we are going to do about future practices. They are worried about both parties and the way their fund-raising enterprises have been conducted, and whether or not the perception is that there is any honesty in government, and whether or not the actions we take are credible. There is a perception that the amount of money that is injected into politics at all levels, but particularly the national level, have a bad effect, an ill effect, on our governing.

The fact of the matter is that once again it seems that States and cities are taking the lead in a lot of what should be national or Federal policy initiatives. They are driving national policy.

When it comes to talking about sanctions for South Africa, or it comes to talking about what is going on in Burma, it has been States and local communities that have taken the lead in trying to make sure that something happens there. When it comes to talking about minimum wages, it is the

States and local communities that have taken the risk of raising the minimum wage for workers in their communities.

The fact of the matter is that a number of States have moved forward on campaign finance reform. In Vermont we saw the legislature there pass a campaign finance reform initiative. In the State of Maine people went to the ballot and by almost 60 percent got behind a campaign finance reform initiative. In Ohio there has been a cutback in the large contributions and stiffened disclosure rules; in New Hampshire, stiffer disclosure rules; in New York, computerized disclosure rules.

In State after State, in Oregon and Idaho, New Mexico, Georgia, North Carolina, citizens' groups have gone to the fore and led the charge. We should not have to stay here in Congress and wait once again for local citizen groups, local communities, and States to lead the charge on what is, in fact, a national issue of importance to people. As well as knowing what might have gone wrong in the past, they insist that this body look forward to see what we are going to do with our own campaign finance practices.

At a bare minimum we ought to be looking at doing something about soft money. There are few, if any, people in the American public who doubt that that is at least one issue that we can resolve here and we can deal with in this session.

My suggestion is that if there are, in fact, 85 initiatives there, they ought to be assigned to committees, we ought to be debating those, we ought to be moving some of those to this floor, so the American people will not think that the only deliberative body in this entire country that seems unwilling to address the matter is the body that should be doing something first and foremost, this Congress.

Mr. LINDER. Mr. Speaker, I yield 7 minutes to the gentleman from Florida [Mr. SCARBOROUGH].

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

Mr. Speaker, I, too, want to stand up and echo some comments that were said earlier about how important this military construction budget is, and how important it is that we do first things first and take care of the men and women who have been taking care of our country. I have toured bases across the country, and I have seen, unfortunately, that funding for quality of life issues is woefully inadequate.

I wish this entire debate could be concerned around that, because we could talk not only for an hour but we could talk for days about the importance of taking care of the men and women in uniform that protect and defend this country, and have done so honorably for some time.

Regrettably, the subject has been changed. It has been changed time and time again. Regrettably, some people may believe that there is a cynical rea-

son why the subject continues to be changed. It continues to be changed because those that claim to want to change the law cannot even follow the laws that are already in practice.

I saw this weekend an editorial from the New York Times that aimed directly at many of those who are now clamoring for campaign finance reform. It was in the Sunday editorial. This same Democratic Party who is now stepping forward, claiming that they are now interested in campaign finance reform, took several hits from the usually liberal editorial page of the New York Times.

The New York Times this weekend wrote of this newly reform-minded Democratic Party: "The Democratic Party has engaged in a systematic scheme of juggling its books, transferring money from one account to another, in possible violation of the law." The New York Times also wrote, "* * * the Democrats mixed campaign accounts that are supposed to be rigidly separate. * * * The first order of business ought to be fixing responsibility for the Democrats' fund-raising abuses * * * the shuffling of accounts * * * the laundering of money and illegal transfers of funds from foreign sources."

The New York Times went on to talk about this newly reform-minded Democratic Party by stating, "Last week we learned that the Democratic National Committee routinely deposited soft money in its hard money or candidate accounts without informing the donors * * * it is clear that the DNC was casual about one of the law's most basic distinctions."

They also wrote, "The torrent of disclosures of political fund-raising abuses by the Democrats last year has no doubt had a numbing effect on many Americans. But if ordinary citizens find it hard to keep track of the shady characters, the bank transfers, and memos suggesting that the administration and others knew what they say they did not know, the Justice Department has no excuse."

They conclude by saying that this Attorney General, who for many Democrats in the early 1970's must have been outraged by a lot of the conduct of former Attorney General John Mitchell, it says, "This Attorney General should step aside and let someone with a less partisan view of law enforcement take over the crucial task of investigating the White House money flow."

Yet we continue to hear these so-called calls for reform, when the New York Times itself is talking about money laundering and continued violations of Federal law that we already have in practice.

I have been hearing this now for some time. We have heard that there is a connection, an illegal connection possibly, between the unions, which gave \$300,000 to \$500,000, and the Democratic National Committee; from Communist China and the Democrat National Committee; and all of these other illegal or improper sources, and

yet we hear the Democrats coming to the floor talking about the need for campaign finance reform.

It makes me wonder what parallels could be drawn from, let us say, the driver of Princess Diana coming back from the dead to talk about the need of lowering speed limits in tunnels throughout Paris, or talking about the need to toughen drunk driver laws in Paris. These same people that have violated law after law after law after law now come to us and talk about the need for new laws. They could not abide by the old ones, so let us make them tougher.

Let us talk about a few of the laws we could worry about that fix up things through the rest of this year without going to a new set. The 2 U.S.C. 2441(e) prohibits foreign nationals from directly or through others contributing to any political campaign or soliciting, accepting, or receiving such contributions; in other words, no foreign money. Clearly this law has already been violated.

Then there is section 18 U.S.C. 1956, which prohibits the solicitation or acceptance of laundered campaign contributions intended to conceal the nature, source, ownership, or control of funds. This would apply, for instance, if you are going to, let us say, a Buddhist temple for a fund-raiser and accepting money from dirt-poor Buddhist nuns who have taken an oath of poverty who mysteriously came up with \$140,000.

This law, it appears apparent in most major news articles, has already been violated.

Then there is 18 U.S.C. 607, which prohibits the solicitation of campaign funds on Government property. Records show that in this administration a number of people have violated this law over and over again.

Mr. Speaker, I do not have time to do it right now, but we could go through law after law after law. It is certainly not my point to embarrass anybody that comes to this floor, and I will not do it by talking about the specifics of their campaign accounts, but I will say that one person who continually comes to this floor talking about the need to be able to trace campaign forms, and I do not speak today of the gentleman from California [Mr. MILLER], who did bring up this subject, but one person who continually comes to this floor, who comes to this floor talking about the need to be able to trace campaign accounts, received over \$590,000 in soft money contributions from union sources who used them in television ads that could not be traced through the Federal Elections Commission.

Mr. Speaker, this call for the changes in laws is nothing more than an attempt to change the subject. Instead of talking about changing the laws, let us just have the Democrats and the Democratic National Committee abide by the laws that are already passed.

Mr. FROST. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the last speaker has made a bunch of interesting comments.

I would point out to him that the only Member of the House of Representatives who has pled guilty to campaign violations during this session of Congress was a Member on the other side of the aisle, a Republican Member from the State of California.

If he wants to make these kinds of allegations, he had best be careful when he is talking about Members of the House of Representatives.

Mr. SCARBOROUGH. Mr. Speaker, will the gentleman yield?

Mr. LINDER. I yield to the gentleman from Florida.

Mr. SCARBOROUGH. Mr. Speaker, my point would be if that gentleman came to this floor talking about the need to clean up campaign finance, I would be the first one to come to this floor telling him that he is acting shamelessly, telling him to get off the floor of this House.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon [Mr. DEFAZIO].

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

Mr. Speaker, we are having a little bit of an interesting dialog here on a topic that is important to many of the American people, which is the way we finance our campaigns here to get elected to the U.S. Congress, the Senate, and the Presidency. I think there is room for bipartisan agreement, which is that the current system stinks. It stinks. The influence of special interest money here in Washington, DC, is evident day in, day out.

Go back and page through the tax bill and wonder where some of those special provisions, the 73 special individual provisions in the tax bill which did not grant much tax relief to middle-American families, came from; very, very, very well-financed organizations that give tremendous amounts of money to people running for Federal office.

Mr. Speaker, the Republicans have a problem now. Now their own base, their own constituents, according to a recent poll in the Weekly Standard, a Republican conservative magazine, support by a large margin an overhaul of the way we finance campaigns in this country. So I can understand why the gentleman is defensive the other side of the aisle, why the gentleman wants to obfuscate the issue before us.

I am willing to admit there is a bipartisan problem. There is a problem both with the Democrats and with the Republicans here. I would like to remind the gentleman that it is Bob Dole's vice finance chairman who went to jail for 6 months, Simon Fireman, who pled guilty to 74 counts of money laundering.

Yes, we have some laws, and occasionally someone gets convicted, but the laws are full of loopholes. There are a lot of other people doing things that average Americans think they should go to jail for that are actually legal under these current loophole-ridden numbers.

I am a sponsor of a couple of campaign finance reform bills. I am not going to argue the merits of those bills today, but what I would like to do is see that we here in the U.S. Congress are given a couple of days or a week before we rush home to debate this vitally important issue.

What is wrong with debate? What is wrong with airing these issues? What is wrong with bringing a few bills to the floor in an open amendment process? We have been working on the Health and Human Services bill for 7 days now, interminably, with an open rule. Let us bring campaign finance reform to the floor with an open rule. The chairman of the Committee on Rules promised us we would do almost everything in this Congress under an open rule.

Let us bring something that is so vitally important, that goes so much to the heart of our democracy, here to this floor. Let us have a promise that we will have that debate. Let us have a campaign finance reform week before we leave.

In light of that, we are asking our colleagues to vote no on the previous question to demonstrate their support for bringing this issue up before Congress rushes back for the cover of their home districts.

Mr. LINDER. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona [Mr. SALMON].

Mr. SALMON. I thank the gentleman for yielding to me, Mr. Speaker.

Mr. Speaker, I rise in support of this rule. Sadly, we got a bit off track on what we are supposed to be discussing. I would concur with the gentleman from Florida's comments who said that we cannot talk about our men and women in the armed services and the wonderful contributions they make to this country.

Mr. Speaker, as I go home each weekend, I meet with constituents, and I talk on talk shows, and I do town hall meetings. The one thing that clearly is communicated to me time and time again is the fact that this body is not very well respected. In fact, some might even say this body is hated and despised. I think it is because hypocrisy flows down the aisles of this body. I think time and time again there are those that speak out of both sides of their mouths.

I am not saying there is a corner on that market with either party, but I have to say that the hypocrisy that I am hearing ring so loudly from the other side is very, very confusing and disheartening.

□ 1445

In fact, what they do rings so loudly in my ears I cannot hear what they say. In the past there have been TV evangelists who stand up, bully thump on the podium and talk about the ravages and the wrongs associated with immorality and extramarital affairs, and then these same TV evangelists, they patrol the streets looking for ladies of the evening to satisfy their desires, and then they wonder aloud why

people have lost confidence in them. And we see the exact same thing happening in this body when we see flagrant violation after violation after violation.

And then we have folks on the other side that are trying to play the old bait and switch trick, trying to take the attention from the one nut with the pea under it so that they can pull the old trick on us. Well, let us get down to business and let us make sure that we honor the laws that we have on the books.

I wish that the last speaker was just as passionate in calling for the Attorney General to call on a special counsel so that we can get to the bottom of whether or not existing laws have been violated. Again, what they do rings so loudly in my ears I cannot hear what they say.

The New York Times editorial says Democrats skim \$2 million to aid candidates, records show. Why is it that we are not getting that kind of information from the Justice Department? Why is it that we have to rely on the media? Why have we not got special counsel right now? The fact is the Democrats' call for bans on soft money are blatantly hypocritical. While the Democrats cry wolf, the President is soliciting soft contributions of \$250,000 a pop from these fund-raisers that he is having.

The Democrats' strategy is simple. Again, it is bait and switch. They are trying to change the subject from illegal fund-raising phone calls of a high ranking official in the White House; from that same official shaking down Buddhist monks. It is time to get with the program. It is time we should understand exactly how existing laws were violated before we cry out for a new law. We have to know all the facts before we move forward.

Should we hold those responsible for violating current campaign finance laws and make them accountable for their actions? Otherwise, if we are going to pass a new law and implement that law with a wink and a nod, as we are doing with existing laws, if we do not have then an Attorney General who has the guts and the decency to investigate current laws, why do we want to add more laws to the books?

It is irresponsible to blame the system for the mess that they are in. It was deliberate unlawful acts, not the system, that caused them to violate the campaign finance laws that existed in the last election. Their calls for new campaign laws are an attempt again to bait and switch.

We want to get the truth out. We all do. Let us work hard to do it, and work hard in a bipartisan way, but let us stop the hypocrisy and walk the walk as well as talking the talk and knock off the hypocritical bait and switch routine that is going on over there.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I can understand the protest

from the other side. If I was stonewalling this as hard as they are, I would raise the objections, too.

The fact of the matter is the record is clear that when the Democrats were in control of Congress in the 102d Congress, 1991-92, we passed campaign finance reform and it was vetoed by George Bush. In 1993 and 1994 the Democratic controlled House and Senate again passed comprehensive campaign finance reform, but MITCH MCCONNELL filibustered the final bill on a motion to appoint the conferees.

With the Republican control now in 1995 and 1996, nothing from the Republican Congress; and now in the 105th Congress, nothing from the Republican Congress except a stonewall of the efforts. Our record is clear. When we controlled the House, this debate was brought to the floor of the House and the House worked its will, the Senate worked its will and, unfortunately, President Bush vetoed that legislation.

So I can understand why my Republican colleagues are flailing their arms over there, but the fact of the matter is they are what stands between the American people and the cleaning up of this unacceptable campaign finance system that we currently have.

Mr. LINDER. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Speaker, I thank the gentleman for yielding me this time, and I wish to remind the body that this rule is for a bill that my colleague and I, the gentleman from North Carolina [Mr. HEFNER], have put together and has been through conference, and we would like to remind the body that that is what this debate is supposed to be about.

We have a good rule. I support the rule. I hope that the body will vote for the rule and that the debate that has now been going on, on campaign finance reform, will not divert our attention away from this very good rule.

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

First of all, let me say that I support the rule. This is a reasonable rule, as I stated earlier in my remarks. As the gentleman from California [Mr. MILLER] has indicated, it is his intention to oppose the previous question in order to make an amendment which would require the House to consider campaign finance legislation before we adjourn sine die for the first session of this Congress.

The request being made by the gentleman from California that we consider campaign legislation sometime between now and the end of October is a reasonable request. There are a number of proposals pending which would do a variety of things, and I do not agree with all of the things that are under consideration, and I would like to take a moment to discuss some aspects of that.

That does not mean that we should not consider campaign finance reform, but it does mean that there are some

aspects of campaign finance reform that require careful consideration. One is the effort to totally ban donations of non-Federal money, commonly called soft money, to political parties.

Such a ban would have the ultimate effect of destroying the political party system in this country. Mr. Speaker, the destruction of organized political parties does not serve the ends of democracy, and will certainly never ensure the free and open political discourse so many people seek.

Let me be specific. Under this proposal to totally ban soft money, all elections in even numbered years anywhere in this country would essentially be federalized; that is, all activities conducted by State and local political parties would have to be paid for entirely out of federally qualified funds, since the names of Federal candidates appear on the ballot in those years. State and local political parties would be precluded from using funds that are otherwise legal under State law during election years when Federal election contests take place.

Let me take this one step further. If the total ban on soft money were to become law, State and local political parties could not use any locally used funds for such activities as voter registration, slate cards that contain the names of Federal candidates, get-out-the-vote phone banks designed to identify and turn out voters for an entire party ticket, or even programs designed to assist seniors in voting absentee by mail. These activities are of course conducted by State and local parties, which depend upon a combination of non-Federal donations and hard dollars for the funds necessary to carry them out.

Mr. Speaker, since federally qualifying dollars are tightly limited and controlled, and go primarily to candidates for the purchase of television and other advertising, State and local parties and the State and local candidates they support would have great difficulty operating under such a proposal.

There is no question that there have been abuses in the way soft money has been raised and the way soft money has been spent, and I agree, Mr. Speaker, that those abuses should be addressed by the Congress and should be addressed this year. The appropriate way to address these abuses is not to ban soft money, but rather to place reasonable caps on how much any individual or other entity, such as a corporation or union, can contribute to a party committee while allowing political parties to continue to pay for basic turnout activities with a combination of hard and soft dollars.

Mr. Speaker, I for one believe that vibrant, healthy political parties are crucial for the effective functioning of democracy. I feel that the proposal supported by some to totally ban soft money would destroy the institutions that are basic to and necessary for the

continuation of a representative democratic government in this Nation. Political parties ensure democratic representation in all levels of government in our society, and without them I fear that ultimately only those individuals who have great personal wealth will have the means to run for political office.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. FARR], who has been very active in this area of campaign finance reform on a comprehensive basis for a sustained period of time.

Mr. FARR of California. Mr. Speaker, I would like to submit for the RECORD a short history of campaign finance reform and make it part of the RECORD.

Basically, we have heard comments here today that we as legislators should not legislate; that all we ought to do is investigate, give up our role of making law even when we find things that are broke that need fixing. We would rather hear and smear than make things that are wrong right.

I want to just point out to this House that has certainly not been the history under previous leadership in this House. Whenever my party, the minority party now, has been in charge of this House, we have passed comprehensive campaign finance reform, and that comprehensive campaign finance reform has done one of the primary things that is needed in this country that everybody is talking about, and that is put a limit on what we can spend.

People will say that is unconstitutional, the courts have said. They have never said we could not, in a law, set up a system where candidates could voluntarily limit themselves, and that is the bill that is before this Congress. It was before the last Congress. And in fact in the last Congress it was the bill that got more votes than any other bill on campaign reform.

Unfortunately, this year, we have not even been able to have a hearing in the committee of authorization, much less set a schedule for when that bill will be brought to the floor and voted on.

The American public is sick and tired of seeing us just talk about campaign finance reform, just to investigate past campaigns, they want us to use our role as legislators. The courts cannot do that. The administration cannot do that. When things are broken in the law, the only people that can fix it are the people that are serving in this House. And in fact we can fix it for our House without even fixing it for the Senate. We can have a different set of rules in running for the U.S. Congress.

And we ought to be doing that but, instead, we are trying to backpedal, we are trying to find excuses, we want to have more hearings, we want to discuss it. Well, the history shows that this House has never done that before. We have never waited so long to do so little about campaign reform as we are doing in this session.

In the 1989-90, the 101st Congress, a bill was passed then by Tony Coelho,

and it had cosponsors on the other side. It went through the hearings, was adopted and passed the House on August 3, 1990, by a vote of 255. Obviously, it could not have been done just on a pure partisan vote. Bipartisan vote on a comprehensive campaign reform, that same bill, is sitting before the House today, an approved version of that bill H.R. 600.

In the 102d Congress the gentleman from Connecticut [Mr. GEJDENSON] introduced a bill. It had key sponsors from both sides of the aisle. It went through a hearing process and passed the House on November 25.

Mr. Speaker, I will submit the remainder of my remarks for the RECORD. Since I am out of time.

A SHORT HISTORY OF CAMPAIGN FINANCE REFORM

100TH CONGRESS, 1987-88

House

H.R. 2717: Introduced June 18, 1987 by Tony Coelho (D-CA).

Key Cosponsors: Leach, Synar; 96 cosponsors in all.

Legislative action: Went through the hearing process but was never reported from committee (never went to the floor).

Senate

S. 2: Introduced January, 1987 by David Boren (D-OK).

Legislative action: Then-Majority Leader Bob Byrd tried to bring the bill to the floor for a vote. The Republicans filibustered the consideration of the bill for a record seven cloture votes.

101ST CONGRESS, 1989-90

House

H.R. 14: Introduced January 3, 1989 by Tony Coelho (D-CA).

Key Cosponsors: Leach, Synar; 98 cosponsors in all.

Legislative action: No action taken on this bill; for further action, see H.R. 5400.

H.R. 5400: Introduced July 30, 1990 by Al Swift (D-WA).

Key Cosponsors: Gephardt, Gray, Brooks, Annunzio, McHugh, Anthony, Frost, Sabo, Synar; 9 cosponsors in all.

Legislative action: Went through the hearing process. Passed the House August 3, 1990 by a vote of 255-155 (including 15 Republicans voting yes). Was adopted in the Senate on September 18, 1990.

Senate

S. 137: Introduced January 25, 1989 by David Boren (D-OK).

Legislative action: Went through the hearing process. Passed the Senate on September 18, 1990 (H.R. 5400 in lieu) by voice vote.

Conferees were never appointed to reconcile the two versions of the bill. Congress adjourned October 28, 1990.

102D CONGRESS, 1991-92

House

H.R. 3750: Introduced November 21, 1991 by Sam Gejdenson (D-CT).

Key Cosponsors: Gephardt, Bonior, Derick, Kennelly, Lewis (GA), Hoyer, Fazio; 82 cosponsors in all.

Legislative action: Went through the hearing process. Passed the House November 25, 1991 by a vote of 273-156.

Senate

S. 3: Introduced January 14, 1991 by David Boren (D-OK).

Legislative action: Went through the hearing process. Passed the Senate May 23, 1991 by a vote of 56-42 (H.R. 3750 in lieu).

Conferees were appointed in March, 1992.

House agreed to the conference report on April 9, 1992 by a vote of 259-165.

Senate agreed to the conference report on April 30, 1992 by a vote of 58-42.

President Bush vetoed the bill May 5, 1992. Senate failed to override the veto May 13, 1992 by a vote of 57-42.

103D CONGRESS, 1993-94

House

H.R. 3: Introduced January 5, 1993 by Sam Gejdenson (D-CT).

Key Cosponsors: Gephardt, Bonior, Derick, Kennelly, Lewis (GA), Hoyer, Fazio; 45 cosponsors in all.

Legislative action: Passed the House November 22, 1993 by a vote of 255-175 (S. 3 in lieu); requested conference with the Senate the same day.

Senate

S. 3: Introduced January 21, 1993 by David Boren (D-OK).

Legislative action: Passed the Senate June 17, 1993 by a vote of 60-38. Cloture filed on motion to go to conference on September 23, 1994 due to filibuster by Senator Phil Gramm (R-TX); cloture failed on September 27. Second cloture petition filed on September 28; failed on September 30.

Congress adjourned sine die on October 8, 1994.

104TH CONGRESS, 1995-96

House

H.R. 3505: Introduced May 22, 1996 by Sam Farr (D-CA).

Key Cosponsors: Gephardt, Bonior, Fazio, DeLauro, Lewis (GA), Richardson, Kennelly; 88 cosponsors in all.

Legislative action: Went through the hearing process; was offered as a substitute to the Republican campaign finance reform bill in committee and on the floor. Failed passage on the floor 177-243. Received bipartisan support.

Senate

S. 1219: Introduced September 2, 1995 by John McCain (R-AZ).

Legislative action: Went through hearing process; cloture filed, failed by a vote of 54-46 on June 25, 1996.

Office of Rep. Sam Farr,

September 9, 1997.

Mr. LINDER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we are here ignoring the purpose of this rule, military construction, and debating campaign finance. It should be pointed out that we are in this fix because the Democrats passed comprehensive reform in 1975, after Watergate, and the adherence to the rules they cannot abide by, and now they want to fix it.

The previous speaker said his party has passed comprehensive reform on many occasions since 1989. They have, reform that they are very happy with because it does not deal with off-record spending by labor unions, the Sierra Club, Ralph Nader, but only those monies raised and spent by candidates. The gentleman from California only deals with soft money. He does not care about all the rest of it, he has to fix soft money.

The fact of the matter is we have good laws on the books that have been broken, and rather than admit that the laws that they broke should put people in trouble with the Justice Department, they want to change the system.

This is not new. I have raised two kids through their adolescent and teenage years who are now adults. I have seen people get caught, young children get caught with their hand in the cookie jar and blame the cookie jar. This is blame the system and change the subject.

I have not heard much lately from the Vice President regarding campaign reform. That is perhaps because he has so abused the laws currently on the books. We now see, according to Time Magazine, that his former chief adviser, Mr. Peter Knight, is under investigation by the Justice Department because of his multilayered connections to a Massachusetts manufacturer. They won \$33 million in Federal contracts and regulatory breaks from this administration, while the firm and its officers raised or gave a total of \$132,000 for the President and his party in the last election.

□ 1500

It goes on to say that Mr. Knight is the epitome of a new generation of money men in both parties whose works does not end with the election, it really just begins. This is the influence peddling. It has nothing to do with money raised or spent legally by Members of Congress or the Senate for election. This is influence peddling, and there are laws on the books currently against that.

It was brought up earlier that the gentleman from California [Mr. KIM] has admitted to raising illegal foreign contributions and is accepting his punishment. It was further brought up that a gentleman raised money for Senator Bob Dole's presidential campaign and spent time in jail. Both are true.

The Justice Department worked fast, swift, and sure against Republicans. But what has it done against Charlie Trie or John Huang or the lady from Thailand, whose last name escapes me? It has not even begun hearing them. The gentleman who helped Senator Bob Dole's Presidential campaign was in jail before. John Huang has not even been questioned.

If the Justice Department worked as meticulously and as quick in the questions of Democratic abuse as it does Republican abuse, we would not be having this discussion.

Mr. Speaker, let me conclude by reminding my colleagues that defeating the previous question is an exercise in futility because the minority wants to offer an amendment that will be ruled out of order as non-germane to this rule. So the vote is without substance. The previous question vote itself is simply a procedural motion to close debate on this rule and proceed to vote on its adoption. The vote has no substantive or policy implication whatsoever.

Mr. Speaker, at this point in the RECORD, I insert an explanation to the previous question.

[From the House Rules Committee]
THE PREVIOUS QUESTION VOTE: WHAT IT MEANS

The previous question is a motion made in order under House Rule XVII and is the only parliamentary device in the House used for closing debate and preventing amendment. The effect of adopting the previous question is to bring the resolution to an immediate, final vote. The motion is most often made at the conclusion of debate on a rule or any motion or piece of legislation considered in the House prior to final passage. A Member might think about ordering the previous question in terms of answering the question: Is the House ready to vote on the bill or amendment before it?

In order to amend a rule (other than by using those procedures previously mentioned), the House must vote against ordering the previous question. If the previous question is defeated, the House is in effect, turning control of the Floor over to the Minority party.

If the previous question is defeated, the Speaker then recognizes the Member who led the opposition to the previous question (usually a Member of the Minority party) to control an additional hour of debate during which a germane amendment may be offered to the rule. The Member controlling the Floor then moves the previous question on the amendment and the rule. If the previous question is ordered, the next vote occurs on the amendment followed by a vote on the rule as amended.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appear to have it.

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 5 of rule XV, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were— yeas 238, nays 189, not voting 6, as follows:

[Roll No. 393]

YEAS—238

Aderholt	Boehner	Chambliss
Archer	Bonilla	Chenoweth
Armey	Bono	Christensen
Bachus	Boswell	Coble
Baker	Boucher	Coburn
Ballenger	Brady	Collins
Barr	Bryant	Combest
Barrett (NE)	Bunning	Cook
Bartlett	Burr	Cooksey
Barton	Burton	Cox
Bass	Buyer	Crane
Bateman	Callahan	Crapo
Bereuter	Calvert	Cubin
Bilbray	Camp	Cunningham
Bilirakis	Campbell	Davis (VA)
Bishop	Canady	Deal
Bliley	Cannon	DeLay
Blunt	Castle	Diaz-Balart
Boehlert	Chabot	Dickey

Dicks	Kim	Riggs
Dixon	King (NY)	Riley
Doolittle	Kingston	Rogan
Dreier	Klug	Rogers
Duncan	Knollenberg	Rohrabacher
Dunn	Kolbe	Ros-Lehtinen
Ehlers	LaHood	Roukema
Ehrlich	Largent	Royce
Emerson	Latham	Ryun
English	LaTourette	Salmon
Ensign	Lazio	Sanford
Everett	Leach	Saxton
Ewing	Lewis (CA)	Scarborough
Fawell	Lewis (KY)	Schaefer, Dan
Foley	Linder	Schaffer, Bob
Forbes	Livingston	Sensenbrenner
Fowler	LoBiondo	Sessions
Fox	Lucas	Shadegg
Franks (NJ)	Manzullo	Shaw
Frelinghuysen	Markey	Shays
Gallegly	McCollum	Shimkus
Ganske	McCrery	Shuster
Gekas	McDade	Skeen
Gibbons	McHugh	Smith (MI)
Gilchrest	McInnis	Smith (NJ)
Gillmor	McIntosh	Smith (OR)
Gilman	McIntyre	Smith (TX)
Goodlatte	McKeon	Smith, Linda
Goodling	Metcalfe	Snowbarger
Goss	Mica	Solomon
Graham	Miller (FL)	Souder
Granger	Moran (KS)	Spence
Greenwood	Morella	Stearns
Gutknecht	Murtha	Stenholm
Hall (TX)	Myrick	Stump
Hansen	Nethercutt	Sununu
Hastert	Neumann	Talent
Hastings (WA)	Ney	Tauzin
Hayworth	Northup	Taylor (MS)
Hefley	Norwood	Taylor (NC)
Hefner	Nussle	Thomas
Herger	Oxley	Thornberry
Hill	Packard	Thune
Hilleary	Pappas	Tiahrt
Hobson	Parker	Trafficant
Hoekstra	Paul	Upton
Horn	Paxon	Walsh
Hostettler	Pease	Wamp
Houghton	Peterson (PA)	Watkins
Hulshof	Petri	Watts (OK)
Hunter	Pickering	Weldon (FL)
Hutchinson	Pitts	Weldon (PA)
Hyde	Pombo	Weller
Inglis	Porter	White
Istook	Portman	Whitfield
Jenkins	Pryce (OH)	Wicker
Johnson (CT)	Quinn	Wolf
Johnson, Sam	Radanovich	Young (AK)
Jones	Ramstad	Young (FL)
Kasich	Redmond	
Kelly	Regula	

NAYS—189

Abercrombie	DeGette	Hoyer
Ackerman	DeLauro	Jackson (IL)
Allen	Dellums	Jackson-Lee
Andrews	Deutsch	(TX)
Baesler	Dingell	Jefferson
Baldacci	Doggett	John
Barcia	Dooley	Johnson (WI)
Barrett (WI)	Doyle	Johnson, E. B.
Becerra	Edwards	Kanjorski
Bentsen	Engel	Kaptur
Berman	Eshoo	Kennedy (MA)
Berry	Etheridge	Kennedy (RI)
Blagojevich	Farr	Kennelly
Blumenauer	Fattah	Kildee
Bonior	Fazio	Kilpatrick
Borski	Filner	Kind (WI)
Boyd	Flake	Kleccka
Brown (CA)	Ford	Klink
Brown (OH)	Frank (MA)	Kucinich
Capps	Frost	LaFalce
Cardin	Gejdenson	Lampson
Carson	Gephardt	Lantos
Clay	Goode	Levin
Clayton	Gordon	Lewis (GA)
Clement	Green	Lipinski
Clyburn	Gutierrez	Lofgren
Condit	Hall (OH)	Lowe
Conyers	Hamilton	Luther
Costello	Harman	Maloney (CT)
Coyne	Hastings (FL)	Maloney (NY)
Cramer	Hilliard	Manton
Cummings	Hinche	Martinez
Danner	Hinojosa	Mascara
Davis (FL)	Holden	Matsui
Davis (IL)	Hooley	McCarthy (MO)
DeFazio		McCarthy (NY)

McDermott	Peterson (MN)	Snyder
McGovern	Pickett	Spratt
McHale	Pomeroy	Stabenow
McKinney	Poshard	Stark
McNulty	Price (NC)	Stokes
Meehan	Rahall	Strickland
Meek	Rangel	Stupak
Menendez	Reyes	Tanner
Millender-	Rivers	Tauscher
McDonald	Rodriguez	Thompson
Miller (CA)	Roemer	Thurman
Minge	Rothman	Tierney
Mink	Roybal-Allard	Torres
Moakley	Rush	Towns
Mollohan	Sabo	Turner
Moran (VA)	Sanchez	Velazquez
Nadler	Sanders	Vento
Neal	Sandlin	Visclosky
Oberstar	Sawyer	Waters
Obey	Schumer	Watt (NC)
Olver	Scott	Waxman
Ortiz	Serrano	Wexler
Owens	Sherman	Weygand
Pallone	Sisisky	Wise
Pascrell	Skaggs	Woolsey
Pastor	Skelton	Wynn
Payne	Slaughter	Yates
Pelosi	Smith, Adam	

NOT VOTING—6

Brown (FL)	Foglietta	Gonzalez
Evans	Furse	Schiff

□ 1532

Messrs. MARTINEZ, MORAN of Virginia, and BROWN of Ohio changed their vote from "yea" to "nay."

Messrs. PAPPAS, SMITH of Oregon, SAXTON, and DOOLITTLE changed their vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore [Mr. LAHOOD]. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PACKARD. Mr. Speaker, pursuant to House Resolution 228, I call up the conference report on the bill (H.R. 2016) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of September 9, 1997, at page H7084.)

The SPEAKER pro tempore. The gentleman from California [Mr. PACKARD] and the gentleman from North Carolina [Mr. HEFNER] each will control 30 minutes.

The gentleman recognizes the gentleman from California [Mr. PACKARD].

GENERAL LEAVE

Mr. PACKARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to ac-

company H.R. 2016, and that I may include tabular and extraneous material.

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

There was no objection.

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

Mr. Speaker, the conferees completed this agreement in a short 10 minutes with no disagreement. We have emphasized in this conference report family and unaccompanied housing, daycare centers, hospitals, and those quality of life issues that affect our men and women in the services.

There is no disagreement on the conference report. We feel it will move rather quickly without a great deal of discussion.

I want to express my appreciation to the gentleman from North Carolina [Mr. HEFNER], my counterpart and former chairman of this subcommittee, for the remarkable work he has done in helping to bring this about, and to all members of the committee and subcommittee, both on the Democrat and Republican side. It has been a bipartisan effort to put this conference report together.

Mr. Speaker, I include the following for the RECORD.

MILITARY CONSTRUCTION APPROPRIATIONS BILL, 1998 (H.R. 2016)

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
Military construction, Army.....	565,688,000	595,277,000	721,027,000	652,046,000	714,377,000	+148,689,000
Rescissions.....	-3,028,000					+3,028,000
Total, Military construction, Army (net)	562,660,000	595,277,000	721,027,000	652,046,000	714,377,000	+151,717,000
Military construction, Navy	707,084,000	540,106,000	685,306,000	605,756,000	683,666,000	-23,428,000
Rescissions.....	-19,780,000					+19,780,000
Total, Military construction, Navy (net).....	687,314,000	540,106,000	685,306,000	605,756,000	683,666,000	-3,648,000
Military construction, Air Force.....	754,064,000	495,782,000	662,305,000	662,305,000	701,855,000	-52,209,000
Rescissions.....	-5,100,000					+5,100,000
Total, Military construction, Air Force (net)	748,964,000	495,782,000	662,305,000	662,305,000	701,855,000	-47,109,000
Military construction, Defense-wide	763,922,000	673,633,000	613,333,000	690,889,000	646,342,000	-117,580,000
Rescissions.....	-51,000,000					+51,000,000
Total, Military construction, Defense-wide (net).....	712,922,000	673,633,000	613,333,000	690,889,000	646,342,000	-66,580,000
Total, Active components.....	2,711,880,000	2,304,786,000	2,681,971,000	2,610,996,000	2,746,240,000	+34,380,000
Department of Defense Military Unaccompanied Housing Improvement Fund	5,000,000					-5,000,000
Military construction, Army National Guard	78,086,000	45,098,000	45,098,000	234,614,000	118,350,000	+40,264,000
Military construction, Air National Guard	189,855,000	60,225,000	137,275,000	185,115,000	190,444,000	+589,000
Rescission	-5,000,000					+5,000,000
Total, Military construction, Air National Guard (net).....	184,855,000	60,225,000	137,275,000	185,115,000	190,444,000	+5,589,000
Military construction, Army Reserve	55,543,000	39,112,000	77,731,000	96,079,000	74,167,000	+18,624,000
Military construction, Naval Reserve	37,579,000	13,921,000	40,561,000	21,111,000	47,329,000	+9,750,000
Military construction, Air Force Reserve.....	52,805,000	14,530,000	27,143,000	31,830,000	30,243,000	-22,562,000
Total, Reserve components.....	408,868,000	172,866,000	327,808,000	568,749,000	460,533,000	+51,665,000
Total, Military construction	3,125,728,000	2,477,684,000	3,009,779,000	3,179,745,000	3,206,773,000	+81,045,000
Appropriations.....	(3,209,636,000)	(2,477,684,000)	(3,009,779,000)	(3,179,745,000)	(3,206,773,000)	(-2,863,000)
Rescissions.....	(-83,908,000)					(+83,908,000)
NATO Security Investment Program.....	172,000,000	176,300,000	166,300,000	152,600,000	152,600,000	-19,400,000
Family housing, Army:						
Construction	158,503,000	143,000,000	202,131,000	167,100,000	197,300,000	+38,797,000
Operation and Maintenance	1,212,466,000	1,148,937,000	1,148,937,000	1,149,937,000	1,140,568,000	-71,898,000
Total, Family housing, Army.....	1,370,969,000	1,291,937,000	1,351,068,000	1,317,037,000	1,337,868,000	-33,101,000
Family housing, Navy and Marine Corps:						
Construction	499,886,000	278,933,000	409,178,000	362,619,000	393,832,000	-106,054,000
Operation and Maintenance	1,020,721,000	976,504,000	976,504,000	976,504,000	976,504,000	-44,217,000
Total, Family housing, Navy.....	1,520,607,000	1,255,437,000	1,385,682,000	1,339,123,000	1,370,336,000	-150,271,000
Family housing, Air Force:						
Construction	317,507,000	253,128,000	341,409,000	296,633,000	295,709,000	-21,798,000
Operation and Maintenance	816,509,000	830,234,000	830,234,000	830,234,000	830,234,000	+13,725,000
Total, Family housing, Air Force.....	1,134,016,000	1,083,362,000	1,171,643,000	1,126,867,000	1,125,943,000	-8,073,000
Family housing, Defense-wide:						
Construction	4,371,000	4,950,000	4,950,000	4,950,000	4,950,000	+579,000
Operation and Maintenance	30,963,000	32,724,000	32,724,000	32,724,000	32,724,000	+1,761,000
Total, Family housing, Defense-wide.....	35,334,000	37,674,000	37,674,000	37,674,000	37,674,000	+2,340,000
Department of Defense Family Housing Improvement Fund.....	25,000,000					-25,000,000
Homeowners Assistance Fund, Defense	36,181,000					-36,181,000
Total, Family housing.....	4,122,107,000	3,668,410,000	3,946,067,000	3,820,701,000	3,871,821,000	-250,286,000
Construction.....	(980,267,000)	(680,011,000)	(957,668,000)	(831,302,000)	(891,791,000)	(-88,476,000)
Operation and Maintenance	(3,080,659,000)	(2,988,399,000)	(2,988,399,000)	(2,989,399,000)	(2,980,030,000)	(-100,629,000)
Family Housing Improvement Fund	(25,000,000)					(-25,000,000)
Homeowners Assistance Fund.....	(36,181,000)					(-36,181,000)

MILITARY CONSTRUCTION APPROPRIATIONS BILL, 1998 (H.R. 2016) — continued

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
Base realignment and closure accounts:						
Part II.....	352,800,000	116,754,000	116,754,000	116,754,000	116,754,000	-236,046,000
Rescissions.....	-35,391,000					+35,391,000
Subtotal.....	317,409,000	116,754,000	116,754,000	116,754,000	116,754,000	-200,655,000
Part III.....	971,925,000	768,702,000	768,702,000	768,702,000	768,702,000	-203,223,000
Rescissions.....	-75,638,000					+75,638,000
Subtotal.....	896,287,000	768,702,000	768,702,000	768,702,000	768,702,000	-127,585,000
Part IV.....	1,182,749,000	1,175,398,000	1,175,398,000	1,175,398,000	1,175,398,000	-7,351,000
Rescissions.....	-22,971,000					+22,971,000
Subtotal.....	1,159,778,000	1,175,398,000	1,175,398,000	1,175,398,000	1,175,398,000	+15,620,000
Total, Base realignment & closure accounts (net).....	2,373,474,000	2,060,854,000	2,060,854,000	2,060,854,000	2,060,854,000	-312,620,000
Revised Economic Assumption (sec. 125).....				-31,000,000	-108,800,000	-108,800,000
Grand total:						
New budget (obligational) authority.....	9,793,309,000	8,383,248,000	9,183,000,000	9,182,900,000	9,183,248,000	-610,061,000
Appropriations.....	(10,011,217,000)	(8,383,248,000)	(9,183,000,000)	(9,182,900,000)	(9,183,248,000)	(-827,969,000)
Rescissions.....	(-217,908,000)					(+217,908,000)

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

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

Mr. Speaker, I would just like to echo what my friend the gentleman from California [Chairman PACKARD] said, and also compliment the staff for an excellent job, as well as all the members on the committee.

This is a good bill. It goes toward the things we are so concerned about, the quality of life for our men and women in the Armed Forces. I would urge all Members to vote for this conference report, because it is not controversial and it is something that is good for our men and women in the service.

Mr. UNDERWOOD. Mr. Speaker, the House and Senate conference committee report on H.R. 2016, Military Construction Appropriations for FY 1998, secures funding for the replacement of the fuel pipeline at Andersen Air Force Base on Guam. This is good news for the people of Guam.

Recent information relayed to my office indicated that funding for the pipeline relocation project was in danger of being withdrawn in favor of a Military Housing Project. The jet fuel pipes in question are currently installed above ground and are largely located outside Andersen Air Force Base. Had funding for the project been cut, the safety of the military and civilian population on Guam would have been threatened. In addition, leaving these pipes exposed would hinder economic development on Guam due to blockage of access areas. This is why I am greatly relieved that the conferees decided to restore funds for the pipeline project.

While, the pipeline relocation project is of prime importance to the people of Guam, however, I remain concerned that funds were restored at the expense of military housing improvements. I would like to assure everyone that the quality of life for our service members on Guam remains a priority and that I will continue to try securing funds for the project in the future.

In addition, I am happy to see that some \$80 million has been earmarked for barracks improvements in Korea. During my trip to Korea, I actually witnessed the dilapidated condition of their living facilities. The funds designated for this project will surely be welcomed and will improve the quality of life for our troops in Korea.

The Conference Committee also appropriated millions of dollars worth of add-ons for Guard and Reserve activities. However, none of the funds were made available to the Guam Army National Guard. I would like to call to everyone's attention that, due to lack of funding this year, the Guam Army National Guard continues to hold the distinction of being the only National Guard Unit that does not have an Armory. This is something that should be of concern to everyone and some thing that should be in everyone's agenda for the next fiscal year's appropriations.

Mr. PACKARD. Mr. Speaker, I rise in strong support of the final conference version of the FY 1998 Military Construction Appropriations Bill, H.R. 2016, which passed the House of Representatives by a vote of 413 to 12 earlier today. As chairman of the House committee which crafted this legislation, I can attest to the bi-partisan, cooperative spirit in which we

have worked to bring this bill before Congress. My colleagues and I have worked to ensure that this legislation is both fiscally responsible and effective in addressing the needs of our armed services. The overwhelming support H.R. 2016 received today is clear proof of this legislation's merit.

The Military Construction Subcommittee appropriates funds for family housing, troop barracks, medical facilities and other items essential to the quality of life for our soldiers and their families. While the members of my Subcommittee are responsible for producing a bill that helps protect our national security, we are also compelled to honor a commitment to take care of those who guard our nation and protect freedom worldwide. Mr. Speaker, with the approval of this legislation today, Congress is sending the President a bill that accomplished nothing less.

I think most Americans would be shocked to see the finest trained and best equipped fighting force in the world coming home to leaky roofs, floors with holes and pipes that spew dirty water. Unfortunately, I have learned during my travel to defense installations both here and abroad that these unspeakable conditions are often a reality for the American soldier and his or her family. In fact, over sixty percent of all family housing in the military is unsuitable. Mr. Speaker, that is absolutely unacceptable.

More than any other legislation we will consider this year, the Military Construction Appropriations bill has the most significant impact on those who serve our nation. This year, our bill directs nearly \$4 billion toward new family housing and improvements of existing facilities. We are providing \$32 million for new child development centers and \$163 million for hospital and medical facilities. We are also directing \$724 million for troop barracks that will directly benefit over 12,000 service members.

Mr. Speaker, if America wishes to remain the leader of the free world, we must take care of the men and women who protect our democratic ideals. I thank my colleagues for supporting this legislation and urge the president to sign it when it reaches his desk.

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

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 7, rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 413, nays 12, not voting 8, as follows:

[Roll No. 394]

YEAS—413

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger

Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry

Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehert
Boehner
Bonilla
Bonior
Bono

Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas

Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Heger
Hill
Hilleary
Hilliard
Hinchee
Hinojosa
Hobson
Hoekstra
Holden
Hoolley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee
Deal (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowery
Lowe
Lucas
Luther
Maloney (CT)

Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCreary
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalfe
Mica
Miller (CA)
Miller (FL)
Mink
Moakley
Molohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin

Sanford	Snyder	Traficant
Sawyer	Solomon	Turner
Saxton	Souder	Velazquez
Scarborough	Spence	Vento
Schaefer, Dan	Spratt	Visclosky
Schaffer, Bob	Stabenow	Walsh
Schumer	Stearns	Wamp
Scott	Stenholm	Waters
Serrano	Stokes	Watkins
Sessions	Strickland	Watt (NC)
Shadegg	Stump	Watts (OK)
Shaw	Stupak	Waxman
Shays	Sununu	Weldon (FL)
Sherman	Talent	Weldon (PA)
Shimkus	Tanner	Weller
Shuster	Tauscher	Wexler
Sisisky	Tauzin	Weygand
Skaggs	Taylor (MS)	White
Skeen	Taylor (NC)	Whitfield
Skelton	Thomas	Wicker
Slaughter	Thompson	Wise
Smith (MI)	Thune	Wolf
Smith (NJ)	Thurman	Woolsey
Smith (OR)	Tiahrt	Wynn
Smith, Adam	Tierney	Yates
Smith, Linda	Torres	Young (AK)
Snowbarger	Towns	Young (FL)

NAYS—12

Barrett (WI)	McCollum	Sensenbrenner
Campbell	Minge	Stark
Cubin	Paul	Thornberry
Filner	Royce	Upton

NOT VOTING—8

Brown (FL)	Gonzalez	Nadler
Evans	Millender	Schiff
Furse	McDonald	Smith (TX)

□ 1600

Mr. MINGE changed his vote from "yea" to "nay."

Mr. MENENDEZ changed his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. MILLENDER-MCDONALD. Mr. Speaker, during rollcall vote No. 394 on H.R. 2016 I was unavoidably detained. Had I been present, I would have voted "yea".

THE JOURNAL

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 5 of rule I, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

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

APPOINTMENT OF CONFEREES ON H.R. 2159, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1998

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2159) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MS. PELOSI
Ms. PELOSI. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Ms. PELOSI moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 2159, making appropriations for foreign operations, export financing, and related financing for the fiscal year 1998, be instructed to insist on the provision of the House bill with respect to providing \$650 million for the Child Survival and Disease Programs Fund, including \$50 million for combatting infectious diseases.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California [Ms. PELOSI] and the gentleman from Alabama [Mr. CALLAHAN] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I have chosen to make the Child Survival and Disease Programs Fund the subject of my motion to instruct on the foreign operations appropriations bill because of its vital importance and to reinforce a top priority of the House with respect to this bill.

The House, under the leadership of Chairman CALLAHAN, included \$650 million for the Child Survival and Disease Programs Fund in order to emphasize that child survival and its programs to reduce infant mortality and to improve the health and nutrition of children in the poorest nations of the world should be our highest priority in our foreign assistance programs.

This year's bill contains an increase of \$50 million over the amounts provided last year specifically to combat infectious diseases around the world. These funds will add to the funds already planned to combat diseases such as HIV/AIDS, tuberculosis, polio, yellow fever, malaria, and measles. The Senate bill does not segregate these funds in a separate account, and provides for only \$30 million to combat infectious diseases.

The passage of this motion, which I am confident the Chairman will support, will strengthen the position of the House as we go into conference. I look forward to working with Chairman CALLAHAN in securing conference approval for this funding in a separate account, and at a full amount of \$650 million.

In addition, I look forward to working cooperatively with Chairman CALLAHAN, as we have so far, in achieving a conference agreement on foreign operations which funds all the programs in the bill at a level which will allow for sufficient resources to preserve the U.S. role of the world's only remaining superpower.

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

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

Mr. Speaker, I have received broad bipartisan support for the appropriations account I created several years ago for child survival and disease pro-

grams. This funding is intended to help protect the children of the world and to help stem the tide of infectious diseases that threaten both our children and ourselves.

We provided funding of \$600 million for these activities in fiscal year 1997. Although the administration proposed to slash these funds by \$44 million in 1998, we rejected that cut. In fact, we added \$50 million, for a total of \$650 million, to the child survival and disease programs fund, in order to focus on the growing problem of infectious diseases throughout the world.

Even before this year's initiative, the Subcommittee on Foreign Operations, Export Financing and Related Programs launched an effort 3 years ago to wipe out polio throughout the world. We are providing \$25 million a year to assist Rotary International to fulfill its noble goal of eliminating this disease in Asia and Africa. That goal is within our grasp, and I am pleased that the subcommittee has been able to assist Rotary Clubs from around the Nation in this program.

But that is not enough. Tuberculosis continues to strike young people and children throughout the world. In fact, up to 30 million people may die from this disease in the next decade. In addition, health experts now realize that acute respiratory infections kill more children than any other disease. While these diseases are a threat to children everywhere, they are also a direct threat to the United States, due to the huge increase of international travel and migration in the last few years.

In addition, there have been confirmed reports of malaria and yellow fever in our own country. These diseases infected millions of Americans, and caused untold misery early in our history. We need to try to prevent outbreaks from these diseases from occurring again.

The committee has recommended an increase of \$50 million for activities to detect, control, and to prevent the spread of these and other communicable diseases. I regret that the administration does not consider child survival and disease programs to be a high priority. I am pleased that the Senate has turned its attention to this problem by providing an increase for infectious disease, but I am disappointed that they could not provide the protection of a separate appropriations account for child survival.

However, with the support of my good friend, the ranking Democrat on my committee, the gentlewoman from California [Ms. PELOSI], and with strong support of our subcommittee and strong support of the House, I am most certain that we will this year, as we did last year, prevail once again in Conference.

I thank very much the gentlewoman from California [Ms. PELOSI] for her motion to instruct the conferees, which I wholeheartedly support, and I urge the House to adopt her motion.

GENERAL LEAVE

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the motion to instruct the conferees on H.R. 2159, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998.

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

There was no objection.

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

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

Mr. Speaker, I am grateful to our chairman for his support for this motion, for what some of us call the Callahan child survival account. I just want to remind our colleagues there is nothing new in what this motion to instruct calls for. Members have already voted for this dollar amount and this separate account. The purpose of this motion to instruct is to make this a priority in the conference and support the leadership of our chairman, the gentleman from Alabama [Mr. CALLAHAN] on this.

Mr. CALLAHAN. Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Speaker, since this provision has been dubbed the Callahan amendment, Mr. Speaker, we have still been unsuccessful in convincing the administration of its importance. So maybe we ought to change the name of the Callahan amendment to the Pelosi amendment.

Ms. PELOSI. Mr. Speaker, maybe it should be the Clinton amendment.

Mr. CALLAHAN. Mr. Speaker, it still remains unpopular on Pennsylvania Avenue, and I am certain if we dub it the Pelosi amendment, then in next year's request they indeed would include it in their request. Or maybe we could do better. Maybe we could ensure that if someday there might be a Republican President, maybe we could name it the Pelosi-Callahan amendment, and thus ensure its inclusion in any bill submitted to this Congress.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for his most generous remarks. I do not accept his characterization of what name would be preferred in order to have this accepted by the administration.

Mr. Speaker, I do wish to say that the Clinton administration indeed has a strong interest and places a high priority on child survival. We think this is the better way to go about it, but we look forward to working with them as, again, the only remaining superpower in the world to assume and maintain our leadership in this humanitarian cause.

Mr. Speaker, I urge our colleagues to support the motion to instruct, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion to instruct

offered by the gentlewoman from California [Ms. PELOSI].

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. CALLAHAN, PORTER, WOLF, PACKARD, KNOLLENBERG, FORBES, KINGSTON, FRELINGHUYSEN, LIVINGSTON, Ms. PELOSI, Mr. YATES, Mrs. LOWEY, and Messrs. FOGLIETTA, TORRES, and OBEY.

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5 p.m.

Accordingly (at 4 o'clock and 13 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1711

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mrs. EMERSON] at 5 o'clock and 11 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5, rule I, the Chair 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. Votes will be taken in the following order:

H.R. 1254;

House Concurrent Resolution 95;

House Concurrent Resolution 109;

H.R. 1903;

S. 910;

House Concurrent Resolution 134; and S. 562.

All votes are de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

JOHN N. GRIESEMER POST OFFICE BUILDING

The SPEAKER pro tempore. The pending business is the question de novo of suspending the rules and passing the bill, H.R. 1252, 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 New York [Mr. MCHUGH] that the House suspend the rules and pass the bill, H.R. 1252, 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.

The title of the bill was amended so as to read: "A bill to designate the

United States Post Office building located at 1919 West Bennett Street in Springfield, Missouri, as the 'John N. Griesemer Post Office Building'."

COMMENDING AMERICAN AIRMEN HELD POLITICAL PRISONERS AT BUCHENWALD

The SPEAKER pro tempore. The pending business is the question de novo of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 95.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. MICA] that the House suspend the rules and agree to the concurrent resolution, H.Con.Res. 95.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING THE CONTRIBUTIONS JIMMY STEWART MADE TO THE NATION

The SPEAKER pro tempore. The pending business is the question de novo of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 109.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. MICA] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 109.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMPUTER SECURITY ENHANCEMENT ACT OF 1997

The SPEAKER pro tempore. The pending business is the question de novo of suspending the rules and passing the bill, H.R. 1903, 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 Florida [Mr. MICA] that the House suspend the rules and pass the bill, H.R. 1903, 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.

□ 1715

EARTHQUAKE HAZARDS REDUCTION ACT OF 1977 AUTHORIZATION

The SPEAKER pro tempore (Mrs. EMERSON). The pending business is the

question de novo of suspending the rules and passing the Senate bill, S. 910.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. SENSENBRENNER] that the House suspend the rules and pass the Senate bill, S. 910.

The question was taken.

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to the provisions of clause 5 of rule 1, the Chair announces that she will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 12, as follows:

[Roll No 395]

YEAS—421

Abercrombie	Cardin	Emerson
Ackerman	Carson	Engel
Aderholt	Castle	English
Allen	Chabot	Ensign
Andrews	Chambliss	Eshoo
Archer	Chenoweth	Etheridge
Armey	Christensen	Evans
Bachus	Clay	Everett
Baesler	Clayton	Ewing
Baker	Clement	Farr
Baldacci	Clyburn	Fattah
Ballenger	Coble	Fawell
Barcia	Coburn	Fazio
Barr	Collins	Filner
Barrett (NE)	Combust	Flake
Barrett (WI)	Condit	Foglietta
Bartlett	Conyers	Foley
Barton	Cook	Forbes
Bass	Cooksey	Ford
Bateman	Costello	Fowler
Becerra	Cox	Fox
Bentsen	Coyne	Frank (MA)
Bereuter	Cramer	Franks (NJ)
Berman	Crane	Frelinghuysen
Berry	Crapo	Frost
Bilbray	Cubin	Gallegly
Bilirakis	Cummings	Ganske
Bishop	Cunningham	Gejdenson
Blagojevich	Danner	Gekas
Bliley	Davis (FL)	Gibbons
Blumenauer	Davis (IL)	Gilchrest
Blunt	Davis (VA)	Gillmor
Boehlert	Deal	Gilman
Boehner	DeFazio	Goode
Bonilla	DeGette	Goodlatte
Bono	Delahunt	Goodling
Borski	DeLauro	Gordon
Boswell	DeLay	Goss
Boucher	Dellums	Graham
Boyd	Deutsch	Granger
Brady	Diaz-Balart	Green
Brown (CA)	Dickey	Gutierrez
Brown (OH)	Dicks	Gutknecht
Bryant	Dingell	Hall (OH)
Bunning	Dixon	Hall (TX)
Burr	Doggett	Hamilton
Burton	Dooley	Hansen
Buyer	Doolittle	Harman
Callahan	Doyle	Hastert
Calvert	Dreier	Hastings (FL)
Camp	Duncan	Hastings (WA)
Campbell	Dunn	Hayworth
Canady	Edwards	Hefley
Cannon	Ehlers	Hefner
Capps	Ehrlich	Herger

Hill	McHugh	Sanchez
Hilleary	McInnis	Sanders
Hilliard	McIntosh	Sandlin
Hinchey	McIntyre	Sanford
Hinojosa	McKeon	Sawyer
Hobson	McKinney	Saxton
Hoekstra	McNulty	Scarborough
Holden	Meehan	Schaefer, Dan
Hoolley	Meeke	Schaffer, Bob
Horn	Menendez	Schumer
Hostettler	Metcalfe	Scott
Houghton	Mica	Sensenbrenner
Hoyer	Millender-	Serrano
Hulshof	McDonald	Sessions
Hunter	Miller (CA)	Shadegg
Hutchinson	Miller (FL)	Shaw
Hyde	Minge	Shays
Inglis	Mink	Sherman
Istook	Moakley	Shimkus
Jackson (IL)	Mollohan	Shuster
Jackson-Lee	Moran (KS)	Sisisky
(TX)	Moran (VA)	Skaggs
Jefferson	Morella	Skeen
Jenkins	Murtha	Skelton
John	Myrick	Slaughter
Johnson (CT)	Nadler	Smith (MI)
Johnson (WI)	Neal	Smith (NJ)
Johnson, E. B.	Nethercutt	Smith (OR)
Johnson, Sam	Neumann	Smith (TX)
Jones	Ney	Smith, Adam
Kanjorski	Northup	Smith, Linda
Kaptur	Norwood	Snowbarger
Kasich	Nussle	Snyder
Kelly	Oberstar	Solomon
Kennedy (MA)	Obey	Spence
Kennedy (RI)	Oliver	Spratt
Kennelly	Ortiz	Stabenow
Kildee	Owens	Stark
Kilpatrick	Oxley	Stearns
Kim	Packard	Stenholm
Kind (WI)	Pallone	Stokes
King (NY)	Pappas	Strickland
Kingston	Pascrell	Stump
Klecza	Pastor	Stupak
Klink	Paul	Talent
Klug	Paxon	Tanner
Knollenberg	Payne	Tauscher
Kolbe	Pease	Tauzin
Kucinich	Pelosi	Taylor (MS)
LaFalce	Peterson (MN)	Taylor (NC)
LaHood	Peterson (PA)	Thomas
Lampson	Petri	Thompson
Lantos	Pickering	Thornberry
Largent	Pickett	Thune
Latham	Pitts	Thurman
LaTourette	Pombo	Tiahrt
Lazio	Pomeroy	Tierney
Leach	Porter	Torres
Levin	Portman	Towns
Lewis (CA)	Poshard	Traficant
Lewis (GA)	Price (NC)	Turner
Lewis (KY)	Pryce (OH)	Upton
Linder	Quinn	Velazquez
Lipinski	Radanovich	Vento
Livingston	Rahall	Visclosky
LoBiondo	Ramstad	Walsh
Lofgren	Redmond	Wamp
Lowe	Regula	Waters
Lucas	Reyes	Watkins
Luther	Riggs	Watt (NC)
Maloney (CT)	Riley	Watts (OK)
Maloney (NY)	Rivers	Waxman
Manton	Rodriguez	Weldon (FL)
Manzullo	Roemer	Weldon (PA)
Markey	Rogan	Weller
Martinez	Rogers	Wexler
Mascara	Rohrabacher	Weygand
Matsui	Ros-Lehtinen	Whitfield
McCarthy (MO)	Rothman	Wicker
McCarthy (NY)	Roukema	Wise
McCollum	Roybal-Allard	Wolf
McCrery	Royce	Woolsey
McDade	Rush	Wynn
McDermott	Ryan	Yates
McGovern	Sabo	Young (AK)
McHale	Salmon	Young (FL)

NOT VOTING—12

Bonior	Gonzalez
Brown (FL)	Greenwood
Furse	Parker
Gephardt	Rangel

□ 1736

Mr. WEYGAND changed his vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GREENWOOD. Madam Speaker, on rollcall No. 395, I was inadvertently detained. Had I been present, I would have voted "yes."

AUTHORIZING USE OF CAPITOL ROTUNDA TO ALLOW MEMBERS OF CONGRESS TO RECEIVE HIS ALL HOLINESS PATRIARCH BARTHOLOMEW

The SPEAKER pro tempore (Mrs. EMERSON). The pending business is the question de novo of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 134, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. NEY] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 134, as amended.

The question was taken.

RECORDED VOTE

Mr. NEY. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 421, noes 0, not voting 12, as follows:

[Roll No 396]

AYES—421

Abercrombie	Boswell	Costello
Ackerman	Boucher	Cox
Aderholt	Boyd	Coyne
Allen	Brady	Cramer
Andrews	Brown (CA)	Crane
Archer	Brown (OH)	Crapo
Armey	Bryant	Cubin
Bachus	Bunning	Cummings
Baesler	Burr	Cunningham
Baker	Burton	Danner
Baldacci	Buyer	Davis (FL)
Ballenger	Callahan	Davis (IL)
Barcia	Calvert	Davis (VA)
Barr	Camp	Deal
Barrett (NE)	Campbell	DeFazio
Barrett (WI)	Canady	DeGette
Bartlett	Cannon	Delahunt
Barton	Capps	DeLauro
Bass	Cardin	DeLay
Bateman	Carson	Dellums
Becerra	Castle	Deutsch
Bentsen	Chabot	Diaz-Balart
Bereuter	Chambliss	Dickey
Berman	Chenoweth	Dicks
Berry	Christensen	Dingell
Bilbray	Clay	Dixon
Bilirakis	Clayton	Doggett
Bishop	Clement	Dooley
Blagojevich	Clyburn	Doolittle
Bliley	Coble	Doyle
Blumenauer	Coburn	Dreier
Blunt	Collins	Duncan
Boehlert	Combust	Dunn
Boehner	Condit	Edwards
Bonilla	Conyers	Ehlers
Bono	Cook	Ehrlich
Borski	Cooksey	Emerson

Engel	Klug	Price (NC)	Weldon (FL)	White	Woolsey	English	Klink	Poshard
English	Knollenberg	Pryce (OH)	Weldon (PA)	Whitfield	Wynn	Ensign	Klug	Price (NC)
Ensign	Kolbe	Quinn	Weller	Wicker	Yates	Eshoo	Knollenberg	Pryce (OH)
Eshoo	Kucinich	Radanovich	Wexler	Wise	Young (AK)	Etheridge	Kolbe	Quinn
Etheridge	LaFalce	Rahall	Weygand	Wolf	Young (FL)	Evans	Kucinich	Radanovich
Evans	LaHood	Ramstad				Everett	LaFalce	Rahall
Everett	Lampson	Redmond				Ewing	LaHood	Ramstad
Ewing	Lantos	Regula	Bonior	Gonzalez	Pascrell	Farr	Lampson	Rangel
Farr	Largent	Reyes	Brown (FL)	Kennelly	Rangel	Fattah	Lantos	Redmond
Fattah	Latham	Riggs	Furse	Metcalf	Schiff	Fawell	Largent	Regula
Fawell	LaTourette	Riley	Gephardt	Olver	Waters	Fazio	Latham	Reyes
Fazio	Lazio	Rivers				Filner	LaTourette	Riggs
Filner	Leach	Rodriguez				Flake	Lazio	Riley
Flake	Levin	Roemer				Foglietta	Leach	Rivers
Foglietta	Lewis (CA)	Rogan				Foley	Levin	Rodriguez
Foley	Lewis (GA)	Rogers				Forbes	Lewis (CA)	Roemer
Forbes	Lewis (KY)	Rohrabacher				Ford	Lewis (GA)	Rogan
Ford	Linder	Ros-Lehtinen				Fowler	Lewis (KY)	Rogers
Fowler	Lipinski	Rothman				Fox	Linder	Rohrabacher
Fox	Livingston	Rothkema				Frank (MA)	Lipinski	Ros-Lehtinen
Frank (MA)	LoBiondo	Roybal-Allard				Franks (NJ)	Livingston	Rothman
Franks (NJ)	Lofgren	Royce				Frelinghuysen	LoBiondo	Rothkema
Frelinghuysen	Lowey	Rush				Frost	Lofgren	Roybal-Allard
Frost	Lucas	Ryun				Gallely	Lowey	Royce
Gallely	Luther	Sabo				Ganske	Lucas	Rush
Ganske	Maloney (CT)	Salmon				Gejdenson	Luther	Ryun
Gejdenson	Maloney (NY)	Sanchez				Gekas	Maloney (CT)	Sabo
Gekas	Manton	Sanders				Gephardt	Maloney (NY)	Salmon
Gibbons	Manzullo	Sandlin				Gibbons	Manton	Sanchez
Gilchrest	Markey	Sanford				Gilchrest	Manzullo	Sanders
Gillmor	Martinez	Sawyer				Gillmor	Markey	Sandlin
Gilman	Mascara	Saxton				Gilman	Martinez	Sanford
Goode	Matsui	Scarborough				Goode	Mascara	Sawyer
Goodlatte	McCarthy (MO)	Schaefer, Dan				Goodlatte	Matsui	Saxton
Goodling	McCarthy (NY)	Schaefer, Bob				Goodling	McCarthy (MO)	Scarborough
Gordon	McCollum	Schumer				Gordon	McCarthy (NY)	Schaefer, Dan
Goss	McCrery	Scott				Goss	McCollum	Schaefer, Bob
Graham	McDade	Sensenbrenner				Graham	McCrery	Schumer
Granger	McDermott	Serrano				Granger	McDade	Scott
Green	McGovern	Sessions				Green	McDermott	Sensenbrenner
Greenwood	McHale	Shadegg				Greenwood	McGovern	Serrano
Gutierrez	McHugh	Shaw				Gutierrez	McHale	Sessions
Gutknecht	McInnis	Shays				Gutknecht	McHugh	Shadegg
Hall (OH)	McIntosh	Sherman				Hall (OH)	McInnis	Shaw
Hall (TX)	McIntyre	Shimkus				Hall (TX)	McIntosh	Shays
Hamilton	McKeon	Shuster				Hamilton	McIntyre	Sherman
Hansen	McKinney	Sisisky				Hansen	McKeon	Shimkus
Harman	McNulty	Skaggs				Harman	McKinney	Shuster
Hastert	Meehan	Skeen				Hastert	McNulty	Sisisky
Hastings (FL)	Meek	Skelton				Hastings (FL)	Meehan	Skaggs
Hastings (WA)	Menendez	Slaughter				Hastings (WA)	Meek	Skeen
Hayworth	Mica	Smith (MI)				Hayworth	Menendez	Skelton
Hefley	Millender-	Smith (NJ)				Hefley	Mica	Slaughter
Hefner	McDonald	Smith (OR)				Hefner	Millender-	Smith (MI)
Herger	Miller (CA)	Smith (TX)				Herger	McDonald	Smith (NJ)
Hill	Miller (FL)	Smith, Adam				Hill	Miller (CA)	Smith (OR)
Hilleary	Minge	Smith, Linda				Hilleary	Miller (FL)	Smith (TX)
Hilliard	Mink	Snowbarger				Hilliard	Minge	Smith, Adam
Hinchev	Moakley	Snyder				Hinchev	Mink	Smith, Linda
Hinojosa	Mollohan	Solomon				Hinojosa	Moakley	Snowbarger
Hobson	Moran (KS)	Souder				Hobson	Mollohan	Snyder
Hoekstra	Moran (VA)	Spence				Hoekstra	Moran (KS)	Solomon
Holden	Morella	Spratt				Holden	Moran (VA)	Souder
Hooley	Murtha	Stabenow				Hooley	Morella	Spence
Horn	Myrick	Stark				Horn	Murtha	Spratt
Hostettler	Nadler	Stearns				Hostettler	Myrick	Stabenow
Houghton	Neal	Stenholm				Houghton	Nadler	Stark
Hoyer	Nethercutt	Stokes				Hoyer	Neal	Stearns
Hulshof	Neumann	Strickland				Hulshof	Nethercutt	Stenholm
Hunter	Ney	Stump				Hunter	Neumann	Stokes
Hutchinson	Northup	Stupak				Hutchinson	Ney	Strickland
Hyde	Norwood	Sununu				Hyde	Northup	Stump
Inglis	Nussle	Talento				Inglis	Norwood	Stupak
Istook	Oberstar	Tanner				Istook	Nussle	Sununu
Jackson (IL)	Obey	Tauscher				Jackson (IL)	Oberstar	Talento
Jackson-Lee	Ortiz	Tauzin				Jackson-Lee	Obey	Tanner
(TX)	Owens	Taylor (MS)				(TX)	Ortiz	Tauscher
Jefferson	Oxley	Taylor (NC)				Jefferson	Owens	Tauzin
Jenkins	Packard	Thomas				Jenkins	Oxley	Taylor (MS)
John	Pallone	Thompson				John	Packard	Taylor (NC)
Johnson (CT)	Pappas	Thornberry				Johnson (CT)	Pallone	Thomas
Johnson (WI)	Parker	Thune				Johnson (WI)	Pappas	Thompson
Johnson, E. B.	Pastor	Thurman				Johnson, E. B.	Parker	Thornberry
Johnson, Sam	Paul	Tiahrt				Johnson, Sam	Pastor	Thune
Jones	Paxon	Tierney				Jones	Paul	Thurman
Kanjorski	Payne	Torres				Kanjorski	Paxon	Tiahrt
Kaptur	Pease	Towns				Kaptur	Payne	Tierney
Kasich	Pelosi	Trafficant				Kaptur	Pease	Torres
Kelly	Peterson (MN)	Turner				Kasich	Pelosi	Towns
Kennedy (MA)	Peterson (PA)	Upton				Kelly	Peterson (MN)	Trafficant
Kennedy (RI)	Petri	Velazquez				Kennedy (MA)	Peterson (PA)	Turner
Kildee	Pickering	Vento				Kennedy (RI)	Petri	Upton
Kilpatrick	Pickett	Visclosky				Kildee	Pickering	Velazquez
Kim	Pitts	Walsh				Kilpatrick	Pickett	Vento
Kind (WI)	Pombo	Wamp				Kim	Pitts	Visclosky
King (NY)	Pomeroy	Watkins				Kind (WI)	Pombo	Walsh
Kingston	Porter	Watt (NC)				King (NY)	Pomeroy	Wamp
Klecza	Portman	Watts (OK)				Kingston	Porter	Watkins
Klink	Poshard	Waxman				Klecza	Portman	Wattkins

NOT VOTING—12

Bonior
Brown (FL)
Furse
Gephardt

Gonzalez
Kennelly
Metcalf
Olver

Pascrell
Rangel
Schiff
Waters

□ 1745

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HOUSING PROGRAMS EXTENSION ACT OF 1997

The SPEAKER pro tempore (Mrs. EMERSON). The pending business is the question de novo of suspending the rules and passing the Senate bill, S. 562, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. LAZIO] that the House suspend the rules and pass the Senate bill, S. 562, as amended.

The question was taken.

RECORDED VOTE

Mr. DIAZ-BALART. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 422, noes 1, not voting 10, as follows:

[Roll No. 397]

AYES—422

Ackerman	Boswell	Costello
Aderholt	Boucher	Cox
Allen	Boyd	Coyne
Andrews	Brady	Cramer
Archer	Brown (CA)	Crane
Armye	Brown (OH)	Crapo
Bachus	Bryant	Cubin
Baesler	Bunning	Cummings
Baker	Burr	Cunningham
Baldacci	Burton	Danner
Buyer	Buyer	Davis (FL)
Barcia	Callahan	Davis (IL)
Barr	Calvert	Davis (VA)
Barrett (NE)	Camp	Deal
Barrett (WI)	Campbell	DeFazio
Bartlett	Canady	DeGette
Barton	Cannon	Delahunt
Bass	Capps	DeLauro
Bateman	Cardin	DeLay
Becerra	Carson	Dellums
Bentsen	Castle	Deutsch
Bereuter	Chabot	Diaz-Balart
Berman	Chambliss	Dickey
Berry	Chenoweth	Dicks
Bilbray	Christensen	Dingell
Bilirakis	Clay	Dixon
Bishop	Clayton	Doggett
Blagojevich	Clement	Dooley
Bliley	Clyburn	Doolittle
Blumenauer	Coble	Doyle
Blunt	Coburn	Dreier
Boehlert	Collins	Duncan
Boehner	Combest	Dunn
Bonilla	Condit	Edwards
Bonior	Conyers	Ehrlich
Bono	Cook	Emerson
Borski	Cooksey	Engel

Watt (NC)	White	Wynn
Watts (OK)	Whitfield	Yates
Waxman	Wicker	Young (AK)
Weldon (PA)	Wise	Young (FL)
Wexler	Wolf	
Weygand	Woolsey	

□ 1758

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, with Mr. BEREUTER (Chairman pro tempore, in the chair).

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Thursday, September 11, 1997, the amendment by the gentleman from Indiana [Mr. Hostettler] had been disposed of and section 515 was open for amendment.

Are there further amendments to this section of the bill?

□ 1800

Mr. EWING. Mr. Chairman, I move to strike the last word to engage the gentleman from Illinois [Mr. PORTER], my esteemed colleague and chairman of the Subcommittee on Labor, Health and Human Services, and Education, in a colloquy.

On September 10, 1997, the Senate voted 91 to 8 to pass an amendment by Senator COVERDELL of Georgia to the Senate Labor Health and Human Services appropriations bill. This amendment included several proposals designed to help respond to the *E. coli* problems we as a nation have experienced recently.

This amendment addresses the *E. coli* issue head on by providing funding for research on the development of improved medical treatment for patients infected with this disease.

This amendment also provides funding to help detect and prevent colonization of *E. coli* in live cattle, and amongst other important provisions provides the implementation of a study on the feasibility of irradiating raw red meat to eliminate the *E. coli* and to develop a consumer education program on the process' safety.

I would strongly urge that Chairman PORTER look favorably upon this amendment when deliberations begin in conference.

Mr. Chairman, I yield to the gentleman from Illinois [Mr. PORTER], the distinguished subcommittee chairman.

Mr. PORTER. Mr. Chairman, I thank the gentleman from Illinois [Mr. EWING], my colleague, for yielding.

I am aware of the amendment pertaining to *E. coli* that was accepted on the Senate bill. While I cannot agree with the amendment's approach of tapping funds already appropriated for other purposes instead of providing an offset to fund the *E. coli* initiative, I think we would all agree that the *E. coli* problem is a serious one. I would expect the House conferees to look favorably upon action to encourage the Department of Health and Human Services to undertake those activities

highlighted in the amendment which appropriately fall within the HHS mission.

In fact, the House bill already provides an increase for the Centers for Disease Control infectious diseases program to support the new food safety initiative.

Mr. EWING. I thank the chairman. I appreciate his interest and concern, and I hope that the conference committee will take this matter up.

AMENDMENT NO. 5 OFFERED BY MR. GOODLING

Mr. GOODLING. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore Mr. BEREUTER. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. GOODLING:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) PROHIBITION OF FUNDS FOR NATIONAL TESTING IN READING AND MATHEMATICS.—None of the funds made available in this Act may be used to develop, plan, implement, or administer any national testing program in reading or mathematics.

(b) EXCEPTIONS.—Subsection (a) shall not apply to the following:

(1) The National Assessment of Educational Progress carried out under sections 411 through 413 of the Improving America's Schools Act of 1994 (20 U.S.C. 9010-9012).

(2) The Third International Math and Science Study (TIMSS).

(Mr. GOODLING asked and was given permission to proceed for 5 additional minutes.)

Mr. GOODLING. Mr. Chairman, I have been rather disappointed on several occasions in the last couple weeks when it was mentioned by some that perhaps this was a political argument. I want to assure everyone this has nothing to do with politics whatsoever.

My concern and my interest comes from 22 years as an educator, 22 years as a teacher, a guidance counselor, a principal, a superintendent of schools, a supervisor of student teachers, a school board president, a PTA president. My concern is based simply on the fact that I believe I have learned a lot in those 22 years as to how children learn, why children do not learn, and what one does in order to have children learn. As a matter of fact, in March 1991 I wrote an op ed, and that was during President Bush's administration, in opposition to this very same issue.

We are told, first of all, that 17-year-olds in this country, some of the most recent statistics would indicate that 52 percent read fairly well, comprehend fairly well, and do math and science quite well. That means that the other 50 percent do poorly.

I would ask all of my colleagues who are here and all who may be listening to put themselves in the shoes of that other 50 percent, that 50 percent that has not done well and who are not doing well at the present time. This 50 percent has been tested with every standardized test there is, whether it is Iowa, whether it is California, Stanford. They have been tested with every

NOES—1

Paul

NOT VOTING—10

Abercrombie	Gonzalez	Weldon (FL)
Brown (FL)	Metcalf	Weller
Ehlers	Neal	
Furse	Schiff	

□ 1755

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

The title of the Senate bill was amended so as to read:

A bill to provide for the temporary extension of certain programs relating to public housing, to reauthorize certain programs relating to housing assistance, and to amend section 255 of the National Housing Act to prevent the funding of unnecessary or excessive costs for obtaining a home equity conversion mortgage, and for other purposes.

A motion to reconsider was laid on the table.

HAPPY BIRTHDAY, MADAM SPEAKER

Mr. PAPPAS. Madam Speaker, I just want to take this opportunity to wish the gentlewoman a very happy birthday.

The SPEAKER pro tempore. The Chair thanks the gentleman from New Jersey and pretends that she is younger than she really is, or tries to be anyway.

GENERAL LEAVE

Mr. PORTER. 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 (H.R. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the order of the House of Thursday, July 31, 1997, and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2264.

State test. They have been tested with every district test, and they have been tested with every classroom test.

What have they been told after every one of those tests? The same thing: "You are not doing very well." What they do not want, what that 50 percent do not want at this time is to spend another \$100 million to test them one more time on a standardized test to tell them "You are not doing very well." They want to know what it is we are going to do to help them do better.

If someone is in the cattle business, they do not fatten cattle by constantly putting them on the scales and weighing them. We do not make a car run any faster by adding another speedometer. And we do not help those who are not doing well in education with one more standardized national test to tell them "You are doing poorly."

It was an interesting discussion recently in the other body when I testified before a Senate committee. The Secretary indicated that it is a tragedy that students do not have algebra and do not understand algebra by the time they get to 8th grade, and then a little later said, "and in our test we will test for algebra."

And one of the gentlemen from the other body said, "Mr. Secretary, I must have missed something. I thought you said they did not have any algebra by the time they got to the eighth grade."

"That is right."

"But then I thought I heard you say you are going to include in your test, algebra." Well, that does not make very much sense, does it?

First of all, as I have said so many times, if we want to move in that direction, then we sure better prepare those elementary teachers who have had very little math in college, have had very little math in high school, and all of a sudden we are going to ask them to teach algebra.

Let us take the other 50 percent. Let us shift the debate. Suppose we believe in a national test. We certainly would not go about it in a manner in which it was gone about this particular time. If we believe that there is some value in a national standardized test, the first thing we have to do is determine what is our purpose, and that purpose has to be very narrowly stated. We cannot have a valid test, all test experts will tell us, if we do not narrowly focus.

Well, what is the purpose of a test? I heard four, five, six different purposes, one of which, the Assistant Secretary said, "I am not happy with the curricula in this country, and we have to do something about that." That is an interesting statement. That should scare everybody, I think, because who is going to develop that curricula that he was talking about, since he does not like what is there at the present time? So we narrowly focus.

Another says, well, this is to judge one school against another school so that we know which schools are doing well, which are doing poorly. That is one of the worst statements I think

anyone could make, because now I am going to compare someone who has had no advantages whatsoever as far as preschool reading readiness is concerned, in a school where there are many students who fit that category, with a school where they have had all the advantages in preschool.

And so somehow or other with a national test, I am going to help that group that have not had those advantages, and then I can do a better job of comparing them with those who have had all the advantages. In my area, I would say we would not compare inner city Pittsburgh with upper St. Claire, which is an area outside of Pittsburgh.

So we say, okay, the purpose is curricula. Now we have to determine what it is we want to test. Now we are getting into some real serious difficulties, what we want to test.

Well, that means, and I am not up here arguing, and I do not want to get involved in this business of, "Yes, it will be a national curricula; no, it will not," but we have to determine what it is we are going to test. In order to do that, someone, someone or somebody has to determine what that curricula is. Otherwise, how would we know what we are going to test?

Now make sure we understand that this is really a controversial issue. That is why we never should have bypassed the Congress in the first place. That is why the debate should have been here. That is why the debate should go on next year, when we are reauthorizing TIMSS, when we are reauthorizing NAEPs, programs where we spend millions of dollars every year from the Federal level in the business of testing.

But if we think there is a consensus out there, then we are missing some very important points. There is no consensus. Let me just read one portion from a letter signed by 500 or more mathematicians from across this country. This is what those mathematicians said:

The committee which is drafting the exam specifications is biased. First, nearly all of its members are strong advocates of the NCTM standards and of programs that reputed to be aligned with the NCTM standards. There is not a balance of different viewpoints regarding mathematics education.

Second, members of the committee have significant conflict of interest, as they are activity involved in the writing or promotion of particular mathematics curricula. Even the slightest suspicion that the authors would bias the test toward material covered in their program, or that their authorship of the tests would be used to sell their program or to help them get grants, undermines the credibility of the exam.

So I want my colleagues to understand how controversial this is. Now we have decided that we are going to narrowly focus it, I hope. Then we have decided what it is we wanted to test. And then after we have made that decision, someone must write that curriculum in order so that we are testing toward what it is that was taught.

After we have done all of that, the next step then is, of course, to educate

the teacher, to prepare the teacher to teach to the new standards, to teach to what it is for which we are testing. And after we have done all of that, there is one big step left; and that is, as every testing expert will tell you, it takes 3 to 4 years to develop a valid test. Not 1 year, like the plan is, 3 to 4 years.

We are going to hear some say, "Oh, but this is voluntary." Nonsense. What Federal program do my colleagues know, once it was started, is voluntary? I tell my colleagues what will happen. The 50 percent that I talked about who were fortunate enough to have preschool readiness programs, that 50 percent, as soon as school A decides to do the test, they are going to demand that school B does the test, and then school C is going to demand that they get what school B got, and it will not be long until, as a matter of fact, it will be a national individual test.

Let me also point out to school districts and States: Be very careful. You worry about unfunded mandates. There is the one shot only from the Federal Government; and when that one shot is over, it is your responsibility. And if you are wrapped into it, you are going to have to find a way to pay for it, I will guarantee you.

The program that was rammed through at midnight in the other body, no deliberation, no consideration, is positively totally inadequate, unacceptable.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. GOODLING] has expired.

(By unanimous consent, Mr. GOODLING was allowed to proceed for 3 additional minutes.)

Mr. GOODLING. Mr. Chairman, it reminds me of you are a contractor and you had one contractor who built the foundation, a totally inadequate foundation, a foundation that is going to collapse; and then you bring in another contractor, and then that new contractor is somehow or other going to try to build a new house on top of a flawed foundation. It cannot work.

Let me tell my colleagues some other things they did. It is pretty interesting. I never heard before where one sitting group determines who serves in that group, and that is what they did over there. NAGB will make the recommendations to the Secretary as to who should serve on this independent board. Now that is pretty dangerous. There is one other thing that is dangerous. They then become pretty much a national school board. I do not think our local and State governments are going to be very happy about that.

So please, if we have \$100 million to spend, let us help children become reading ready, let us help parents become better teachers. We do not do that by testing. We do that by providing the necessary tools so that, as a matter of fact, they are reading and writing.

And do not cause the first-grade child to fail. The first-grade child did not

fail. The adults failed. So we have a pre-first program. I could have 2,500 of those for \$100 million. And in those programs the kindergarten teacher knows very well who is reading ready. We have this crazy idea somehow or other that if they are 5½ or 6 years old, they are ready to read.

□ 1815

No one tells you who is ready to read except the children themselves. They may be at 20 different reading levels with 20 different students in the same classroom. Do not cause them to fail first grade. And do not socially promote them, above all. Give them the opportunity to be successful.

We will again next year determine what it is we do with NAGB, determine what we do with NAEP's. That is the time for a discussion on testing. Do not do an end run on the Congress of the United States. We were not sent here to be an end run team. We were sent here to deliberate and do what is right.

Again, when Members are ready to vote, think in terms of children. Do not let them tell you somehow or other that they will do much better if the parents only know. The parents know. The parents have been told over and over again. The parents are saying, help us, and help our children.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I agree with everything that the chairman of the authorizing committee said. I accept the amendment.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 60 minutes with the time to be divided between the gentleman from Pennsylvania [Mr. GOODLING], 25 minutes and the gentleman from Wisconsin [Mr. OBEY], 35 minutes.

The CHAIRMAN pro tempore (Mr. BEREUTER). Is there objection to the request of the gentleman from Illinois?

Mr. GOODLING. Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Goodling amendment. This amendment would prevent the adoption of a voluntary testing program. It would prevent parents, cities and States from pursuing a new strategy in our efforts to provide all of our students with the best education in the world.

Let me make it very clear that many House Democrats strongly support the President's initiative. If this amendment passes, it might be a victory for the Republican leadership, but in my judgment it will be a clear defeat for the children of this country.

Voluntary testing will promote reform, excellence. The Goodling amendment undermines educational progress and codifies mediocrity. Quite frankly,

a vote for the Goodling amendment is a vote in favor of the status quo. That is simply not good enough.

The gentleman from Pennsylvania [Mr. GOODLING] and I have worked on a whole range of educational initiatives. I am sorry that we disagree so strongly on this one.

Mr. Chairman, the President's initiative will not nationalize education. There are no mandates here. A State will not lose money or face penalties if it chooses not to participate. The program simply provides an opportunity for interested cities and States to test their fourth-graders in reading and eighth-graders in math and measure their performance against students across town and across the Nation. Should a parent or a school not have the ability to make these comparisons?

Frankly, it is very ironic that many of the same Members who support educational competition through school choice are today opposing educational competition through performance measures. What are they afraid of? Do they fear American students cannot compete? I do not. I know that our students can compete and win.

My colleagues should be aware that this amendment is opposed by a wide array of educators, including the American Federation of Teachers, the National Education Association, the chiefs of our State education departments, the National School Boards Association and the National Association of Elementary School Principals.

I know that some opponents say we should be investing more directly in teachers, books, computers and school construction. I certainly agree. We need to invest more in education, and at the same time we ask more of our students in schools, we must provide them with the resources they so desperately need. That is why I am the lead sponsor of the President's school construction initiative. That is why I support increases in title I.

This is not an either/or proposition. I am pleased that six of the Nation's seven largest cities have accepted the challenge of national reading and math tests, including New York City, Chicago, Philadelphia, Los Angeles, Atlanta and Detroit. These cities want to participate in a voluntary testing program. Communities across the Nation have concluded that they want to find out what needs fixing. They want to offer their students the best education possible. They want to ensure that they are preparing their children for a very competitive future, and they want to embrace the challenge and possibilities of voluntary national performance measures.

Two things about these tests are worth noting. First, the tests will be based on the well-respected National Assessment of Education Progress. Second, the highly respected National Academy of Sciences will approve the tests before the first student in the first school sits down with pencil in hand to take the exam. These tests will be developed the right way.

I believe very strongly in raising academic standards. If my colleagues in Congress agree, and I think we all do, then we must finally say no more excuses. We know that students and schools can achieve. We expect them to achieve. We will help them achieve. Voluntary testing is an important component of this process.

I believe that the combination of educational investments and performance standards is a recipe for student success. I would urge my colleagues not to prevent the creation of a voluntary national testing system as a State and local option. I urge my colleagues to vote against the Goodling amendment. And I would urge my colleagues to work with us to support investments in school construction, to support different comprehensive changes in our school system. Because we support this, that does not mean we cannot support school testing as well.

Mr. HINOJOSA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to take this time to share my personal concerns with regard to the administration's proposed national test in reading. First, I want to say that I am wholeheartedly supportive of measures to achieve higher standards for America's schools and students and that I applaud the administration's laudable efforts to improve public education. I do not, however, feel that testing is the route to pursue. Quite simply, I have reservations about the inability of the proposed national tests to improve educational opportunities for all children. These tests may leave out several million limited English-proficient students from taking the test and assessing their skills in reading.

I grew up in an agricultural community in south Texas, and I attended a segregated elementary school where the Mexican American children were separated from children of Anglo-Saxon heritage. Spanish was my first language. I learned a little bit of English, only after my parents enrolled me in the public school system. It took years of practice and the interest and support of my caring parents and teachers along the way before I became fully conversant in the English language. Even so, in my early years in my reading comprehension skills were not what they could have been if I had started the first grade English-ready.

In 1972, I was elected to the local school board in Mercedes, Texas, and in 1974, I was elected to the Texas State Board of Education where I served for four terms. Of that period, 8 years I served as chairman of the Special Populations Committee, which covered bilingual education, migrant education, special education and gifted and talented education programs.

For 25 years I have been a very strong advocate of education. It is in that capacity that I became aware as a policymaker of the difficulties limited English-proficient students, LEP students as they are called, have. Also in

that capacity I learned about the art of learning in any language and the importance of learning in the native language.

The whole testing issue raises a red flag for LEP students. It stigmatizes them by both peers and teachers. It sets up the LEP students to fail. When that kicks in, young people begin to drop out of school.

America's elementary and secondary schools will become more diverse in the next 10 years. Between 1995 and 2005, for example, Hispanic Americans between the ages of 5 and 17 will increase by 2.4 million. African American students in this same age group will increase by another 1.1 million. Asian Americans and other minorities will number an additional 1.1 million. The word "diverse" will best describe the Nation's public schools where the formal education and socialization of the young occurs.

For the last decade, reports on the state of education for Hispanics and other minority populations have been poor. A recently released report by the U.S. Department of Education found that the Nation's dropout rate for persons between ages 16 and 24 in 1995 was 12 percent, while the dropout rate for Hispanic students was over 30 percent. The Hispanic high school dropout situation was described by the President in meetings that the Hispanic Caucus and I had with him as a national crisis of economic importance.

We can ill afford to allow another generation of Hispanic Americans and other populations whose primary language is other than English to fall by the wayside. This has far-ranging economic consequences for the population at large.

While it is with a heavy heart that I oppose the President on this issue, I must do so. My reasons are as follows: Standardized testing has a negative, disparate impact on poor and minority students. Equal opportunity in testing cannot be achieved given unequal educational opportunity. Even if testing procedures could be devised to eliminate bias, enormous inequalities in school financing systems and teacher quality and disparities in access to educational technology, combined with discriminatory practices such as tracking and uneven access to high-quality counseling severely restrict the educational opportunities available to poor and minority students. Until issues of resource disparity, discrimination and reliability have been resolved, the national test should not be used as a basis for making high-stakes educational decisions. It is inappropriate.

Mr. Chairman, again I oppose the national testing as proposed.

Mrs. ROUKEMA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Goodling amendment and really thank him and express appreciation for his courageous leadership on this subject. He has focused a spotlight

on a subject that the Department of Education really wanted to slip through rather unnoticed, and he deserves credit for that. Because we have raised our voices here, over a period of a few weeks, we now have a bipartisan supported agreement here in the form of the Goodling amendment to eliminate funding for this ill-advised encroachment on the direction of curriculum that is best defined in my opinion at the State and local level.

I guess we can say that we are making progress! We are making progress all right. But this is a crucial policy question. These changes and the so-called compromises that preceded this final redefinition by the department that is the compromises that the Department of Education put out every time a legitimate question was raised. After each critical question raised they backed off and they made a so-called compromise or adjustment. As I observed over and over it began to look as though they were making it up as they went along. That is, I am sorry to say was what the Department was doing. I was rather perplexed. As a member of the committee, I must say that I always believed that the Department and Secretary Riley were better than that, and I think it was not up to their regular standards, and I am sorry to have to say that. But it is proof that we need a thorough and thoughtful didactic study on how we should do this, if at all, without opening the door to a national curriculum or the establishment of what I see as the possibility of a full-fledged Ministry of Education.

□ 1830

Please, do not get me wrong. I believe that a national debate on educational standards and achievement levels is overdue. We have critical problems in our schools and we should get back to basics. Our declining achievement levels are an absolute embarrassment. The United States at the Federal level, the State level, the community level, and at the family level, should dedicate itself to raising the standards for educational achievement. We certainly owe it to our children.

But I also strongly believe that testing for the sake of testing serves no purpose, and it certainly does not serve that one. It costs a lot of money, as the chairman already outlined, money that could be better directed to classroom instructions where we could directly help the children of the Nation.

Let us get our priorities straight. Let us fund the programs that work and avoid expensive new educational experiments on our children.

Mr. Chairman, let me summarize in this way: The committee must not be bypassed. We must use the reauthorization process in the next year to study, analyze, and set realistic goals for whatever additional testing may, and I stress, may, be merited, but no more direction or indirection from the department without full debate and analysis.

Number two, we can now have the time to set priorities with a clear goal of directing more monies to instruction, direct instruction in the classroom, whether for teacher training or equipment or individualized instruction, which are my favorites, and, yes, including more money for Early Start and Head Start, as the chairman pointed out, reading readiness programs.

Finally, I think it is important that we a renewed commitment here and now with this vote to State and local control. It is State and local control that is a fundamental of good public education.

Mr. Chairman, I urge full support of this amendment.

Mr. FARR of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise with a great deal of respect for the authorizing committee chair and work with Members on the opposite side of the aisle on a lot of educational issues. I am surprised to see this amendment before us and strongly rise to oppose it.

This is a country that prides itself on testing. Every child that is going to go to a university has to go out and take an SAT exam. If he or she is going to go to medical school, it is a national exam to take; to go to law school one has to take an exam.

We test water and we test air, we test milk, yet now we do not want to test the minds of the kids in this country. We do not want to test their ability in the fourth grade to read or their ability in the seventh grade to do math.

I think what the real fear of this national testing is that the people we are going to find that are flunking the tests is Congress itself, in not appropriating enough money for education. You hear minority groups in this Congress rising against this testing because they do not want kids to be tracked, they do not want kids to be stigmatized, and I agree with that, because I think we are going to find we are not spending enough money on the remedial title I programs to remedy those problems.

We are going to find we are not spending enough money, as Congresswoman LOWEY said a moment ago, in her bill to allow the Federal Government for the first time in history to be a partner in school construction, we are not spending any money to build the classrooms so we can create the environment in which kids can learn better.

Congress is going to flunk the test in showing we do not put enough money into construction, into remedial programs, into special education programs, into migrant education programs or any of the title I programs.

Why, I would like to know, is the Republican leadership in Washington so strongly opposed to testing, when the Republican leadership in Sacramento held up the adjournment of the California State Legislature insisting that they do testing? The arguments pro

and con are the same arguments that were held here today.

The point is that the biggest State in the country with the most children in school and the seventh largest economy in the world realizes that unless we have accountability in education we will not be able to compete in a global environment, in a competitive environment.

So I urge my colleagues to defeat this amendment. Allow those who want to test to do the testing. Allow this country to see that we need to invest more in education, not less, to improve reading and math, to let kids know how they are doing. The only way we are going to be able to do that—which is consistent with what we insist when they graduate from high school so that they can get into college—is to allow for a national test on a voluntary basis. The only way we are going to get there from here is to defeat this amendment.

So I urge my colleagues to work with us in defeating the amendment and allowing the President's program to be in the bill.

Mr. NORWOOD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. GOODLING], our chairman, for offering this amendment, and I rise to strongly support it, and I am particularly pleased to immediately follow behind my friend from California, Mr. FARR.

I would point out that the California Republicans did a great job out there. It is their job, you know, to manage education in their State. It is a State function, and if they wanted testing in California, more power to them.

I want to mention just a minute about what the Goodling amendment is all about, because I do not want anybody at the end of this vote to be unclear on it. This amendment simply prohibits spending of any money under the fiscal year 1998 Labor-HHS-Labor appropriations bill to develop, plan, implement or administer new national tests in the fourth grade reading and eighth grade math.

I can rather understand why our chairman would be so concerned to have this amendment, since none of this has been authorized in his committee or appropriated. So I think it is appropriate that he do stand up about this.

Now, the gentleman from Pennsylvania [Mr. GOODLING] does make exceptions, and the exceptions are made for the National Assessment of Educational Progress, NAEP; also the Third International Math and Science Study, TIMSS, both of which would be allowed to continue. NAEP, also known as the Nation's report card, involves random sample testing of students throughout the country in reading, math, science, history and other subjects every 2 years at the 4th, 8th and 12th grade levels, to obtain a snapshot of the academic achievement of students in our country.

TIMSS involves random sample testing of students in this country and other nations in math and science to obtain international comparisons of student achievement. I remind Members that this amendment allows this testing to continue.

Earlier it was said that we do not test our children. The administration would have us believe that there is a real need for standardized tests to determine how our kids are doing in reading and in math, as if we are not testing them now.

So let us look at one of my former constituents, who is also a former constituent of my colleague the gentleman from Georgia [Mr. BISHOP] and is currently a constituent of my colleague the gentleman from Virginia [Mr. WOLF]. Rebecca Stone of Warrenton, VA, just finished the eighth grade last June.

Now, here is the list of standardized tests that she has taken in a country where earlier it was stated we do not test our children.

In Mitchell County, GA, kindergarten through the first grade, Rebecca had the Georgia Test for Kindergartners, the Otis Lennon Mental Abilities Test and the Iowa Test of Basic Skills. Then in Richmond County, GA, in the second grade, she retook the Iowa Test of Basic Skills again. Then in Columbia County, GA, in the third through sixth grades, she had the Iowa Basic Skill Test twice more and the Duke University Talent Test. Finally, in Fauquier County, VA, in the seventh and eighth grades, this young lady was tested with the Virginia Literacy Passport Test and the Stanford Achievement Test.

I think, as readily can be seen by most of our colleagues, a real live public school student we are standard testing across this country. What this debate is really about is not testing, but it is about curriculum. Testing is just the next step in a liberal agenda for Washington to seize control of our local schools. My folks at home do not want that. They do not think that the Department of Education should run their local schools.

If the Federal Government establishes testing on which all of our school systems are judged, the next step will be for the Federal Government to establish a national curriculum to match the test. We say this is voluntary, but I find that humorous. It is not, and we all know it.

Mr. Chairman, we already have standardized tests in use in our public schools today. They are tests freely chosen by State and local educators and recognized nationally. What the administration seems to want is to overrule the testing decisions of local educators and replace them with the decision of inside-the-Beltway bureaucrats. Let us put a stop to that. Support the Goodling amendment. It is very important.

Mr. SAWYER. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. SAWYER. Mr. Chairman, I rise today in opposition to this amendment, and also to set the record straight about my own statements on the subject of national testing.

The sponsor of this amendment sent a "Dear Colleague" around earlier this week that contains a quote from me from 1992:

If testing becomes one of the engines of educational reform in this decade we had better be prepared. Those of us who come from States where testing has already become a tool for making policy know that the issue is fraught with peril and consequences for individual students and communities.

However, what his "Dear Colleague" does not include is my next paragraph:

What I wholeheartedly endorse is the development of national standards. This will take time, not a lot, but time. Then tests—as instruments—need to be very finely tuned. Only then should we begin to think about using them on a national scale.

What I was saying in 1992, and what I continue to believe, is that tests should not be used simply as a right-of-passage. Their objective must not be solely to create measurements on a national scale with no real benefit to students, nor even to measure the success of local school districts or individual schools.

Such tests—used as instruments of education—can be extremely effective as a method for identifying weaknesses in instruction and learning. They can be equally valuable in identifying specific needs of individual students. Tests that provide individual student evaluation—measured against high standards—will help students, teachers, parents and schools to raise achievement if they are combined with comprehensive remediation. Only then can the results become effective in raising performance more broadly across larger student populations.

The approach proposed by the President and the Secretary of Education clearly demonstrates that understanding. For that reason, I wholeheartedly support allowing the Department of Education to continue its work to develop these tests.

We have standards that have been developed locally and can be shared nationally; to be adopted by local schools, or adapted to their specific needs. It is now time to couple them with tests that will not only measure our progress toward those high goals, but will also help teachers and students reach them. That's what real education ought to be about.

I strongly urge a "no" vote on this amendment.

Ms. DELAURO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would just like to comment to my colleague who just spoke, the gentleman from Georgia [Mr. NORWOOD], that in fact 81 percent of the students in Georgia meet the minimum acceptable standards that are in Georgia. However, only 16 percent meet the minimum acceptable standards in any national testing of the same students.

I rise in opposition to this amendment, which would unnecessarily delay the development and the implementation of national reading and math tests, and I hope my colleagues will join me in defeating it.

Our children will compete for jobs in the national and even in a global marketplace. We know our workers, our products, and our economy can be the very, very best in the world, and we need to do everything in our power to ensure our schools are giving our kids the tools they need to compete in the economy of the 21st century.

We must not reject this important tool to ensure that every child can read, write, and do basic mathematics. Parents across the country share my belief that these are the very minimum standards to which our students and, more importantly, our schools should be held accountable.

My colleagues who support this amendment argue that there are plenty of other tests and measures of school achievement. I would point out that in Wisconsin and in Louisiana, according to State tests, more than 80 percent of students are meeting acceptable competency levels. However, when Wisconsin and Louisiana students take national tests, fewer than 40 percent meet minimum standards. The same thing about what I just talked about with regard to Georgia students.

Our parents deserve an objective, reliable measure of how their children are doing in school, how well the schools are preparing their children. All of us as taxpayers deserve objective, reliable information to hold schools accountable. We need to be sure that our local school systems are meeting our national expectations.

I understand some of my colleagues have legitimate concerns about how the tests will be implemented, what it may mean for students who are low income or disadvantaged, whose achievement levels are traditionally lower than their more advantaged peers. I believe the concerns are valid and need to be addressed. Four million children should not be left out of this process.

Those who would argue that we know what the problems are and yet we do not want to commit the funding, they are right. We have seen in this body in the last 2 or 3 years people who would like to cut the education budget more than any cuts in the history of the United States. We must identify the problems and provide the resources necessary.

I do not believe we should hold up the development of this initiative, which cannot be implemented for at least another year, even if we start working on the tests now. I know with the support for the whole school reform initiative that was included in this bill, with the renewed commitment to helping every American student achieve, all of our students in all of our schools can make the grade.

In the Third District of Connecticut, people sometimes wonder why Washington is so slow to address the real problems faced by families struggling to raise their kids to be responsible, productive adults and citizens. They wonder why the House would vote to delay this important tool another 1

year, 2 years, or until the Congress holds hearings and debates.

□ 1845

My colleagues, let us remember that we are talking about taking a test to be sure that fourth graders can read and eighth graders can do mathematics. It is no more, no less than that.

This debate is not about nationalized control of education. States will not be penalized for choosing not to administer the tests. This debate is not about taking power away from parents or from school boards. In fact, it will empower parents and school boards to hold schools accountable.

The author of this amendment shared this view just a few short years ago when it was his proposal to have standardized testing. The gentleman from Pennsylvania [Mr. GOODLING] was an original cosponsor of the Bush administration's central education initiative, America 2000 Excellence in Education Act. Included in this bill were voluntary national testing for 4th, 8th and 12th graders. The gentleman from Pennsylvania also introduced an amendment to establish a process in support of voluntary national education standards and a national system of examinations. It was a good idea then, and it is a good idea now.

I urge my colleagues to demonstrate that we are serious about educating our children, serious about holding our schools to the highest possible standards. Let us give parents the tools that they need to hold our schools accountable. I urge my colleagues to defeat this amendment.

Mr. DEAL of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Goodling amendment. It is not a complicated issue that we are talking about here tonight. The issue is simply one of control. The power to test is the power to control. The power to determine whether we have validated through a testing process is the power to determine how that process is arrived at.

I would suggest that what we are engaged in here now is, first of all, an unauthorized effort by the Department of Education at the Federal level to foist on the American public and on this Congress a testing procedure that has not been authorized. First of all, we should not allow the bypass of this congressional body to determine where the money is to be spent in education.

But, second, I would suggest to my colleagues that this is a very clever way, and a very disguised hook; it is the beginning of a curve that leads to a circle. The chairman has outlined it partially in his testimony. The power to test and thereby to evaluate the test, if it is not a satisfactory result, then would dictate that Washington would have the power to determine the curriculum, since obviously the States and local communities were not properly addressing the curriculum since their test results were not appropriate.

Also, if then by addressing the curriculum the test results are still not adequate, then the next step would be for the Federal Government in Washington and the Department of Education to address the selection and the training of the teachers who are administering the curriculum. Then, if the test results are still not appropriate, the next step would be obviously that the administration that is supervising the teachers who are teaching the curriculum and who are giving the test, if not adequate, then obviously Washington should assume responsibility for that as well.

One can take this circle in ever-ending cycles and go right down to the fact that the ultimate result is that this is an effort for Washington to control education. It has traditionally been the responsibility of States and local communities; it should remain that way.

I would suggest to the preceding speaker that the results of the children in my State of Georgia are best left to the determination of their local elected school boards, that it is best left to their elected State school superintendent and the State school board that works in conjunction with her, and that these are issues that we in our State can adequately address; and unless Washington is willing to assume all of the responsibility, which none of us I think want to see happen, that we should leave it at the level where it is of local and State responsibility.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. DEAL of Georgia. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, I just wanted to point out to the gentleman who just spoke an editorial in the Connecticut News. Quote: "It would take valuable time away from instruction. We are tested out at this point. I don't find any support from my colleagues," said Bridgeport Superintendent of Schools James A. Connelly. "Quite frankly, we have at least two full weeks involved in testing."

William Breck, superintendent of schools for Durham and Middlefield and chairman of the Connecticut Association of Public School Superintendents, agreed: "We get the type of information that we need already. To add another layer at the Federal level is not going to help. It may help the politicians."

I thank the gentleman for yielding.

Mr. DEAL of Georgia. I thank the chairman.

Mr. Chairman, I would urge the adoption of the Goodling amendment.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this amendment is going to pass; it is going to pass by a significant margin. The gentleman from Illinois [Mr. PORTER], the subcommittee chairman, has already accepted the amendment. And for purposes of making clear to the administration that they have a lot of work to

do in working out their differences, not only with the gentleman from Pennsylvania [Mr. GOODLING] but with segments of my own caucus, on behalf of the committee I want to indicate that we will accept the amendment as well.

However, if it comes to a rollcall vote, I personally will vote "no," representing not the committee but myself as an individual member. I would like to explain why.

I am a convert on this issue. I have never felt particularly strongly one way or another on the issue of testing. I think there are many more important things to do in the field of education besides simply test, and when the idea of national testing first became respectable a number of years ago, I was very skeptical about it. I thought that teachers would wind up teaching to the test; I thought all of the things that a lot of opponents of testing think now. I thought that it would disadvantage students from low-dollar districts, districts that are not supported with a great deal of financial resources. I thought all of those things.

I guess even Members of Congress can learn something, and at least I think I have, because I talked to a good many school administrators, a good many parents in my own district, and listening to them I gradually changed my view of this issue. I did so for the following reasons.

It is nice to talk about States being able to administer their own tests. It is nice to talk about how well students do on a State's individual test. But the fact is, I was born in Oklahoma. I wound up growing up in Wisconsin. Most people in this society are mobile, and the mistakes that are made in many localities in this country often wind up being exported to some other part of the country, and all communities experience, sooner or later, the consequences of a lack of quality in education, whether that occurs in their own area or whether that occurs in some other district, because people move into communities all the time.

I think the national government has a responsibility to try to assist local districts in their own way to improve quality just as much as possible, and I think that parents do not care much whether the initiative for testing comes from Washington or from Madison or from their own hometown, just so long as there is constant pressure on the system to change and to increase the quality that is being delivered to every single student in this country. I think that testing can play a useful role in that process.

Now, I think we need to point out a few things. First of all, the bill itself does not allow the administration to proceed with testing. The bill, in fact, specifically precludes the administration from proceeding with testing, and I personally thought that the language that the gentleman from Illinois [Mr. PORTER] had worked out on the bill was sufficient to satisfy those who had questions about it. I was obviously wrong.

I would point out that under the bill the administration cannot proceed to test; all it can do is develop a test which then must be sent to the National Academy of Science so that they can review the validity and the accuracy of the test, so that they can in essence serve as a quality control element in the process. That does not satisfy persons who are opposed to the administration initiative, obviously.

The Senate has gone further; not far enough in the eyes of the gentleman from Pennsylvania, but they have gone a far piece. They have, for instance, taken away policy oversight from the Department of Education and they have given it to the National Assessment Governing Board.

The CHAIRMAN pro tempore [Mr. BEREUTER]. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 4 additional minutes.)

Mr. OBEY. Mr. Chairman, that means that authority over all policy guidelines for this testing is being moved to that board; it will not be under the Department of Education. In addition, that board is being expanded to include a higher number of local officials, and along the way they exempted home schoolers; they made quite clear that home schoolers were exempted from any testing.

Now, in practical terms, the administration has indicated that it will not sign a bill that does not allow them to develop the process or continue the process of developing testing.

Now as I said, as far as the committee is concerned, after consultation with the gentleman from Illinois [Mr. PORTER], I am accepting the amendment, simply to make clear that the administration does need to do a lot more work in talking not only with the gentleman from Pennsylvania [Mr. GOODLING], but frankly with additional members of my own party. It is no secret that significant members of the Hispanic caucus and significant members of the Black Caucus of my own party support the Goodling amendment.

I understand their concerns, but frankly, I believe that even if students are originally learning in another language, I believe that they need to take that test in English by the time they get to around the fourth grade.

I understand and respect the concerns of several members of the Black Caucus that it is futile to provide testing if we do not also have a commitment to provide additional resources so that schools with little financial support can, in fact, have an opportunity to perform decently on those tests.

However, I have a different tactical view. It happens to be my view that if this testing consistently demonstrates that low-income districts are not doing well on the tests, I believe that that will generate additional public demands for added resources to those districts.

So basically, I think we have a lot of suspicion about whether these tests are going to be legitimate, whether they are going to be biased or not. People are concerned about it philosophically. We have a lot of concerns about whether these tests are going to be unfair, and I recognize all of that, and I can only say that at some time I think it is important that these problems be resolved. The only way I know to resolve them is by people sitting down in the same room and working them out.

I would simply note the words of Chester Finn, who used to be the number two man in the Department of Education under the Republican administration, and I have disagreed with Mr. Finn often, but he was quoted in the newspaper today saying something that I think is right on. He said, "If this testing initiative runs into trouble, it will be because conservatives will not swallow the word 'national' and liberals will not swallow the word 'testing.'"

It seems to me that both need to overcome their own concerns, because I really believe that in the end testing is going to be a crucial element in convincing the public that more resources need to be provided to poorly-financed districts in this country.

□ 1900

I do believe that parents have a right to know how their children do perform on tests which are viewed nationwide. The gentleman from Pennsylvania [Mr. GOODLING] may very well be right.

The CHAIRMAN pro tempore. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 1 additional minute.)

Mr. OBEY. Mr. Chairman, the gentleman from Pennsylvania [Mr. GOODLING] may very well be right, that a lot more work needs to be done. It seems to me that the right course would be to go into conference and work out a mutually agreed position. I still think in the end, regardless of the outcome of this amendment, that is what we are going to need to do.

So when this amendment passes today, I hope people on all sides recognize that in the end, evaluation of student performance is a good thing. I believe testing is a good thing if it is done in the right manner, and I think we need to figure out a way to make sure that it can proceed.

Mr. HUTCHINSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, today I rise in support of an amendment offered by the gentleman from Pennsylvania, Chairman GOODLING, which prohibits the administration from using funds within the education appropriations bill for the development of a national test.

I believe this amendment is necessary and very important. The gentleman from the other side of the aisle has indicated that the Department is

not proceeding, but yet we see there has been a \$13 million contract already let in order to start developing the test. This amendment is very timely and important.

There are those who believe and argue that a national test will help solve our educational problems. They believe it will set a national benchmark for our students so they may prepare for the future, and students would achieve higher academic standards as a result of these tests, and that the comparison of the results of tests between the States would somehow help the students to prepare effectively for the work force.

Mr. Chairman, I believe what H.L. Mencken once said applies directly to the Department of Education's initiative. He says, "There is always an easy solution to every human problem—neat, plausible and wrong." That applies in this case. Testing will not create greater performance, it only provides an assessment. The creation of national tests would become the vehicle for a national curriculum.

How does this happen, we might ask? Because the content of school curriculum can be directed by the development of national tests. We need to keep control of our children's education in the hands of the local people who work daily with our children and our parents to properly educate them. They are the most qualified to assess their educational needs. We do not need to justify an even more bloated and unmanageable Department of Education.

Let us invest the money in our children, not in more administrative paperwork. The people of Arkansas are not demanding national tests, they are demanding good education. That comes from the local school boards, the parents, teachers who are dedicated do that proposition.

Mr. Chairman, I ask my colleagues to vote in support of this amendment.

Mr. LUTHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. We have before us an opportunity this evening to help all American children reach their potential by objectively testing the basic education they are receiving. We need to keep in mind what we are talking about: A simple, effective way to measure American student performance in the basics of education: Reading and math.

We are not talking about other noncore subjects, only reading and math. We are not talking about a new Federal program or a grand one-size-fits-all Federal study, we are talking about a voluntary tool to be used by parents, teachers, and local schools to assess the results of their own education efforts and the money they are spending, and to then chart a course toward improvement.

Most importantly, parents deserve to know whether their children are being educated early enough in life so correc-

tive action may be taken, because their children deserve to be prepared to compete with children not from their school district and not from their State, but from around the globe. Mr. Chairman, our children are not here to argue this this evening, but we are not doing American children any favor by not giving their parents the tools to measure whether they are being educated.

I urge Members not to stop an initiative that should have occurred years ago. Think of our children's future, and oppose this amendment.

Mr. PAUL. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. PAUL. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING] to prohibit the expenditure of Federal funds for President Clinton's national testing scheme.

The amendment of the gentleman from Pennsylvania would prevent the Department of Education from developing a national test unless authorized to do so by Congress. While I share the concerns of the gentleman from Pennsylvania [Mr. GOODLING] that the administration should not take such a drastic step as developing national testing without congressional authorization, and I thank the gentleman for all his leadership in fighting for this amendment, the fact is the Federal Government has no constitutional authority to develop national testing even with congressional approval.

National testing is another significant step toward total nationalization of education. National testing will ultimately lead to fulfillment of the dream of the enemies of the constitutional system of local and parental control of education, the de facto creation of a national curriculum.

Mr. Chairman, the administration claims that the testing program would be voluntary. However, I remind my colleagues that this is the same administration that considers the Goals 2000 a voluntary program, despite the numerous times Goals 2000 uses the terms "shall" and "must" in describing State functions.

Furthermore, whether or not schools are directly ordered to administer the tests, schools will face pressure to do so as colleagues and employers inevitably begin to use national tests as the standard by which students are measured for college entrance exams and entry-level jobs. At the very least, schools would soon find Federal and perhaps even State funding dependent on their voluntary participation in the national testing programs.

When all or at least the majority of the schools are administering national tests, the tests will then be the standard against which all schools will be measured. Those schools whose students did poorly on the national test would be labeled as doing a poor job of

educating children. Educators would react to this pressure to ensure that students scored highly on the national test by teaching the test; that is, structure the curriculum so students can learn those subjects and only those subjects covered by the national tests.

As University of Kansas professor John Poggio remarked in February, "What gets tested is what will be taught." Government bureaucrats would control the curriculum of every school in the Nation, and they would be able to alter the curriculum at will by altering the national test.

Private schools and home schools will be affected as well, as performance on the national tests become the standard by which student performance is judged. Those in private and home schools will face increasing pressure to participate in national testing and to shape what is taught to the criteria of the test itself.

The Department of Education has already admitted its ultimate aim is for a national curriculum. According to a United Press International story on the national assessment of educational progress reprinted in the Santa Rosa Press Democrat in May, "The Education Department * * * hopes the kinds of questions involved in the voluntary test will shape the way science is taught."

Mr. Chairman, under the United States Constitution, the enumerated powers of the Federal Government simply do not include education. Yet the Clinton administration's national test proposal will inevitably result in Federal bureaucrats dictating what every child in America will be taught. National testing represents another giant step in the centralizing of American education and a giant step away from America's constitutional republic.

I therefore urge my colleagues to join me in opposing all moves to implement a national testing scheme, starting by supporting the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING] to prohibit the expenditures of Federal funds to develop and administer a national testing program without explicit authorization from Congress.

Mr. OWENS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. OWENS. Mr. Chairman, I rise in support of this amendment to prohibit the expenditure of funds to develop a national test. We need opportunities to learn before we mandate national tests. In the overall, comprehensive effort to improve our schools, there is a place for a national testing program, but it is counterproductive and oppressive to launch a fast-track stampede for a national test without simultaneously implementing other desperately needed Federal initiatives.

Our national campaign to promote opportunity-to-learn standards ought

to come before or in concert with the push for a national test. Testing without opportunity-to-learn standards or other reforms is merely a measurement of the status quo. We know what the tests are going to tell us before we give them.

When there is no effort to improve school facilities or to provide adequate libraries, laboratories, computers, and other learning necessities, the burden of improving education is dumped solely on the backs of the pupils. Under this condition, with gross sins of omission, national testing with high stakes and scores that will remain with students for a lifetime become the instruments for the abuse of students.

We need a moratorium on testing until other school improvement components are implemented with greater vigor than they are now being pursued. The Federal school construction initiative, the construction initiative which will provide safe facilities conducive to study, must be placed back on the political track. Adequate physical facilities do not automatically improve learning; however, they are at the heart of the opportunity-to-learn standards. Since local education agencies throughout the Nation are experiencing overcrowding and infrastructure decay, school construction is a universal priority.

National testing is not a priority. National testing is a highly visible device, but at this critical point the campaign for educational reform deserves more than a dramatic, headline-grabbing gesture. Instead of this piecemeal, isolated gimmick, we need a more balanced and inclusive approach to school improvement.

America's children will be best served by returning to the working compromise that was reached in the 1994 Elementary and Secondary Educational Assistance Act. At that time it was agreed that a three-part Federal initiative would be launched to promote national curriculum standards, national testing standards, and national opportunity-to-learn standards.

This agreement was violated when, through a back door rules-violating Committee on Appropriations deal, the section of the law related to opportunity-to-learn standards was repealed in 1996. States and local governments are no longer exhorted to voluntarily raise their opportunity-to-learn standards. Only the students now have the burden placed on their backs. They have been abandoned by the Federal advocacy process, and they are being loudly challenged to meet new accountability demands that their local education agencies are not being exhorted to develop, and also the States are not being held accountable.

We now have a window of opportunity, since Americans do think education is a high priority and have made that clear, we have a window of opportunity, and we can offer American students a better deal than more tests with less opportunities to learn. We can do more than just test students.

The American people clearly want better schools, and public officials who are able to deliver a machinery for it are desired also by the electorate. It is not an exaggeration to contend that at this particular moment a bipartisan educational achievement of great magnitude is possible. Both Democrats and Republicans agree on enough components of education reform to forge ahead in this session of Congress.

Both parties agree that charter schools offer a way to experiment with governance and management which would provide competitive choices with a minimum loss of public control. Both parties agree that increased resources for teacher training and retraining is a need we jointly recognize. Encouraging the maximum use of technology to aid education is also an approach approved by both parties.

It would not be difficult to produce a bipartisan school package with substance. At a time when there are no absorbing global crises and very few national emergencies, the deliberative powers of both the executive and legislative branch could fashion a program with minimal intervention and a well-focused targeting to stimulate a chain reaction of State efforts to forge continuing improvements in education.

The most productive Federal role is to challenge the States and enhance the programs that work, and that can be implemented and managed at the State and local levels. A national school reform effort means that all levels of government must make their appropriate contribution. On the scale of priorities for reform, testing is way down on that list of priorities.

Both the NAACP Legal Defense Fund and the Leadership Council on Civil Rights opposed this.

The CHAIRMAN pro tempore. The time of the gentleman from New York [Mr. OWENS] has expired.

(By unanimous consent, Mr. OWENS was allowed to proceed for 1 additional minute.)

Mr. OWENS. Mr. Chairman, also, the Leadership Conference on Civil Rights has opposed this fast-track national testing initiative. They have given very sound reasons for opposing it.

To help the children of America, a bipartisan school reform package with substance is needed. We do not need gimmicks, we do not need block grants, we do not need national testing.

□ 1915

Vote "yes" on this amendment to prohibit the usurpation of the powers of the Congress.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the requisite number of words.

I would submit a couple of thoughts, Mr. Chairman. One is that we already have national tests. We have the Assessment of Education Progress test, the National Assessment of Education Progress test, the SAT, the ACT, the Ohio Test of Basic Skills, the California Achievement Test, the Metropoli-

tan Achievement Test, to name some of those national tests. In addition, we have many State and District tests. The danger is the President's suggestion that the Department of Education design the test. It has been said before, those that design the test, design the curriculum.

Allow me to cite one example. One area where some of us disagree for 4th graders might be that they all should be computer literate. So imagine that a test measures computer literacy among 4th graders in their reading test. Naturally, if a school wants to perform well, they are going to be forced to develop that curriculum that is mandated by a national test. So imagine many other areas that Washington thinks is important for testing but local school communities disagree. Those that design the test, design the curriculum and that decision should be left up to parents and school boards and teachers in the local community.

I would suggest that in this bill, section 306 on page 97, the language simply says that the National Academy of Science is going to evaluate and submit a report. They are going to evaluate: One, technical quality; two, adequacy of administration; three, reliability; four, validity of contractor's design; and five, degree to which the test can be expected to provide valid and useful information. And then the language on page 76, line 21, implies that after that is submitted, the Department of Education shall proceed to administer final version of that test.

Again, I submit that we do not need bureaucrats in Washington designing the curriculum that can be best judged and decided by local communities and local parents and local school boards.

Ms. WATERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in support of the Goodling amendment to deny funding to the President's national testing proposal. Mr. Chairman, widespread misuse of educational testing has disproportionately penalized poor and minority children. That is why the Congressional Black Caucus opposes the administration's proposed national testing standards for 4th and 8th graders and why we support the Goodling amendment to deny Federal funding for the initiative.

The CBC cannot support any testing that may further stigmatize our children and force them into lower educational tracks and special education classes. The national testing proposal provides no enforceable safeguards against the misuse of test results that can harm our children. Tracking, retention in grade, and ability grouping have all been used to the detriment of millions of students.

Testing is being misused right now in schools across the Nation, as demonstrated by the case in North Carolina where 14 students have filed an equal protection claim based on the

misuse of testing. This test appears designed to consciously disregard the estimated 3 million children nationwide with limited English proficiency by refusing to offer the 4th grade test, reading test, in any other language than English.

American students are among the most tested children in the world, yet our educational infrastructure continues to struggle. Paying for a national standardized test while continuing to neglect the pressing needs of our public schools reflects a fundamental misunderstanding of the crisis in our educational system. We need serious solutions to the pressing needs of our Nation's students, not misguided sound bite legislation.

I recently reviewed the test results of a test in California, it may have been the achievement test, and it told me what I already knew. The kids from Beverly Hills did very well; the kids from Compton and from Watts did not do as well. So we know a lot about tests and the results of tests. We need to ask now what do we do? How do we apply the resources to bring those children up? What do we do to invest in their opportunity?

If we want to do some assessments, let us not just test the children, let us take whole schools and school districts. Let us look at the teachers. Let us look at the principals. Let us look at the facilities. Let us find out whether or not they are wired to accommodate computers. Let us find out whether or not they have science laboratories.

I just talked to two of our staffers right here in Congress, and I asked them what did they think about this. They said their children go to schools where they do not have books; our children are attending schools where they have to send the paper towels for them to wash their hands; they have to send toilet tissue. They have to send everything to the school to try and make life in that school just decent for their children, yet at the same time we are in some debate about tests?

Let us have a real debate on education. Let us find out why we could not get a measly \$5 billion in the budget to rehabilitate our schools where the roofs are falling in, where we do not have air-conditioning, where heating is less than adequate. Let us have a real debate about education to talk about in-service training for our teachers.

Let us have a real debate. We are being sidetracked into a nondebate about educational testing. We have all kind of tests in the State. And if it is truly voluntary, and some will be doing it and some will not be doing it, why are we trying to have a national test? It is only national if we force it on everybody. So what if only half the Nation participates in this so-called national voluntary testing?

I join with the gentleman from Pennsylvania [Mr. GOODLING], and a lot of people are going to wonder why the Hispanic Caucus and the Black Caucus

are joining with those on the other side of the aisle that we normally disagree with on so many issues. Well, I tell my colleagues, we are all taking a common sense approach to this issue. Be it Republican or Democrat, Latino Caucus or Black Caucus, we are taking this common sense approach because we have the lessons of our community about what is wrong with education.

The CHAIRMAN pro tempore (Mr. BEREUTER). The time of the gentleman from California (Ms. WATERS) has expired.

(By unanimous consent, Ms. Waters was allowed to proceed for 1 additional minute.)

Ms. WATERS. Mr. Chairman, our children are not failing because they did not have a national test. Our children are failing because in many cases there are just plain lack of resources in districts that are poor, that do not have the resources.

We have discovered from the testing who does best, as I identified with Beverly Hills and South Central Los Angeles. Our children are failing because many of our teachers are inadequate. Many of our teachers are not trained and prepared to do the kind of teaching that they should be doing to make our children successful. We are failing because we are not having the real debate about the needs of our schools and our children.

I tell my colleagues far too many schools in America cannot even have computer labs because they are not wired to accept the computers to do what they should be doing. Let us forget about this so-called national test. Let us get into a real debate and design what our children need to make them successful.

Mr. HOEKSTRA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise tonight in support of the Goodling amendment. The Goodling amendment, I think, puts into proper perspective the Federal role in education.

The Federal Government really has no responsibility to go out and test every child in the 4th and 8th grade. We do test on a random basis. Through NAEP, we test children at the 4th, 8th and 12th grade levels, and we get a sampling so that we can get a comparison between how students from one State are doing compared to the other. But we have not put the Federal Government in the role of testing every 4th grader and every 8th grader and every 12th grader, because that is not the job of the Federal Government.

What we do have is we have States who are working through this process, who are setting State standards, who are setting and putting in place State tests to fulfill the proper role that the States employ, which is to control and work with the local units of government in managing education in this country.

We have been involved in a process over the last year where we have gone

around the country and we have taken a look at what is going on in education; what is working, what is not working. And it has been very interesting as we have taken a look at the various States and they have shared with us what they are doing in the area of testing.

This should be a word of caution to those of us in Washington before we embark down that road. We were in the State of Delaware. The State of Delaware is about the size of one congressional district. We are trying to design a test here for 435 congressional districts.

As the governor described the process that they went through in designing a State test, he described a very intensive process, a collaborative process between parents, educational professionals, the schools, other interest groups, to design a test that could be given to the students in Delaware, and that when the results came back would be accepted by the parents, by the educators, the administrators and other people that had a vested interest in having a good educational system and that the test would actually mean something.

It took the State of Delaware about 3 years to come up with a test. The State of Delaware is now going through a process of deciding exactly how to administer the test and, when they get the tests back, exactly how to use the results and what decisions can be made off of those tests. This has to be a slow, deliberative process. It needs buy-in, and it needs to be done at the State level and not at the Federal level.

The State of Michigan is going through much of the same struggle, of designing a test that will be widely accepted and will actually enable decision-makers, whether it is a parent, whether it is a teacher or a school district or a governor, a test that will enable those types of individuals to make the kinds of decisions that they need to make; that will actually be an asset in helping them outline educational strategy.

In Michigan what we are finding is that parts of the tests have been widely accepted but we have some problems. Students are opting out; parents are opting their kids out. In some cases we have actually had some school districts advising some of their kids to stay home on the days that the tests are given so that they can manipulate the test scores.

It does not mean the State of Michigan should not be involved in the testing process, but it means that even after having worked on this for a number of years, we still have a lot of work to complete before we will have a valid test in the State of Michigan that parents, students and educators will support.

This work needs to happen at the State level. It needs to happen at the local level. We do not need the Federal Government to get involved. It is not the proper role for the Federal Government. This work is going on where it

needs to take place and where constitutionally it should take place, which is at the State and local level.

Mr. Chairman, I rise in support of the Goodling amendment and agree with my colleague from California that we need to have a national debate about how to improve education, and it is not by making the Federal Government get more involved, it is by diminishing the role of the Federal Government and unleashing innovation at the State and local level.

We have seen innovation and we have seen schools, parents and kids that are excelling, but it is when the Federal Government has stepped back and where we have enabled young people and where we have enabled the local governments to take control.

Mr. PORTER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 90 minutes, to be divided 45 minutes to the gentleman from Pennsylvania [Mr. GOODLING] and 45 minutes to the gentleman from Wisconsin [Mr. OBEY].

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

□ 1930

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. ETHERIDGE].

Mr. ETHERIDGE. Mr. Chairman, I thank the gentleman from Wisconsin [Mr. OBEY] for yielding me the time.

Mr. Chairman, I want to be very brief and maybe set out a few quick points, if I may. We have been talking about tests. And the last time I checked, math is pretty much math anywhere in this country. I state that having been State superintendent, elected by the people in the State of North Carolina for two consecutive 4-year terms.

Reading is something that every child needs to know. It is the foundation of all learning. And we are really talking about testing that in fourth and eighth grade, and we are talking about a voluntary test. This is voluntary. It is not mandatory.

The other point I would make, Mr. Chairman, is that when we are talking about these issues, we are talking about the fundamental issues of education.

Let me very quickly talk about my State for just a moment. In North Carolina we became a part of the National Assessment of Education Progress, and the gentleman from Michigan [Mr. HOEKSTRA] talked about that a few moments ago. That does not require a national curriculum. States can elect to be a part of it, and 45 States in this Nation have participated.

I would say to my colleagues that North Carolina has volunteered to be one of the six States, and we will be a part of any national test that is put in place. But I want to talk about the National Assessment of Education

Progress for just a moment and why it is important to have some standard, because I happen to believe in high standards for our children so that all children can gain and do well.

North Carolina has been a leader of that over the last several years, and here is why: No other State in this country has experienced the sustained gains demonstrated by North Carolina schools since 1990. Today, North Carolina's public schools are performing well above other schools anywhere in this country, and let me tell my colleagues why.

When tests were taken this year on NAEP, in 1996, North Carolina gained 17 points in eighth grade mathematics for the 6 years reported by NAEP. That is twice the national average, which happened to have been eight points for all the other States in the Nation, and approximately 50 percent higher than the gain of any other State in the Nation.

The State's average performance was just short of the national average. Why? Because we started right at the bottom. Why did we grow so fast? Because we had standards, we measured them, and every single school knew it. We gave our teachers the resources, and they performed admirably. And so did our students.

North Carolina students have improved the equivalent of one full grade level during the decade of the nineties. In other words, an eighth grade student in 1996 was one full year ahead of eighth grade students in 1990. So in little over 6 years, right at 6 years, they gained a full grade level in elementary grade.

North Carolina's fourth and eighth grade African-American students were five points ahead of African-American students nationally. Why? Because we measured, we put the resources there, and it makes a difference. If it does not make a difference to assess and measure, then why do we do it in other things? Why do we keep the score of a basketball player or football player? It is important to let people know where they are and put the resources and make a difference.

I close by reminding my colleagues that we are talking about voluntary tests, we are talking about reading and mathematics, and it is time that we get away from the rhetoric of who is in charge and let the American people know that we mean to have high standards and we are going to make sure that our children can compete with any children anywhere in the world.

Secretary Riley said, when the tests were released this spring, if we look at the States that are on the way up, States like North Carolina, Michigan, Maryland, and Kentucky, I say it does make a difference to measure. It makes a difference to let children know what we want. And that is why I oppose this amendment.

Mr. GOODLING. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. RIGGS], chairman of the

Subcommittee on Early Childhood, Youth and Families from the Committee on Education and the Workforce.

Mr. RIGGS. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. GOODLING], the distinguished chairman of the Committee on Education and the Workforce, for yielding me the time.

I say to my colleagues, this has been an interesting debate, although one that seems to have a foregone conclusion, interesting in the sense that it clearly crosses party lines. I want to say at the outset that I hope this debate does not become another political football. I would hope that this kind of debate would occur at the local level, at a local school board meeting in every community around the country, because I think it is real important for those local communities to have a debate regarding the standards and expectations for children that attend schools within that community. But that is really what we are talking about tonight.

I do also want to preface my remarks by saying I believe the President and his administration are well-intentioned in this regard. I think their proposal may be somewhat flawed, but I think the President was right to stand up here behind us and give his State of the Union Address to the Congress and the country in February of this year and talk about the problem of social promotion, this idea that too often our children are advanced from grade to grade or even graduated as much on the basis of good behavior and time served as on the basis of what they know and what they can demonstrate they have learned during their public school years.

I think the President is right to talk about replacing this problem of social promotion with a competency-based advancement system in our schools. But the question really, though, goes to the fundamental issue in American education, and that is: Who is going to design that system of competency-based advancement?

And I submit to my colleagues that it is the responsibility, it is the obligation of the State and local education agencies to design that system. That is very much in keeping, as I have said over and over on this floor, with the long-standing American tradition of decentralized decisionmaking and local control in public education.

Clearly, though, we ought to have high expectations and high standards for all of our children. One out of four high school graduates are functionally illiterate. American students lagging internationally. Unacceptably high dropout rates. In fact, if one child falls through the cracks, much less an entire generation of urban schoolchildren, we have a problem. Too many high school graduates going into our colleges and universities in need of remedial education, defined as not being able to learn at the eighth grade level. Something has gone awry in schools if that is the case.

So I do encourage States, such as my home State of California, such as the State of Virginia, to establish uniform standards for pupil performance so parents have a basis for knowing how all schools within that State are really performing. That makes, to me, very good sense.

As the chairman of the authorizing subcommittee, I want to tell my colleagues I support the Goodling amendment, in part because every time we have a debate about testing, we raise more questions than answers.

In fact, the gentleman from Illinois [Mr. HYDE], one of our very distinguished colleagues, chairman of the House Committee on the Judiciary, sent around a "Dear Colleague" citing four reasons to support the Goodling testing amendment, including no authorization. And clearly now, I say to my colleagues, let us be real clear on one point, and that is, if we are going to expand the NAEP, this random sampling of pupil performance, in 43 of the 50 States to include producing individual test scores, that goes beyond, that exceeds the current statutory authorization for the NAEP. So, no authorization.

Second, the department's testing proposal bypass Congress. And as the chairman said, it just makes good sense to consult the elected representatives of the people when talking about something the magnitude of national testing.

Third, there is real grassroots opposition. There are local concerns regarding the idea of voluntary national testing in many communities around the country, not least of which is that it may cause the States and local communities inadvertently to have to lower the bar in this whole area of standards and expectations.

Lastly, there are again these fundamental questions regarding the President's testing proposal, such as what is the purpose of the test; what is the need, as the chairman said, for yet another set of tests; will the test undermine State and local curriculum assessments; and will these tests, bottom line now, ultimately improve pupil performance?

So that is the message I wanted to convey tonight. I do want to urge, as the subcommittee chairman, State and local school districts to improve public education by raising academic standards, by increasing and, yes, enforcing graduation requirements for all students. Maryland is looking at doing that same thing now and holding schools accountable for poor student performance.

Again, this is very consistent with the long-standing American tradition of decentralized decisionmaking in public education. And in keeping with that tradition, it is those local elected decisionmakers, those school board members who are accountable to their constituents, to their neighbors, to their family and friends in that community, the people who put them in of-

fice as school board members, it is those local school board members who should consider adopting and implementing rigorous standards in the core academic subjects and allowing the students to study in school with their testing. That would be a way that parents can see how all students are really performing.

Mr. HOYER. Mr. Chairman, I yield 6 minutes to the distinguished gentleman from California [Mr. MILLER], a longtime member of the committee.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman from Maryland [Mr. HOYER] for yielding me the time.

Mr. Chairman, I rise in opposition to the Goodling amendment. I do so and I find it rather interesting that we have so many Members coming out onto the floor and saying that what we have got to do is abide by local control and local decisions, and yet this amendment would not allow some 15 major cities in this country and a number of States that have made the decision that they want to use the NAEP for the purposes described in the President's program, this amendment would prohibit them from doing that.

States of Alaska; Kentucky; Maryland; Massachusetts; Michigan; North Carolina; West Virginia; not exactly the hotbeds of a Federal takeover of education; Atlanta, Georgia; Broward County, FL; El Paso, TX; Fresno, CA; Long Beach, CA; Omaha; New York City; Philadelphia; San Antonio would like to use NAEP. They believe in this product. They would like to use it for this purpose, but this amendment will not allow them to do that.

So, it is not quite the level of local control that people would have us believe. They would have the Federal Government keep those local jurisdictions from using this.

But the fact of the matter is, let us take a look at it. Both sides and political leaders of both parties have gotten up, and very often do it in June when we are talking about students who are graduating from high school and cannot read their diploma, most of those students were tested with State tests. Most of those students got a C average or D average or something to get that high school diploma. But there was a bit of a fraud perpetrated on the student and on the family. And that is that somehow this student was performing to standards that were worthy of the diploma and was prepared to go on to the rest of American society, whether that is to work, or training, or education, or what have you.

What, in fact, we see is a lot of students take State tests; and then when we assess them against the NAEP, huge numbers of those students that looked like they were performing very well on the State tests do terribly on the tough tests of the NAEP.

The fact of the matter is that in the last 4 or 5 years American parents and communities have decided to reengage their education system. America has

decided that if, in fact, it is going to compete, it is going to have to revalue education; that we have been letting it slide too long for our children, we have not asked enough of our children, we have not set the standards high enough, we have not recognized what they were able to, in fact, achieve. We simply let them muddle through. But parents now understand that muddling through is not good enough if their children are going to be able to actively participate in the American economy and in the world economy and as productive members of our society.

In fact, in California what we now see is a change in terms of what local communities are doing in terms of the reinvestment of their tax dollars into the public system. In almost an unprecedented rate, bond issue after bond issue that must be passed by two-thirds vote is passing in our State because people have decided that they are going to reinvest in this public system. For all of the horror stories that they have been told about it, they still decide that that is where they want to make the investment.

I would think that they would want the NAEP test so they can decide how they are doing, how they are doing alongside of North Carolina, which is achieving changes in its educational achievement and attainment that many States would envy. They would like to know how they are doing against Massachusetts or Alaska or Maryland. Is what they are doing now and the investments that they are making, the new investments in technology, the new investments in physical plants and equipment and teacher training, is that paying off? Are they headed in the right direction with their curriculum?

That is the standard that NAEP would provide them to make those kinds of comparisons. They do not want to do that? Nothing in the law says they have to do that. They do not want to participate in that comparison? They do not have to. They do not want their children to take the test? They do not have to.

But what, in fact, we are seeing is, we are seeing local school districts coming forward, asking to be able to participate, and we are seeing States saying they would like to participate. And somehow the Congress cannot find it quite right that these people have made an informed judgment, that they have made a good determination, what is good for their State or what is good for their school district, to participate in this. We have decided what we will substitute our judgment at the Federal level and they cannot participate in this program.

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I know that the gentleman from Pennsylvania [Mr. GOODLING] has been on both sides of this issue, and so have I. I pushed very hard for opportunity-to-learn standards so we would make

sure that resources would accommodate testing. But I also think that testing is a road map and is a guidance for communities as to whether or not they are getting shortchanged in some manner or fashion in those school districts.

It also lets communities and school boards know where resources ought to be allocated, because all of those things are true today without the NAEP. It is all true today, the misallocation of resources, misallocations of talented teachers, roofs that leak and all the rest of it. NAEP is not going to cause that to happen. It is happening today. But it may very well provide a blueprint and a guideline and an assessment as to how these renewed efforts that are going on all over our country as people are reinvesting billions and billions of their local tax dollars back into the public education system in this country.

This is a chance for them to determine whether or not they are making not only a wise decision, but the right decision. I happen to think they are making the right decision. But they need to know as to whether or not their local efforts are paying off on behalf of those students.

But the heavy hand of the Federal Government apparently tonight is going to decide that they will not even be able to do that. If they vote at the local level, if they vote at the district level, if they vote at the school level or if they vote at the State level, the Federal Government tonight will decide that that will not happen.

Mr. GOODLING. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. GRAHAM], a member of the committee.

Mr. Chairman, will the gentleman yield?

Mr. GRAHAM. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. I just wanted to point out that after intense lobbying by the administration, only seven of those States decided to participate. After intense lobbying by the administration over months, only fifteen cities out of thousands have decided to participate. Intense lobbying, I might add.

I thank the gentleman for yielding.

Mr. GRAHAM. Mr. Chairman, I rise in support of the Goodling amendment. I want to compliment the gentleman from Pennsylvania for having the guts to say nationally what people locally are saying about national testing.

In my district, I presented a flag to a local elementary school. We talked very glowingly about what the flag meant and how much we should honor and respect it. The one thing that I left with that meeting was that there are good, polite kids at that school, and every teacher was following this debate, and every administrator was following this debate and said, please do not impose upon us another testing regime. Give us some assets to implement the changes we need to make in South Carolina to improve education.

If you are a taxpayer out there channel flipping, you might want to stop for a minute. This debate involves your money. It is going to take \$15 to \$16 million to design the tests. In the year 1999, it is going to take \$90 to \$100 million to administer the tests. That is a lot of money. At least I think it is a lot of money.

The question you ought to be asking is take a few minutes to go to your local education board, to your superintendent, to your teachers, and write your State representative and ask those folks what are we doing in our State right now to test our students, and see if that suffices. This really is about power. If you do not have an agenda, you ought not be in this place. My agenda is clearly to take the education debate and get it home and get as much resources into the hands of a teacher who knows the child's name and less resources here in Washington.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. BEREUTER). The gentleman will direct his comments to the Chair and not to an audience.

Mr. GRAHAM. Strike what I said, Mr. Chairman, and I will make it to the Chair.

Mr. Chairman, what I would suggest that everybody in the country do is do what I just said a few minutes ago. Take some time to find out how much money is being spent at the local level and see if this \$100 million program does any good, or if we should take the \$100 million and give it to the classroom teacher who will actually meet their child every day and see if it will help produce a better result.

Let me tell my colleagues politically where we are. The State has already voted on this. They decided not to give the Department of Education the ability to fashion the test. It passed in the Senate, but there is going to be a Washington-picked group that will design the test.

One reason I think the Black Caucus and the Hispanic Caucus is against this is they do not want some elite group in Washington designing a test for their children, not knowing anything about their community, and creating standards that may not be appropriate for their community.

If you give the power to test, you are eventually going to give the power to change curriculum. It has traditionally been in America a local function to test and prepare students to learn. A local teacher will show up in your classroom, somebody that lives in your community, who will probably see you Friday night at the ballgame. Would it not be nice to be able to talk to that teacher and tell her or him that, I support you and your endeavors to educate my child, and I am against giving more money in Washington, DC to do the job that you are capable of? That is what this debate is about.

The gentleman from Pennsylvania [Mr. GOODLING] has got a lot of guts. He

is willing to take the feel-good 30-second, 60-second sound bites and fight for values. I think his agenda is what most people's agenda in the education business is. Give me more of the assets available in education, and I will do a better job. A dollar spent here in Washington will not do what a dime spent in a classroom in South Carolina will do.

Let us take the money, the desires, hopes and dreams we have for our children and put it in the hands of the people who will actually meet the child day in and day out, and do not buy into the dream that Washington knows best. If you want to send your kid to a Washington, DC school system, come up here and go. You would not stay here 1 minute.

Mr. HOYER. Mr. Chairman, I yield myself 5¾ minutes.

Mr. Chairman, I rise in opposition to the Goodling amendment. I am from one of those States apparently that was intensely lobbied. We did not need to be. As the gentleman from North Carolina has mentioned, we believe that assessing performance is critical if we are going to achieve excellence, if we are going to have expectations of our school system, of our students, of our teachers and of our system.

Mr. Chairman, I rise in opposition to the Goodling amendment because I believe it is a crucial part of preparing our children for the next century to have a national assessment available to local States and local education agencies. Available is the key word; not imposed, but available, at their option, voluntary, as everybody has noted.

The funds provided for in this bill will support the implementation of voluntary national tests. States and local districts will have the opportunity to participate in the tests, but the tests are not mandatory. No Federal funds will be withheld if a State or district does not choose to participate. It seems to me the proponents of the Goodling amendment ignore that fact and just suppose that somehow it will turn into being mandatory.

Parents, Mr. Chairman, deserve, having spent their hard-earned money and invested in their school systems, to know how their children are performing based on rigorous standards no matter where they live in this country. The chairman of the subcommittee spoke. The gentleman is from a State of 32 million people. One-ninth of America lives in his State, one-eighth or one-ninth of America lives in his State, so it is very nice to say, well, we will have this State standard, larger than most nations or many nations of the world.

National tests, Mr. Chairman, will provide parents with the information they must have to determine if their children are on track in obtaining the knowledge and skills needed in a global society, not needed in South Carolina, not needed in California, not needed in Maryland. Our young people will compete in a global marketplace. They

need to be ready, as this country needs to be ready.

In my State of Maryland, as has been mentioned, national tests will serve as an enhancement to the rigorous assessment program already in place. Why do we have it in place? Because our citizens have demanded that we use their money effectively. All of us, and particularly the majority party, has talked about spending taxpayers' money effectively. How do you know that? By osmosis? I suggest not. You have got to find out, and you have got to tell parents, are your children getting what you are paying for? This is the way to find out.

Since the implementation of this program in Maryland, Mr. Chairman, test scores have continued to climb, dropout rates have dropped significantly, and attendance rates have risen. I hope that everybody listens to that, because that is exactly what the gentleman from North Carolina said was the result in his State of these tests.

The American public supports, I tell my colleagues, high national standards. According to a national education survey, 84 percent of voters favor establishing meaningful standards for what students should be expected to learn in skills such as reading and math. And 77 percent of those surveyed favor national reading and math tests. Why? Because they know their children are going to compete with the young people from California and Florida and New York and Maryland and Mississippi, and they want them to be able to do so, because they know it is crucial for them and for their families' welfare as well as the welfare of our Nation.

The American Federation of Teachers, the National Education Association, the National School Boards Association and the Council of Chiefs of State Schools Officers all endorse voluntary national tests and oppose the Goodling amendment.

Mr. Chairman, when expectations are raised, students rise to meet them. I hope that we oppose this amendment.

Mr. Chairman, there was a book written by Jonathan Kozol some years ago. The title of that book was "Death at an Early Age." The premise of that book was that we do not have high expectations of some young people, minority young people, educationally deprived young people, economically deprived young people, and because we do not have high expectations that they will perform, they meet those expectations. They are low ones. But if we had a way to assess all of our students, then their parents would know that our expectations were not high enough for their children or that our performance in getting them to our expectations were not successful. In either event, parents, communities, States and, yes, this Nation ought to know, are we preparing our young people to compete in a global marketplace.

The CHAIRMAN pro tempore. Without objection, the gentleman from

California [Mr. RIGGS] will control the time of the gentleman from Pennsylvania [Mr. GOODLING].

There was no objection.

Mr. RIGGS. Mr. Chairman, I yield myself such time as I may consume to briefly observe that what this debate is about is whether national testing is a proper role for the Federal Government. As a former Governor himself, as a former head of the National Governors Association, the President should realize that he is intruding on what is historically a State and local responsibility. In fact, just last March at a summit in Palisades, NY, the Nation's Governors and prominent business leaders reconfirmed their commitment to developing State standards and State assessments in their own States.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. DELAY], the distinguished majority whip of the House of Representatives.

Mr. DELAY. Mr. Chairman, I congratulate the gentleman from Pennsylvania [Mr. GOODLING] and those that have brought this amendment because I rise in support of this common-sense amendment, and I urge my colleagues to support it.

We do not need the Federal Government and national organizations getting involved in our local school districts. There are many problems with our educational system. Parents need more choices when it comes to sending their children to primary and secondary schools. We had a proposal that would have given parents greater opportunities to make these choices, but the President turned it down. Clearly the President was frightened by the power of the teachers' union, and I think that is a shame. We do not need to legislate merely to please the teachers' union. We should legislate to improve the quality of our children's education.

This amendment says that we should not waste our precious resources by identifying problems through more tests administered by Washington bureaucrats. We know the problems. Our kids are not getting the kind of quality education that they need to compete into the next century. We do not need a national test to figure that out. We need to improve our schools by promoting competition and by giving parents more choices to provide better opportunities for their kids. We need to move our precious resources out of Washington and away from the NEA and other national associations and send those resources to our schools where they belong.

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Let us send a signal to this administration: Improve our schools, not our tests.

Mr. RIGGS. Mr. Chairman, I yield 5 minutes to the gentleman from Delaware [Mr. CASTLE], the vice chairman of the Subcommittee on Early Childhood, Youth and Families.

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I do rise in support of the Goodling amendment. As a member of the Committee on Education and the Workforce and someone who wants all children to achieve the highest standards of learning, I am reluctantly opposing the administration's current national testing proposal in its current format.

The goals and intentions behind the proposal are excellent, to enable States, schools, and students on a voluntary basis to see how they are doing relative to other State schools and students. At its best, this can spur reform efforts and help target resources where they are most needed. The tests can also provide one indicator of how successful local reform efforts are.

Unfortunately, this proposal has been poorly managed and executed, and consequently has not gained adequate support from families, educators, the States, or Congress.

My home State of Delaware recently implemented world class education standards. These standards were not developed at the top level and presented to educators and parents as a done deal. These standards were the product of extensive discussion and feedback from all parties at the local and State level. Consequently, when the standards were complete, there was widespread, although not universal, support for them.

I believe this serves as a model for how testing should be developed at the national level. Instead, the administration's national testing proposal was developed in a top-down manner at the Education Department without adequate input from Congress and State and local educators.

National standards in testing are issues we should address in a cooperative and coordinated manner. The administration's proposal has gotten off on the wrong foot, and we should go back to square one. The Senate has developed a reasonable compromise, and I hope we in the House can work with the Senate in conference to provide some guidance to the administration about how to revise the testing proposal.

Among other things, the Senate has done the following: Reaffirmed the voluntary nature of the national test; given the National Assessment Governing Board exclusive authority over all policies, direction and guidelines for establishing the tests; provided that the National Assessment Governing Board has authority and responsibility over any activities already begun by the Department of Education and has 90 days to review any contracts; directed the National Assessment Governing Board to ensure that the content and standards for the national tests shall be the same as those to the National Assessment for Educational Progress, which is widely respected, as we have heard on the floor tonight; changed the composition of the 25-

member National Assessment Governing Board to ensure it is truly bipartisan and independent; and reasserts the independence of the National Assessment Governing Board from the Department of Education.

Mr. Chairman, I believe this compromise has potential. As Governor of Delaware, I had the opportunity to serve on the National Assessment Governing Board, which is the organization of State officials, educators, and parents that work with the Department of Education on national policy to improve educational standards and assess the educational progress of our children.

I am supportive of increasing the involvement of the National Assessment Governing Board as a good way to involve Governors, local elected officials, business and industry representatives, as well as educators and parents, in the development and oversight of the tests. So while I support the Goodling amendment, I reiterate my hope that the House will work with the Senate on its compromise, and I will work to create a compromise we can all support.

Mr. Chairman, I am not opposed to a strong Federal role in education. The Federal Government should be a partner with local schools, parents, and our States in improving the education we provide to our children. However, the Federal Government cannot dictate policy. Standards and tests must have the input and support of everyone who cares about education, including parents, teachers, administrators, and State officials. The current administration proposal does not do this, and, thus, I support the Goodling amendment to prevent it from moving forward until it is revised.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from New York [Mr. HINCHEY].

Mr. HINCHEY. Mr. Chairman, I rise in opposition to the amendment, because I cannot understand the reasoning behind denying communities across the country the opportunity to engage in a voluntary system, a system which will enable them to more accurately test their students to see if they are doing well.

This is not, as some have suggested, about establishing a national curriculum. After all, math and reading are part of every curriculum. It is about testing for those two subjects. These are the two critical parts of every curriculum. If a student cannot participate in math and do math well, they are not going to succeed very well in society. If they cannot read and use language arts very well, they are not going to succeed in society. That is what this program is all about.

The President is offering communities across the country the opportunity to participate voluntarily so they can judge and test whether or not their students are making progress, so that they can compete more effectively throughout the school system on into higher education and then on into the economy.

Some have said that testing establishes a stigma. Well, what kind of stigma is worse than the stigma of not being able to do simple mathematics, or what kind of stigma is worse than the stigma of not being able to read and write, to be able to communicate properly?

That kind of stigma is a real stigma, one that prevents people from participating in the economic system in a fair and just way, prevents them from getting jobs and taking care of their families.

Testing will simply measure the progress that is being made. It is not something that the administration is trying to force on anyone. They are simply offering it. If you want to participate in it, you may. If you want to establish your own statewide tests, you certainly may do that and leave this one alone.

If you want to establish different tests for different communities, do that, if you like, within your States. But if you want a national test that is available to you, which will enable you to see whether or not your students are keeping pace with others in other parts of the country so when they get older and as they move to other parts of the country, and, indeed, to other parts of the world, they will be able to compete effectively with those students who are educated in other places, that simply is what is at stake here.

Mr. Chairman, I just cannot understand why we should be opposed to giving communities the opportunity to allow students to find out more about themselves and about the progress they are making through the educational system. That is what this test does, and we ought to reject the amendment therefore.

Mr. RIGGS. Mr. Chairman, I yield 2½ minutes to the gentleman from Virginia [Mr. GOODE], a new Member of the body.

Mr. GOODE. Mr. Chairman, I want to commend Chairman Goodling for this amendment and for his leadership on this issue. During the recent August recess and during the last two weekends, I have talked with area school superintendents from across Virginia's 5th district. I have talked to school administrators, with teachers, with students and with the parents and with citizens, and there is widespread opposition to any national test.

Recently Cheri Yecke, a member of the Virginia State Board of Education, also spoke out against the national test. We do not want a commission, we do not want an appointed body, we do not want a board making the decision on a national test. We believe that a national test decision should be by elected Representatives of the United States Congress, and I am glad to see the bipartisan opposition to a national test, and I hope we can kill this snake today overwhelmingly on the floor of this body.

Mr. RIGGS. Mr. Chairman, I yield three and a half minutes to the gentleman from Missouri [Mr. BLUNT].

Mr. BLUNT. Mr. Chairman, I want to associate my remarks with those of my colleague the gentleman from Virginia [Mr. GOODE]. Certainly we are talking ultimately about a national test, a national test that will lead to a national curriculum. Anybody who is going to be regulated by this national test, who has ever been in the classroom, knows that eventually you have to make efforts to respond to the test. You do not exactly have to teach the test, but you certainly move in that direction, and that leads in the direction of a national curriculum at the elementary and secondary level.

This is not a good way to spend \$50 million. There are good ways to spend \$50 million that encourage education. This is not a good way to do that. The States are already doing this job. Forty-seven States are in the process of adopting State assessment vehicles through testing, through monitoring, through grading of how efforts are being made in schools. Forty-seven of 50 states are already doing this job. I think it needs to be done at the State and the community level.

In fact, education tests need to be really developed from the bottom up, not from the top down. The closer you get to where kids leave home to go to school, the closer you need to be to their house where that test is developed.

For four years, Mr. Chairman, I was the president of a university, and during that entire four years we talked about whether or not the national tests at the university level were adequate vehicles to measure how students were going to do in college. The SAT, the ACT tests were constantly being criticized because of their inability to really measure how people were doing or how people were going to do. And this is not to attack those tests, privately developed, well-used, indicators, I think, of what can happen at the college level. But, remember, the people taking those tests were people who had gone to school 11 or 12 years, people who intended to go to college, people who should by that time have had some commonality of what they were talking about in terms of how you measure those skills. People at the third grade level generally do not have yet a national perspective. They do not have that at the eighth grade level. They may not even quite have that at the 11th and 12th grade level when they are now taking all kinds of national tests that really frankly do not measure people's ability to compete in higher education as effectively as we would like.

A national test for elementary school does not make sense. Government involvement in testing at the Federal level does not make sense. We have handled that well in higher education with privately developed tests. The States are handling that well by encouraging local school districts to develop tests.

Remember, geography comes into how you take this test. Where you live

comes into how you take this test. Let us not try to act like that by the third grade, American students become so homogenized that they can react to a national test, because they cannot.

It will be misleading, it will be a misservice to parts of the country. There is no way you can develop this test so that it adequately measures fairly children all over America. Of course, children all over America I think is what motivates both sides here.

Mr. Chairman, I urge support of the Goodling amendment.

Mr. OBEY. Mr. Chairman, I yield 3½ minutes to the gentleman from New Jersey [Mr. PASCARELL].

Mr. PASCARELL. Mr. Chairman, I rise today in opposition to the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING].

Mr. Chairman, I have listened to those who oppose national testing. They have attempted to claim that the new national test will lead to a national curriculum. They argue that the tests are really just another intrusion into education by the Federal Government and an attempt by Washington to usurp control of education on the State and local level.

Nothing could be further from the truth, Mr. Chairman. The establishment of a reading test for fourth graders and a math test for eighth graders is not an attempt to create a national curriculum. The tests are meant only to serve as a way of ensuring that students all over America are receiving the type of education they deserve.

We are not talking here about history or interpretive studies. We are talking about the very basic skills needed to survive in America today, reading and math. That has nothing to do with history; it has nothing to do with revisionism. It has to do with the very basic skills that we need to survive. These tests are based on generally accepted standards that students should know.

As a former local official and as a mayor, I recognize the importance of keeping control of education at the local level. I support national testing because it assists local school boards in States to measure how well they are doing their job without undermining their ability.

I have heard others argue that we should be dedicating greater resources to improving our schools and then to the classroom. I agree with that premise. I do not, however, believe the two are mutually exclusive. In fact, national testing will provide us with a better picture of where we need to better target our resources.

Let me be clear on this issue: National tests will improve the education that our students receive by providing parents and educators with the knowledge of how their students' individual achievements rank in comparison to widely respected national-international standards by an independent commission of educators and scholars, not the Federal Government.

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National tests will focus attention on the need to improve basic skills. The tests will provide teachers and parents and students a very clear picture of where students should be in their education at specific points. This picture will help guide parents and teachers.

Mr. Chairman, there are those in the Congress, many of my good friends, who oppose these tests on the grounds that they fear that children in underfunded school districts will fail at a higher than average rate. I understand that fear, but believe that these tests actually make the argument for the tests.

The tests will serve as proof that we need to better direct our funding, and direct and provide a guide for which districts are most in need of funding, and our children can compete. To say that tests are simply going to prove failure is absolutely wrong. We send the wrong message to those children. As a former educator, I think it is insulting to those kids if we say, "The more we test you, the more we will know you fail." That is wrong, that is absurd. There is no science to back that up.

In the end, we must understand that we do not live in 50 different bubbles, as the gentleman from Wisconsin [Mr. OBEY] pointed out.

Mr. RIGGS. Mr. Chairman, I yield myself such time as I may consume.

I want to briefly respond and point out to the gentleman, as we have already said on this floor this evening, only 7 of the 50 States have said that they will participate in these tests, which begs the question, if these tests are so essential to the education of our children and to gauging and assessing the progress of our children, if these tests are so essential in that regard, it would seem that more States would already be on board.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Mr. Chairman, I certainly want to thank the gentleman from California [Mr. RIGGS], for yielding me this time.

I rise to speak in support of the Goodling amendment. I do so even with the understanding that reading and arithmetic are the base fundamentals of the development of any educational program. However, I rise to speak in favor of this amendment because I am concerned about a national testing program because of the differences and variations in our society. I am not sure that when we measure and how we use that data, that it will not be used in such a manner that it is not designed to point out the needs that really exist.

If we want to improve education, what we really need to do is galvanize our communities so that people believe that education is essential to making it. Once again, I would be in favor of a national testing program if we had a national funding program, if we had a national resource development pro-

gram, if we had a national training program so that we could train, inspire and motivate teachers to give their best.

So when that time comes, then I would be in favor of a national testing program. But until then, I believe it makes more sense to make greater use of those resources, to find a way to equalize educational opportunity by finding ways to bring equity to school systems throughout this Nation.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from California [Mr. DOOLEY].

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

Mr. DOOLEY of California. Mr. Chairman, I rise in opposition to the Goodling amendment.

Throughout this Congress we have had a lot of discussion about an increasing concern across this Nation about the growing differential in wages, the growing differential between the wealthy and those who are somewhat more impoverished.

When I look at what the potential for voluntary testing provides, I think more than anything else it is going to ensure that all of our children are going to have the same opportunities to succeed. Because what we are talking about here more than anything else is how do we empower students, how do we empower parents, how do we empower our educational institutions as well as our communities?

By giving them information on how students and how schools are performing, whether it be in Hanford, CA, or Waco, TX, or Boston, MA, we are going to allow parents to understand whether or not their children are gaining the proficiency in such basic subjects which are critical to their success.

When I talk about the growing wage differential, what is absolutely critical is that when we look at the potential lifetime earnings of any individual, the greatest determinant is the level of education they receive. When we look at what institutions our children are going to be able to get into, oftentimes it is their ability to perform well on college entrance exams. And unfortunately, all too often, some children coming from some areas that might not necessarily be getting the level of academic training that they need, are not being accepted into these higher levels of academic institutions.

What the voluntary testing will allow, it will allow that parent and those schools to gain a greater understanding of whether or not they need to be doing a better job, whether or not they ought to be making some improvements in the way they are trying to educate their children and how they make them more proficient in reading. We are going to be doing a better job in giving schools and again parents the information they need to know, whether or not they ought to be doing something and trying to define some of the basic math skills which are critical to an individual's future success.

Mr. Chairman, I think the administration has put together a terrific program that would allow again the information which is critical to the future success of a child to be known through this voluntary national test program. These are some things that are going to allow the greatest influence to be utilized at the local level, and more than anything else it will give the information to parents so they can make the decisions, so that they can play a major role in the success of their children.

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. PETERSON], a member of the Committee on Education and the Workforce.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise today to support the Goodling amendment. The reason we are here discussing this issue tonight is that Johnny and Suzie cannot read as well as they should, and Suzie and Johnny do not do mathematics, they do not add, multiply, subtract and divide as well as they need to, many of them. So that is why we are discussing this tonight.

I ask my colleagues, do we really think a national test will help Johnny read and Suzie do math? Do we really think it will make a difference?

What are some of the problems that we are facing in basic education today? Parental involvement, helping Johnny and Suzie read and do math. Will a test change that? I do not think so. Discipline in the schools, to help Johnny and Suzie read and do math. Will a national test change that? I do not think so.

National and State bureaucracies which chew up our administrators and principals' time, if my colleagues have ever walked through a school, how often do they really get into the classroom? They tell me by the time they get the State and Federal paperwork done, the day is over. They do not have time to get into the classroom like they need to. If my colleagues have ever walked through a State bureaucracy, they are very busy. Ninety percent of the bureaucracy is caused by the Federal Government which gives 6 percent of the money.

Do we reward good teachers? Oh, no, that is not cool, that is not appropriate, to reward good teachers. Will national testing help there? No. Is funding fair and equal in all of our schools? Absolutely not. We have schools that spend 2 and 3 times as much per student as others. Will national testing change that? National testing will not change that. Is the classroom size equal from school to school? No, it is not equal, and national testing will not change that.

We will add another layer of bureaucracy. We will have a Federal bureaucracy, we will have a State bureaucracy in 50 States, regional bureaucracies and local bureaucracies administering tests. One hundred million dollars to set it up and approximately that much

at the Federal level to administer it thereafter, plus the unmeasured costs at the State and local level that never gets figured into the mix.

National testing will not change education, I say to my colleagues. We would be far better off to spend that \$100 million getting at one of the problems I have mentioned, but a test will give us a couple more years to observe, we will hire some more employees for the Federal and State governments to build the educational bureaucracy.

Mr. Chairman, I say to my colleagues, the gentleman from Pennsylvania [Mr. GOODLING], our chairman, is right on the ball, he is right on the money. National testing is not the answer. It will not change a thing. It will give a few people a few jobs, but it will not help Johnny and Suzie read and it will not help Suzie and Johnny do multiplication, add and subtract.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I rise in opposition to the Goodling amendment.

Mr. Chairman, as I have listened to some of the debate, I have gotten the impression that many of my colleagues feel that any amount of testing is not worthwhile, and I think we need sort of a reevaluation of what testing is all about. Obviously we spend hundreds of millions of dollars on testing elementary and secondary students today across this country. The question is, do we have a good measurement instrument in terms of making that assessment? Is it valid, is it reliable?

The fact is, I think the real genius of this administration, of this particular proposal, lies in first of all setting some national standards for reading and math. There is an area I think where there is not great controversy. Setting national standards for that is I think of paramount importance; and then, attempting to measure. We cannot have standards unless we know how we are going to assess whether we attain them.

I would submit to my colleagues that testing of course is paramount to that. We cannot tell by the color of the hair of the student or other extrinsic factors that one might look at in terms of making that determination. One can only do that with a valid and reliable measurement instrument, and that is what we are about in terms of this particular case.

We have a lot of private sector companies today developing tests. I do not know if they are all valid and reliable; I doubt very much that they are. I think there are a lot of questions being raised about cultural bias and other things in testing, and the question is, why are we doing this type of testing?

One of my colleagues mentioned we test the 12th grade to see if they can get into the Air Force, the military academies; we give them various scores, all very interesting. However, the one thing that I think most of the parents would come to us in terms of

suggesting at the end of the 12 years of elementary and secondary education is, "Why did you not tell me that something was happening where a student could not read or could not do math? Why did you not let me know? We used to get it after just one semester. Why did you not tell me so I could do something about it?"

The fact is that that is what these tests are aimed at, the fourth grade, reading and math, eighth grade, reading and math, to let them know, to give some feedback.

A test as a measurement instrument has an ability to communicate. It tells us and gives us information that we can use, that we can evaluate what is being done in the elementary and secondary schools across this Nation.

I will tell my colleagues, when we look at the billions of dollars being spent, and I frankly very much support the increased budgets in education at the national level and the compensatory education, and I urge my colleagues to do so, but we are spending those billions of dollars and we have a responsibility to also try and include some evaluation measurement instruments so we can communicate back some of the internal type of dynamics that work.

Yes, testing will improve achievement and testing will tell us what is happening, and as I pointed out, we live in such a mobile society today that many individuals that come from other States or from my colleagues' States, come from my State, Minnesota or others. I urge opposition of the amendment.

□ 2030

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado, Mr. BOB SCHAFFER, another gentleman from the Committee on Education and the Workforce.

Mr. BOB SCHAFFER of Colorado. Mr. Chairman, I would like to refute the arguments of the gentleman from Minnesota [Mr. VENTO] who just spoke. I have a lot that I find that I like about Minnesota, one of which is an author and a storyteller named Garrison Keillor, who writes about a mythical town in Minnesota called Lake Wobegone. He talks about Lake Wobegone, where all the children are above average, all the children are above average.

If Members are inspired by that particular statement, that particular comment, I would suggest that they really would want to embrace national testing, because that is what they will get. They will get 50 States where all children are above average.

Let me suggest, the gentleman who said that those who favor the Goodling amendment, as I do, and hope we have support here today, that this amendment would deny States the opportunity to participate in voluntary testing, I would suggest this debate is not about national testing. It is not about testing at all, and it is not about the value of testing.

What it is, though, is about whether we should embrace a government-owned test versus an independent test. States around this country realize the value of independent testing, testing that is outside of the U.S. Department of Education, that is not controlled and dominated by Federal bureaucrats who are rewarded when they treat all States and all students as though they are somehow all above average.

Members of my State board of education told me that they did not want the government-owned national testing program. Other State legislators and leaders in the areas of schools told me the same. Local school leaders told me the same thing.

Yesterday, Mr. Chairman, there was a meeting here in Washington about this national testing program. It was a meeting of the national test panel which is organizing this effort. The National Governors Association did not show up because they have withdrawn from the effort. State after State after State is coming to the conclusion that when we come here tonight, that this national testing effort is a bad, bad idea, and that the Goodling amendment ought to be passed; that \$100 million a year to support this nonsense is something we should not do. We should redirect those dollars directly toward children, not toward more bureaucracy and more administration.

A government-engineered national test, I will submit, is the most direct pathway to mediocrity in America. It is an idea that we should reject, and we should reject it tonight by voting in favor of the Goodling amendment.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island [Mr. WEYGAND].

Mr. WEYGAND. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I was listening with great attention to some of my colleagues on the other side, and I rise in opposition to the Goodling amendment. Like many Members have said this evening, testing will not solve many of the ills of our educational system.

In my district, I have some very diverse areas of education. In part of my district I have the most affluent district or section of our State. SAT scores are the highest, income level is the highest, and the schools are phenomenal. I also have the poorest section of our State, where over 75 percent of the students are minority. Over 40 percent of the students in the last 3 years did not live in the United States of America. It is very difficult for education in that area.

But testing is extremely important. Remember when we went to school, we went to college and we took those SAT scores. They always scared us, but we had to take them because that was the only tool that educators could use to evaluate whether we were capable of getting into college. It is a national test, the SAT's.

Just 2 weeks ago I dropped off my youngest child to college, and I worried

whether he was going to be able to make the test. Was he going to be able to pass all the things that he needed to do in college? Because I was concerned whether he really had all of the kinds of tools from the school system he came from to be in college.

Every one of us lives up to three basic things in life. We set standards, we have assessments or testing, and then there is accountability afterward. Every educational system from kindergarten to graduate studies has the same three elements. Yet we are saying this evening that we do not even want to begin to consider assessments or testing on a national level? That is completely wrong, and completely opposite of what we have all learned.

The poor districts will argue, well, maybe our students will not bear up with national testing. I say that is what we should be doing is to help them with regard to more money, more teacher training, and more professional development, and the kind of assistance and infrastructure that they need. But we should not disregard testing, because, quite frankly, that is the only vehicle that we have to be sure our students in all districts, rich and poor, make the grade.

Testing is what we call tough love. It is difficult. We often do not like to do it, but we have to go through it if we are going to raise the standard of quality education in our States and in our districts. Quite frankly, those of us who believe in it have seen the merit of it. As a former professor, I know that it works. As former teachers, all of us know it works.

Quite frankly, we are a little bit edgy about the concept of national testing. Local cities and towns felt the same way about State testing, and local neighborhoods felt the same way about city- and townwide testing. Quite frankly, we have to live with it. We should live with it. It will make our students better. It will make our children better. It is tough love, but we should be doing it.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MCKEON], the subcommittee chairman on our committee.

Mr. MCKEON. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING], chairman of the Committee on Education and the Workforce, and commend him for his leadership and the work he has done to bring us to this point on this debate.

The gentleman's amendment would prohibit funds under this bill from being used by the Clinton administration for a new Federal testing program in grades four to eight. Mr. Chairman, there is no question that our K-12 education system needs reform and attention, but an arbitrary new Federal testing system is not the answer nor the cure-all.

There are already a number of tests that continue to be administered. In fact, in 1997 the Federal Government spent approximately \$540 million in testing students. The question is, when you have a test, what do you test? I think we have heard the administration talk about when you have a test, you have to have standards. The question is, who sets the standards? If you have a Federal test, I guess it would be the Federal Government setting the standards. What is the next step?

I spent 9 years on a local school board. My wife was a PTA president. We have reared six children. We have 15 grandchildren. We have real concerns about the Federal Government setting their standards and setting testing. The administration now wants to move forward and implement new testing without input or authorization from Congress. As a member of the Committee on Education and the Workforce, I, along with my committee colleagues, would like the opportunity to evaluate and study any such proposal.

I encourage my colleagues to support the prohibition of this new, unauthorized Federal testing proposal. Let us do what local school boards are asking. Let us take some of the Federal regulation off of their backs. Some of the testing that we now have let us take off of their backs. Let us let them be free to do the things that are best for children. That is what our children need to move forward.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentlewoman from California [Ms. PELOSI], a member of the subcommittee.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to the Goodling amendment, with the highest regard for the maker of this motion and for his commitment for education, the education of our children. However, I part company with him on this testing issue.

Mr. Chairman, it seems like yesterday when we were all gathered, celebrating the proposal, was it called America 2000, that included this national testing. There was bipartisan support in the Congress of the United States, including some of the people who are speaking out against the testing this evening. The President of the United States, President Bush, gathered the Governors in a bipartisan fashion. They worked with the business community to develop a proposal that would meet the needs of our children, first and foremost, to prepare them for the work force, as well as to meet the needs of our country.

Mr. Chairman, that is why it seems so strange to me this evening to hear people who were so bullish, if I may borrow a word from the business community, on that proposal, which included testing, which the business community was emphatic about, national voluntary testing to be part of the proposal that was put forth.

President Clinton was at the time a Governor, and he was one of the co-chairs of the education task force. I think that the credentials of President Clinton in education are unsurpassed. It has been one of the priorities of his public life, the education of our children. He was committed to it in the statehouse, and he brought that value and that priority to the White House, and with it, a focus on what is best for our children.

That includes this national voluntary testing, and I repeat voluntary. The test that is being proposed by the administration will not impose a national curriculum. It will help States and local communities to tailor a curriculum to the needs of their students. It will provide parents and educators with information that will be helpful to assess the needs, as well as the progress, of their children. The voluntary national test, based on national assessment of educational progress, are tools to give parents and educators information on how students are performing academically.

Others have mentioned, and I will, too, voluntary testing for fourth-graders in reading and eighth-graders in math sets up a challenge, a standard of excellence. We need to invest in the education of our children through funding of programs like title I, but this is imperative, and national standards enhance that effort by allowing us to determine what tools are most effective in preparing our children most successfully for their futures. Setting challenges and higher standards leads to greater efforts to reach those standards.

I am proud to say that after a concentrated effort to meet the individual needs of students, and I repeat, a concentrated effort to meet the individual needs of students, test scores in my district, the district I represent in San Francisco, are up in reading and math for the fifth straight year.

It is my hope that over time, the voluntary testing program will be developed to include limited English-proficient students in testing our efforts to provide these students with equal access to quality education. That is a must.

Parents want to know that their children are learning. Educators want to know how to better reach students. Students need and want to live up to standards and challenges. Without an attempt at accountability in education, our children will not be as well prepared to compete in the 21st century.

I was interested in the remarks of the gentleman from Rhode Island, who spoke from his experience as a professor and as a father, and I as a mother recall taking one of my five children to college when she was looking at colleges in her senior year in high school. And I remember the comment that she made when she was aspiring to one college or another about what was expected and what standards had to be

met to be admitted to certain colleges. She said, "I really wish I knew this when I was a freshman in high school, because I would have spent my time a little differently."

Well, she did well and she got in, but I do think that children should know what is expected of them, and I think that this balanced approach that the administration is taking of voluntary national testing helps students to know the challenges so they can meet the challenges.

Mr. GOODLING. Mr. Chairman, I yield 2½ minutes to the gentleman from South Dakota [Mr. THUNE].

Mr. THUNE. I thank the gentleman from Pennsylvania for yielding time to me, Mr. Chairman, and commend him for his work as the chairman of the Committee on Education and the Workforce, and for this amendment.

Some people think we do not have enough standardized national testing. They think we need to spend more than \$90 million on telling us how our kids are doing. Right now in my home State of South Dakota and other States around this country, we already give students two standardized tests at a cost of about \$30 million. Both of those tests are given in the month of March, and both take about a week to administer.

Now we are talking about yet another nationalized test, which would take about another week to administer and would be administered in the month of March. That means that people back home, students back home in my State of South Dakota, would spend virtually the entire month of March not learning, but testing. Think about it. Would you like to spend the better part of 3 weeks doing nothing but filling in the oval next to the correct answer with a number 2 pencil? I cannot think of anything I would dislike more, unless it is spending \$90 million to do it.

I have a novel idea. If we want to find out how our kids are doing and how they are doing in their local schools, we should call our child's teacher. I know it sounds crazy, but I believe the teachers and the parents back in South Dakota have a better idea of what is right for their children than do the bureaucrats in Washington, DC.

The keys to good education are good parents, good students, good teachers, and good schools. Another layer of bureaucracy is not going to improve American schools. If we really want to know how our students and our schools are doing, go to the people with the answers, our students and teachers. Our child's teacher knows more about how our child is doing than any staff in Washington is ever going to know.

I would also suggest in the area of the money that it is going to take to finance this test that we could probably ask parents in this country, and certainly in my State of South Dakota, if they could think of a better way to spend \$90 million. Do we think we have enough computers in the schoolrooms?

We could buy a lot of computers with \$90 million. How about our teachers? Is your child's teacher doing a good job? We could give your child's teacher a significant, substantial raise with \$90 million.

I do not believe national testing is in the best interests of our children, and certainly not the best use of our education tax dollars. That is why I am urging my colleagues to vote against Federal testing for America's schoolchildren and vote in favor of the Goodling amendment.

□ 2045

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN of Virginia. Mr. Chairman, I rise today in opposition to the Goodling amendment and in favor of finding out just how well this country is educating its future work force.

Today we are behind other nations in educational achievement. Forty percent of our children are not reading at the level they should be; 20 percent of our 8th graders are not even taking algebra. We know these statistics because we recently conducted studies comparing the achievement of our students with those in other countries.

This analysis is a valuable tool for educators, and the administration is trying to conduct a similar analysis to determine how local school districts compare nationally. It is the same kind of approach to find out what we need to be doing to better serve our students.

Despite what proponents of this amendment argue, no such mechanism for analysis currently exists to compare and find the information we need on a national basis. The National Assessment of Educational Progress, for example, is a sample test for a variety of subjects. The tests are not universally administered and are administered as a blind study telling us only national trends.

The new national test would be administered uniformly, it would provide a scale by which standards and progress can be measured, and it will help all of our local educational authorities assess the areas in their curriculum that need improvement.

Another critical difference in the new test is they would be available to parents and teachers who can chart their own children's progress and more easily assess their child's individual educational needs. If Johnny is the worst reading student in the 4th grade, it may help the teacher to know that he is actually way above the national standard. We need to know this kind of information.

Many of the discussions relating to education in this bill have focused on getting parents more involved in their child's education. These steps are a major part of that process. Experts in education, including the National Education Association, the National Association of Elementary School Principals, the National School Boards Association, they all support the proposal

to administer a voluntary national test. I am sure I will be corrected if I am wrong.

In addition, the proposal has overwhelming support from the business community, including the U.S. Chamber of Commerce, and the presidents and CEOs of hundreds of technology, manufacturing, service firms throughout the country.

The Goodling amendment would prohibit the use of educational improvement funding for the development of a national testing program in reading and mathematics. It is shortsighted because the ability to compare educational outcomes nationally is the critical first step necessary to improve our educational standards. This proposal is only in its infancy but its potential is enormous.

While I understand the committee chairman's interest in securing jurisdiction over this testing program, this is too important to be stopped because of that kind of territorial dispute. In fact, former Secretary Lamar Alexander used similar authority to develop voluntary national tests. We need to do so and we need to encourage the pursuit of excellence among our future work force.

Mr. GOODLING. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. PORTER], the chairman of the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations.

Mr. PORTER. I thank the gentleman for yielding me this time, Mr. Chairman.

If I believed that the money for national testing would help the children of this country to do better in math and reading, I would support it in an instant. But, Mr. Chairman, we know where we are with respect to the academic achievement of our kids in America. Our States administer hundreds of tests and they know where the problems are. They know where the kids are who are poor at reading and math and they know where those are who excel. Further tests, in my judgment, do not add anything to what they already know. They are really unnecessary.

What we need to do is to take the money that might be spent on national testing and spend it to help those kids who need to be helped. That is where the money ought to be spent, not on tests that are not needed and are merely symbolic, as if that would solve our problem. We need to actually aim at the problem and get it solved.

Mr. Chairman, I commend the gentleman for his amendment. He has his priorities right.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. MCGOVERN].

Mr. MCGOVERN. Mr. Chairman, I rise in opposition to the Goodling amendment. Today's students will be entering a highly competitive work force that will demand greater knowledge and skills. If we hope for our chil-

dren to compete in our increasingly global economy, we need to know that they match up to the highest possible academic standards, particularly with regard to reading and mathematics.

Voluntary national testing allows local school districts to focus on how best to improve these basic skills. They provide a measure of student performance against national standards in reading and math as well as against international standards of mathematics. These tests will empower parents by providing them with the information they need to determine if their kids are on track in the basic skills.

By 4th grade, students need to have mastered basic reading skills in order to begin to learn other subjects. Reading is an essential skill in learning science, history, mathematics, geography and social studies. Students who are not able to read independently by the end of 3rd grade have a very difficult time learning other subjects and will likely suffer academically. By 8th grade, students need to have mastered basic math skills if they want to take the advanced mathematics courses necessary for success either in college or in the work force.

Providing a voluntary reading test in 4th grade and a voluntary mathematics test in 8th grade will not create a national curriculum. Parents, teachers, schools and States will decide what their reading and math curriculum should be and how the subject should be taught.

Education is an issue that belongs in the hands of local school boards. Voluntary national tests give local school districts important information about how to use the results in shaping their own curriculum. The results of these voluntary national tests help teachers and principals to better understand where resources are most needed and how they can best be spent.

I am one Member of Congress who continues to fight for a far greater investment in education. In my own State of Massachusetts we have already instituted statewide testing in math, science and English. Furthermore, we are one of six States that have already volunteered to participate in President Clinton's national testing initiative. In the Commonwealth of Massachusetts we are proud to apply rigorous academic standards to our teachers, our schools and our students.

Instituting tough academic standards for our children should not be a partisan issue. Politics should stop at the schoolhouse door. Voluntary national tests improve the odds of success for all students, help energize local efforts to improve teaching and learning, and provide students, parents and teachers with accurate and reliable information about student performance.

Parents have a right to know how well their children are doing, and they have a right to insist that their children be given an education that will allow them to compete on a global scale as we move into the 21st century.

Mr. Chairman, I urge my colleagues to vote against the Goodling amendment and stand up for higher academic standards in our schools.

The SPEAKER pro tempore [Mr. BE-REUTER]. The Chair would advise that the gentleman from Pennsylvania [Mr. GOODLING] has 11 minutes remaining and the gentleman from Wisconsin [Mr. OBEY] has 4¼ minutes remaining.

Mr. GOODLING. Mr. Chairman, if I could have the attention of the ranking member. If the gentleman is finished yielding time, I would be willing to close debate at this particular time.

Mr. OBEY. Mr. Chairman, I think the committee is entitled to close the debate.

Mr. GOODLING. The gentleman from Illinois [Mr. PORTER] will close the debate. Does the gentleman have any more speakers?

Mr. OBEY. With all due respect, Mr. Chairman, I think those defending the committee position have the right to close.

The CHAIRMAN pro tempore. The Chair will advise that the gentleman from Wisconsin [Mr. OBEY]—as a member of the committee controlling time in opposition to the amendment—has the opportunity to close the debate.

Mr. GOODLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to make sure that everyone understands that to have a valid test someone or some entity must determine what it is they want to test. Therefore, someone or some entity must determine the curriculum, and then the teacher must be trained to teach to that curriculum and to teach to that test.

I heard a lot of discussion about we are doing this on the State level, we are doing that on the State level. That was what Goals 2000 was all about, was spending \$50 million this year. We spent hundreds of millions in the past for Goals 2000. What was the purpose? The purpose was to give seed money to States and local entities to improve their education programs.

Forty-six States have already done that, and several have gotten up here opposing my amendment, at the same time saying all the wonderful things their States have done to elevate their curriculum, to elevate their standards.

Everybody wants high standards. As a matter of fact, when this debate began, the administration liked to say 80 percent of the people are for this. Well, what they did not say is what they asked the people is, "Do you believe in motherhood, apple pie and ice cream?" Well, I am surprised it was not more than 80 percent that believed in that. In other words, they were saying, "Do you want higher standards?" Of course.

But let me tell my colleagues what the poll tells us. Only 22 percent of the American people who were polled want the Federal Government to have any involvement whatsoever in determining those standards, in determining

curriculum. They say the Federal Government should not be involved. That is why only seven States, after all the pressure that was put on them, all the lobbying, only seven States said we will go along. Only 15 cities said we will go along.

So now we must have a national curriculum. Call it whatever we want, but if we are to test, then everyone has to be taught the same. As I said earlier, when the secretary said they do not have algebra until they get to 8th grade but we will test them for algebra, that does not make very much sense, does it?

So we take away all the creativity, all the creativity of that classroom teacher. This is what I hear from teachers in a State next to here. They say we have to teach to the test all day long. No creativity in our teaching. We must teach to all the tests that are out there.

I want to give my colleagues a good example. I was supervising student teachers in Pittsburgh, Pennsylvania. At the time there was the so-called Cuban missile crisis. I could not wait to get into all my student teachers' classrooms because I saw here they had a golden opportunity to teach math in relationship to the distance between Cuba and Pittsburgh, to teach history in relationship to that initiative that was going on at that time, a golden opportunity to get all of those children on the edge of their seat.

Not one student teacher mentioned the missile crisis in relationship to the headlines that they could hit Pittsburgh. And that evening I said, "I should fail all of you, you missed a golden opportunity to turn these people on." The response was, our master teachers told us we must stick strictly to the syllabus because that is what we have to cover. What a tragedy that was.

Now, people mentioned tests are for diagnostic purposes. Every time I told a teacher that their purpose for testing was to determine whether they presented the material well enough that everyone understood it or even if they presented it real well, there may be some who did not, who will need extra help. That was the purpose of that test.

To say somehow or other that the 50 percent who are not doing well in our schools are going to do better if we just have one more national test, there is no logic to that. No matter how we slice it, there is no logic. All of our children should have equal opportunity to do well. One more national test does not help them at all.

As I indicated before, reading readiness is very, very important. Parents being able to be the first and most important teacher that the child has is very, very important. And can my colleagues imagine that we would wait until 4th grade to determine that a child cannot read? What would we do? I would love to get my colleagues into a classroom and see us do remedial work with 5th grade students and 6th

grade students in reading. I want to see it done with 8th, 9th and 10th grade students in math. Why would we ever wait until that point to determine whether a child is doing well or doing poorly?

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But I want to give credit. I want to give credit to the people out there who are working day and night to try to improve our education system. We are doing very well with 50 percent of our students because they are getting a lot in this debate. They have done very, very well.

Keep in mind we educate all. We educate all. Do not compare us with many, many other countries who have an elite system. We educate all. If we are going to give the 50 percent who are doing poorly an opportunity to do better, then we have to start much earlier than 4th grade, much earlier than 8th grade. It is over by that time, folks. It is over by that time for 90 percent of those people. They have dropped out, not physically, but they have dropped out by the time they got into 2nd or 3rd grade. They were not reading-ready, so we pushed them into 1st grade. And then many places they got social promotion, so we just compounded the problem.

Let us not make that mistake. Let us not have them fail. Let us have them ready. Let us have their parents ready to play a leading role. Over and over I heard people say, "Well, parents need to know." Parents have to know. Parents do not know now.

Again, I would love to have my colleagues in a classroom and I would love to have them get that 50 percent to attend parent conferences. Why do not many of them come? Because they have literacy problems and they do not have the confidence to come to a meeting of that nature.

So again, I would call on all of my colleagues to think in terms of children. Do not get the Federal Government involved in one more national test to tell 50 percent of our students one more time, make it 1,001 now, that they are doing poorly and to tell their parents one more time they are doing poorly.

All of these States, including California, including New York, are setting high standards; and they do not need us to dumb down what they are doing. And that is what I fear will happen if we get involved any more than we presently are involved.

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

Mr. OBEY. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore (Mr. BALLENGER). The gentleman from Wisconsin has 4¼ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, as I have indicated, the committee officially on this side of the aisle will accept this amendment. But I will vote against it, for a number

of reasons. I would, essentially, like to simply direct my remarks to the most conservative Members of this House and the most liberal.

To conservatives I would simply say, I think it is necessary for us to recognize that not all Federal initiatives are bad. We have a national interest, indeed a national responsibility, to produce quality education in this country. We have a national responsibility to see to it that local school districts are measuring up to that responsibility and are indeed providing the quality opportunity for every American child which each and every American child under this Constitution has the right to expect.

I disagree fundamentally with the gentleman from Texas who said the Constitution does not even allow the Federal Government to prepare testing. The Constitution, the preamble, spells out the Federal Government's responsibility to provide for the common defense, to promote the general welfare, and to secure the blessings of liberties for ourselves and our posterity, among other things.

I think seeing to it that everyone has equal educational opportunity and that that opportunity is met with quality is indeed a Federal responsibility, even though the instruments by which we have chosen to meet that responsibility are largely local school districts.

It is naive to the extreme, in my view, to assume that, totally left to their own devices, local school districts will produce that equality of opportunity. That is why we have Federal law enforcement. That is why we have civil rights laws. That is why we have title I and a number of education programs aimed at assuring equal quality.

I would say to liberals, they do children no favors when they run away from either standards or testing. It seems to me that children desperately need to know where they stand. They desperately need to have us level with them in terms of how they are really doing. If we do not, then we get pressures for the very social promotion which a number of people in this House have voiced objection to.

I recognize that testing may demonstrate that students may have had an unequal opportunity to get a good education and that, therefore, they will do poorly on tests. I think that is one of the advantages of having those tests, because it will then demonstrate to this country the need to put additional resources into districts which, through no fault of their own, do not have the financial ability to provide the same kind of opportunity that some of our districts provide.

So I think on this issue it is necessary for both sides to put aside their ideology, to put aside their bias, to put aside their own philosophic preferences, and to instead put the needs of children first.

I think the President is trying to do that by his testing initiative. I would point out this bill does not allow testing to proceed until a lot of other

things happen and that they cannot proceed this year at all, and we have another appropriation bill next year that we can deal with if we do not like the kind of testing or the kind of tests which the administration has prepared, and under the Senate amendment, indeed, the preparation of those tests will be left in other hands.

So I will personally vote "no," even though I recognize that this amendment is going to pass by a very significant margin.

Mr. FAWELL. Mr. Chairman, I rise in support of the Goodling Amendment regarding the issue of National Tests for Education. I commend the gentleman for his diligence on this matter; it is a testimony to his hard work that the amendment the House will now consider has been accepted by the House Labor/HHS/Education Appropriations Subcommittee. I also commend my colleague from Illinois, Chairman PORTER, and Ranking Member OBEY for their excellent legislation. Debate on the Labor/HHS/Education bill has been long and in some cases contentious, and I commend their excellent leadership.

The Goodling Amendment prohibits the spending of any funds in this bill for the development, planning, implementation or administration of new national tests in 4th grade reading and 8th grade math.

As many of you know, earlier this year, President Clinton announced plans to develop and implement individual tests to compare student progress throughout the United States. Supporters of the Clinton testing proposal believe that the development of the tests, patterned after the widely acclaimed National Assessment of Education Progress (NAEP), is consistent with the Department of Education's traditional role in research and development and that Congressional input is unnecessary and not required by the general authority inherent in the Fund to Improve Education. Further, they assert that state participation in the testing program is strictly voluntary, and simply offers an unprecedented opportunity for individual students to compare their abilities with other students from across the nation.

Mr. Goodling's contention is that testing is not the answer to our education problems and that testing will not boost the academic achievement of American students. In addition, opponents of the Clinton testing proposal assert that there are already enough existing tests for evaluation and that the development of national tests is too controversial for the Administration to act without Congressional review or authorization.

My feelings on this matter are somewhat mixed. Most education experts would agree that the idea of national standards is an essential component of education reform. I believe that these standards should be based on core academic skills which are essential for the success of today's students. I voted for Goals 2000, and I continue my support for this legislation which encourages schools in their efforts to implement high academic standards. But, if we as a nation concede that academic standards are too low and that we must raise the academic bar for our students, then testing and evaluation of students' progress must necessarily follow the development of high standards. How else can parents, local school boards, school principals, and charter school founders compare the achievement of students?

However, confessing my support for some kind of national test, I still oppose the current effort by the Clinton Administration to develop said tests with no Congressional or outside education experts. Indeed, in the words of former Secretary of Education Bill Bennett, "if faced with a choice between no test and the Clinton test, I would endorse no test."

However, I am pleased that the House has an additional choice. I rise in support of the Goodling amendment, but also with the understanding that the Senate has acted on this proposal and that the Senate language offers a different and promising alternative. A proposal, offered by Senator DAN COATS (R-IN), adopted by the Senate, and endorsed by the Clinton Administration, seeks to make key changes to the Clinton plan which keep the idea of a national test, but add safeguards to ensure that the control and development of these tests is academic, and not political.

The Coats proposal will give the National Assessment Governing Board (NAGB), a well-respected, independent, nonpartisan body, power to set policy for the national tests. Further the proposal will give NAGB authority to review and change all aspects of national test specifications, development contracts and advisory committees already implemented by the Administration. To further ensure NAGB non-partisanship, the proposal also makes key changes in the composition of the NAGB so that it has greater independence, adding another Governor, additional mayors, and representatives of business and industry.

I echo the sentiments of education reformers who state that they would prefer no test to a bad test, but most of all, prefer a good test. Indeed, let's pass the Goodling amendment, delaying the flawed Clinton Administration testing proposal, and support the efforts of those who seek to implement good tests for our nation's children.

Mr. LAZIO of New York. Mr. Chairman, I rise today in support of the Goodling Amendment to prohibit funding for President Clinton's national testing plan. This Congress has an obligation to ensure that any test administered on the national level will provide constructive information to help improve our educational system. However, President Clinton's national testing proposal was created without proper Congressional input. At the very least, the public deserves Congressional hearings on the matter.

I strongly support providing educators with the best tools to improve our classrooms and raise the level of student performance. Congressional hearings on national tests would allow parents, educators and the test designers to voice their concerns and offer their input, helping to design the most appropriate and effective test.

With the proper design, national tests would provide a much needed national standard for comparison. While some argue that these tests simply will divert much needed dollars from the classroom, national tests have the potential to help focus educational resources where they are needed most, eventually bringing all local schools to a higher level. If not constructed and implemented properly, however, these tests will not only waste taxpayer dollars, but could unfairly mischaracterize student and school performance. Clearly, a testing plan of this scale merits full Congressional attention.

We cannot deny that our schools are in need of reform. However, if national tests are

meant to enhance school performance, their design and implementation must be well founded. America's students deserve no less.

Mr. RODRIGUEZ. Mr. Chairman, we are today discussing how to give our children the tools they need to succeed in school. This administration, one of the most committed to improving opportunities for all students to learn, has gone a step too far in proposing the national testing initiative.

Don't misunderstand me. I agree with the administration's desire to raise standards for our children. We must have high standards. We must know what and if our children are learning in the classroom. Their success is our success.

We are discussing which tools will best serve schools, teachers and students. There is no question that we need to continue to find innovative approaches to meet the challenges of the late 20th century. Students who can't read can't learn to the fullest.

But national standardized testing is not necessarily the best tool to encourage learning and measure progress. In Texas, our kids are already tested every which way. It's not just students who think there are enough tests, but also teachers and parents.

Testing is necessary, of course, but too much testing, like too much of just about anything, can work against us. Teachers want their students to succeed. If success is measured only by test after test after test, then teachers will teach to the test rather than teach to learn. Students must learn how to think not just how to fill in the bubbles with a number 2 pencil.

Each child learns differently, and they all learn at a different pace. This is especially true for children with limited English backgrounds and for children with special needs.

These students need to be challenged to learn and grow. With the proper tools and attention, students with limited English skills will succeed. But they must be given a fair opportunity to do so.

Mandatory national tests won't help all kids. Testing should be optional; there should be alternatives; we should make sure that we don't have a one-size-fits-all national education program.

The best tools we have for teaching kids are the teachers themselves. We should direct our resources to them. Almost every teacher I have met, and during my time as a school board member I met many, wants to succeed and genuinely cares for the students. But they face terrible challenges: crumbling buildings, crime, drugs, lack of parental support, overcrowding, and a dearth of financial resources in our poorest neighborhoods.

I am afraid that national testing will ultimately stigmatize students who already face the greatest challenges. They need teachers empowered with proper resources, they need challenge, and they need a safe and secure place to learn. But they don't need another standardized test in the morning.

Mr. RUSH. Mr. Chairman, I rise today in support of Representative GOODLING's amendment to bar funds for the national testing initiative as it currently exists. I hope that my vote, and that of other Members, especially those of the Congressional Black Caucus and Congressional Hispanic Caucus, sends a signal that such initiatives must become more inclusive and equitable.

I truly endorse the concept of standards in education. Our children have the right to obtain the core skills and knowledge they will

need to compete in a global marketplace. However, I cannot support President Clinton's voluntary national testing program in its present form.

I share the views of several prominent national civil rights groups including the NAACP Legal Defense Fund and the Leadership Council on Civil Rights. Congress ought to support a Federal initiative that creates higher academic standards, but in manner that is participatory and equitable. The Federal Government has a responsibility to watch out for the education of our students, especially those in poor communities. But national standards and assessment must be accompanied by funding to support curriculum development and teacher training so students of all backgrounds can do their best on the tests.

The reality is that students taking these tests do not start out on an equal ground. Because public schools rely significantly on local property taxes, some school districts are better funded than others. Any Federal standards and testing initiative must address these gaps. Unless Federal funds are earmarked for making sure that poorer children have an opportunity to learn, the federal testing program will discriminate against poor and minority children.

Additionally, parents, students, and teachers need assurance that the tests will not be misused. The Department maintains that the tests will be used for information purposes only. But the misuse of standardized tests is widespread. In my own district, I know of honor roll students who were not allowed to graduate 8th grade because they missed the passing test score by less than one point. Federal guidelines should urge school districts not to use the results of these tests as the sole factor in making high stakes decisions about a student's educational progress such as tracking, ability grouping, and retention.

Finally, there is the issue of making sure that national tests are developed with respect to the growing diversity of our Nation's 35 million school children. The growing multiculturalism of our communities, and hence, our public schools, demand that we respect diversity and different learning styles. National Assessment should identify the knowledge and skills students already possess rather than their deficiencies. We should always strive to build on students' strengths, not their weaknesses. As Federal funding for low-income disabled children shrinks, especially due to Federal welfare reform, national testing must accommodate the special needs of these students.

I also support the position of my colleagues in the Congressional Hispanic Caucus who point out that high standards should be established for all children. In its present form, the national test is designed to exclude limited English proficient [LEP] students from the reading test. This policy discriminates and cannot be tolerated. The national tests are supposed to tell us how our school districts are doing. But how do we hold them accountable to LEP students and their families if these very students are excluded from taking these tests? I cannot support the administration developing tests that exclude a growing segment of the student population.

The education of our children is among our Nation's top priorities. Despite my vote today, I will continue to work with my constituents, including parents and schools in the first con-

gressional district, and the administration to do whatever is necessary to fulfill our children's right to a first-class education based on respect.

Ms. CHRISTIAN-GREEN. Mr. Chairman, I rise in support of the Goodling amendment.

I am not against educational testing as a tool to assess our children's level of achievement and in order to address uncovered deficiencies.

But, Mr. Chairman, additional testing is not needed to tell us what we already know—that children in our public schools, especially in minority communities are underachieving.

This is true in my district, the U.S. Virgin Islands, for the same reasons as our counterparts on the mainland.

First, we send our children to schools that are dilapidated, unsafe, and in need of repair. We tell them every day when they look at the schools they attend, that we don't care—that they, our children, are not important—that we are not willing to invest in their future.

And we don't invest in providing the tools that all of our children must have if they are to be prepared to take their rightful place in society.

I am not against testing, per se, but I am against it until the playing field has been leveled for our children: until they are provided with a good and nurturing educational environment; until they are provided with well paid teachers, basic books, and supplies and the all important technology.

Then, Mr. Chairman, I will support testing, but not before.

Mr. BARRETT of Nebraska. Mr. Chairman, I'm a strong supporter of the amendment offered by my chairman, Mr. GOODLING, to prohibit the expenditure of public funds to develop national tests, until Congress has explicitly given the go ahead.

Congress has the responsibility for setting major policies for this Government. And, certainly, creating national education tests for our children is an issue Congress must decide. We can't leave the development of national tests that could mark our children for generations, to some bureaucrat at the White House or at the Department of Education.

National tests are controversial and deserve to have the sunlight of debate. National tests are more than just having an excuse to have a Rose Garden ceremony at the White House.

Congress will be taking action on this question within the next year or so. Surely, the deliberative process, and the will of the people, should be heard before the President launches us down the testy road of national testing.

I encourage my colleagues to support the Goodling amendment. No matter what side of the issue you are on; whether you favor or oppose national testing—the right of the peoples' House to set national education policy, must be respected by the administration.

Mr. CALVERT. Mr. Chairman, I rise in support of the Goodling amendment.

The administration is attempting to avoid the current education policy by implementing an agenda that focuses on national testing. These tests only undermine the State and local curriculum. This proposal serves as an unfair comparison between schools and students.

In addition, the Department's of Education's budget did not include any type of national testing and further, the Department has not

submitted a proposal to Congress requesting authorization for this type of testing.

It is critical that we concentrate on the real problems such as teacher training, improved academic performance, and increased parental involvement in our classrooms. Local solutions enhance a child's education, not another Federal standardize test.

My constituents back in Riverside County, CA, are tired of the Federal Government meddling with their children's education.

I encourage my colleagues to vote to stop the intrusion of Government and support the Goodling amendment.

Mr. UNDERWOOD. Mr. Chairman, I rise in support of the Goodling amendment, but I certainly would like the opportunity to state my concerns as a parent and longtime educator regarding national testing.

First and foremost, our children are already over tested. Children in nearly every school system in this country are subjected to a battery of standardized tests for a variety of reasons; some are diagnostic, some are meant to gather information to measure individual progress, and some are used to make institutional comparisons. Frequently, these tests are designed for one purpose and used for another purpose. This doesn't lead to better data or more comprehensive conclusions, but testing abuse which is a form of child abuse.

Tests should be used primarily to measure what is learned and what isn't learned. Tests could also be used to measure what is taught and what isn't taught. And the tests should be tied as closely to classroom realities as possible. The further we get away from the classroom and the dynamics of the classrooms, the more convoluted the lesson of testing becomes and the potential for abuse of testing results increases.

Here in Washington, far removed from the classroom we are quick to use tests to make generalizations about the characteristics of student populations, the underlying ability of individual students and to make wholesale generalizations about the quality of school systems. We crave the statistics to help make our point regardless of whether the case of learning is advanced. Regrettably, we help create the opportunity for more testing abuse.

We do need testing, but we need to understand that testing is a tool to achieve the basic purpose of assessing what is taught and what is learned. We need to identify the criteria of what we hope to achieve before we leap into the bottomless pit of standardized test after standardized test.

We do need standards and we need a discussion of national standards. It occurs to me that we struggle with a kind of national schizophrenia about the state of our schools in this country. On the one hand we decry our standing in the world when compared to Japan, Korea, and many countries in Europe, whose school systems are national in scope and implementation. But we shrink from discussing standards under the fear of undermining local authority. We live in a global economy and we live in an educationally competitive world and we should not shrink from discussion about standards which will guide our children to be productive, competitive citizens in the next millennium.

But we shouldn't confuse testing with standards, not until we understand what kinds of standards we wish to implement. Testing should reflect standards and not define them.

In this debate, as well as far too many other debates regarding education, we have allowed the tail to wag the dog, the tool to govern the handyman, the test to run the classroom.

We need to understand that a national test at this time will not move us toward such standards nor will they help us make meaningful comparisons to other nations. National testing at this time will not contribute to clarifying which communication or computational skills are necessary as basic standards or are necessary to survive in the world.

Instead, these tests would be used to make internal comparisons, between States, between districts, between groups of students. Testing without informed use to make judgments about how much progress we are making towards clearly identified criteria will be used to make claims about progress in others.

Instead of moving us toward standards, these test would be additional tools for some politicians to make charges about schools, to stigmatize entire blocks of students, and to criticize entire school districts. Therefore, our responsibility should be to make every effort to adequately fund education, to articulate standards which may lead to informed testing and to protect our children in this process from testing abuse.

Some of this abuse includes using the tests for making detrimental educational policies that will do irreversible damage to our children. For example, administrator of schools with low test scores are pressured to weed out below average scoring students rather than providing much needed resources to improve student performance. This "Gaming of Tests" provides incentives for school systems to purge low-test scorers from public schools and herd them into alternative schools.

This type of stigma has already had its damaging effects on the faith, hopes, and aspirations of many of our children. We see it here in Washington, we see it in many urban areas, and we see it in many of the schools in our own districts.

As an educator, as a parent, as your colleague, let's bring some reasoned discussions to this most important topic. This is beyond politics, beyond credit for national initiatives, beyond this side of this aisle and that side of the aisle. This is about the aisles in classrooms, this is about moving each student from basic skill to basic skill, from this century into the next and from rural and urban classrooms throughout America into a complex and competitive new world.

Mr. FOGLIETTA. Mr. Chairman, I rise in opposition to Mr. GOODLING's amendment. In so doing, I want to thank Congresswoman ELEANOR HOLMES NORTON for helping me remember an important lesson learned.

We have a crisis in the schools of the District of Columbia—like we do in my home district in Philadelphia. Here in Washington, school opening day was postponed by 3 weeks and Congresswoman NORTON challenged us to take in a student as an intern. In the absence of school, the hope is that we would be able to provide students with another avenue of learning.

My office has been lucky enough to host Heyda Benkriera, a junior at the Woodrow Wilson Senior High in Tenleytown. Heyda is a joy—smart, hard-working, mature, and a great sport. Some people who have worked with Heyda are shocked to learn that she's in high school, that she's not a member of our staff.

Heyda and Congresswoman NORTON reminded us of a truism that we already knew but took for granted—that Heyda, and her fellow students, are our future. I am here today to remind this Congress what Heyda has taught us—that we as a nation must meet the challenge of bringing back our schools here in the District of Columbia, in Philadelphia, and across the Nation.

I am convinced that one way we can do this is to embrace the kind of national testing program our President has proposed. This is a way for us to better insure that kids in Philadelphia, PA, Washington, DC, and Selma AL, are getting a fair and equal chance at a great future. The best education is a local concern but also a national challenge.

Bright minds and bright futures depend on our commitment to education in big cities and rural schools.

Thank you for your time, Heyda, and thank you for the lesson you taught us. For Heyda and all the other Heydas, I urge my colleagues to support the President's testing program.

Mr. PACKARD. Mr. Chairman, as a father, grandfather, and former member of the Carlsbad, CA, School Board, I take a personal interest in providing quality education for our children. Parents and local school boards know best what their children's education needs are—not bureaucrats in Washington. For these reasons, I rise today to express my grave concerns about President Clinton's proposal for national school testing.

This is a waste of taxpayer's money and will do little more than increase Federal involvement in our schools. In my view, national school testing is an unnecessary Federal intrusion. I am pleased that our colleague, BILL GOODLING, has chosen to offer an amendment to prohibit any funds from being used to develop and implement a national test. We need to restore more local control of education. I intend to wholeheartedly support the Goodling amendment in order to ensure for the prosperity of our schools and the education of our children.

Mr. Chairman, the Government already spends more than \$500 million a year to help States develop their own achievement tests. The Clinton plan would cost another \$22 million. This is money that could be better spent in the classrooms.

Let's put education policy back in the hands of parents and teachers, rather than the Department of Education. Instead of developing new national tests, I believe we should send scarce Federal dollars directly to the classroom, bolster basic academics, and increase parental involvement. These should be our top priorities—not more testing. I encourage all of my colleagues to vote for the Goodling amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING].

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

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

The CHAIRMAN pro tempore. Pursuant to the order of the House of Thurs-

day, July 31 1997, further proceedings on the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 41 OFFERED BY MR. HOEKSTRA
Mr. HOEKSTRA. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 41 offered by Mr. HOEKSTRA:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 516. None of the funds made available in this Act may be used to pay the expenses of an election officer appointed by a court to oversee an election of any officer or trustee for the International Brotherhood of Teamsters.

Mr. HOEKSTRA. Mr. Chairman, this amendment deals with the Federal funding for the Teamsters election, or perhaps the Federal funding for rerunning of the teamsters election. Let me share with my colleagues some of the facts about the election that was just recently completed.

Nearly \$20 million of Federal taxpayers' dollars was spent on the Teamsters election that was completed in December of 1996. This 1996 Teamsters election was recently invalidated by the Clinton administration due to charges of illegal campaign contributions and other improprieties.

As chairman of the Subcommittee on Oversight and Investigations of the Committee on Education and the Workforce, with jurisdiction over all Federal education and work force policy issues, I believe it is the responsibility of this committee to provide accountability to the taxpayers for their dollars, to ensure honesty and integrity in this election process, and to facilitate learning from the mistakes that we may make so as not to repeat them in the future.

My subcommittee is going to be involved in these kinds of efforts. We are going to find out where were these dollars spent in the elections that were just completed in 1996. We are going to audit those dollars and share the results with Congress. We want to find out and discover why this process has to be so complex.

When we take a look at \$20 million of taxpayers' money for this election, that cost almost \$45 for every vote that was cast. What did we get for those dollars? What is the election officer's role? It appears to be almost virtually unrestricted. How long did this process go on? Even after this election is completed, there is a whole series of appeals that are now available. And now most troubling, what happened in this election is that the election officer points out the types of illegal campaign contributions that were made and some of the improprieties.

Let me give my colleagues some examples. Martin Davis, a top campaign

consultant to the Carey campaign, the November Group, he was indicted in New York on charges of illegally diverting at least \$95,000 of International Brotherhood of Teamsters money into the campaign. Michael Ansara of the Share Group pled guilty in New York on charges of conspiracy to illegally divert at least \$95,000 of IBT money into the Carey campaign. Or Rochelle Davis, she is deputy director for Citizen Action and its affiliate, Campaign for a Responsible Congress, seeks immunity for her cooperation with regard to \$75,000 to \$475,000 in funds channeled to Carey's campaign. Jere Nash, the Carey campaign manager, took the fifth amendment in testimony before a Federal appeals court on the information that he provided to the election officer. Carey's campaign has returned over \$220,000 in questionable campaign donations.

No one knows the full story yet. But we do know that the Federal Government running this campaign or supervising this election could not guarantee us a fair election. What we now need to do is to step back and take a time-out to learn from the mistakes that were made and to make sure that we do not spend more taxpayers' dollars in a process that does not give us the kind of results that we would like to have.

So what does my amendment do? My amendment strictly prohibits the use of taxpayer funds for a rerun of the Teamsters elections. The Government can still supervise the election. That is our role and responsibility, to make sure that Federal laws are followed. But we should not be paying for or administering the printing of ballots, the counting of ballots, and these administrative types of activities. This is an internal function to the International Brotherhood of Teamsters that should be paid for by the Teamsters, not by the taxpayers.

As I talked with my constituents about this issue, they are amazed that the taxpayers would be paying for that kind of internal operations; and they want it known that they do not approve and do not want to pick up the tab for another election or rerun elections. There is no debate that the Teamsters deserve an honest and a fair election. We will work with them through that process, but the taxpayers should not pay for it.

In addition, there is no proof that Federal funds provide assurance of a fair election. In fact, the 1991 election was paid for by the Teamsters, was certified, and Ron Carey was elected as president. What this shows is that Federal taxpayer dollars do not make or break an election.

It is time to step back to evaluate and make sure that we do not make the same mistakes over. There were lots of mistakes that were made in this last election. They were made at the cost of \$20 million to the American taxpayer. It should not happen again. We do not have a responsibility to do that.

CRS has issued an opinion that stated that there would be no consequences should the Congress not pay for the 1996 election.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. HOEKSTRA] has expired.

(By unanimous consent, Mr. HOEKSTRA was allowed to proceed for 1 additional minute.)

Mr. HOEKSTRA. It went on to say that the decree embodies the consent of the Union defendants to governmental supervision, not the consent of Congress. The consent decree states that the Federal Government has the option of running the Teamsters election and references Government financing with a 1996 opinion.

□ 2115

It is silent on the issue of funding beyond 1996. Therefore, it is the prerogative of Congress to speak at this time. We need to make sure that we have accountability for taxpayer dollars, ensure honesty and integrity in the election process and facilitate learning. Now is the time to step up and protect the taxpayer dollars and to ensure and put together a process to give the Teamsters a fair election.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I believe the gentleman from Michigan has an excellent amendment. I would say that it is consistent with what is already in the bill. There is no money in this bill for the Federal Government to pay for another Presidential election for the Teamsters. This amendment merely makes that explicit. I certainly accept the amendment.

We provided through the Department of Labor, \$5.6 million in fiscal 1996 and an additional \$3.8 million in fiscal 1997, a total of about \$9.5 million for the 1996 Teamster election. This amount was more than matched by the Subcommittee on Commerce, Justice, State and Judiciary, which provided the balance of \$21 million to conduct the 1996 election.

As the gentleman mentioned, under the consent decree of 1989 entered when President Bush was our President, the Federal Government agreed to pay for the 1996 Teamster election, and the Teamsters themselves agreed to pay for the 1991 election. What was the national interest in doing that? It was to take a union that was obviously and by everyone's evaluation under the control of unsavory elements and attempt to assure democratic elections. The goal was to reform the union and remove that unsavory control that had been a part of their history for a long, long time.

I think the taxpayers have gone as far as they should go in paying for Teamster elections. I do not think we should ask the taxpayers to pay again for the irregularities that have occurred in the last election, and I believe that any further responsibility for reform is up to the Teamsters

Union and new elections paid for by them. I think the gentleman has offered a very good amendment. We accept it and believe that it makes explicit what is already implicit in the bill; namely, that this is no longer a Federal responsibility in any way, shape or form.

Mr. NORWOOD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am pleased to rise in support of the Hoekstra amendment, but, frankly, I believe the \$20 million that was spent on the Teamsters election in 1996 should be paid back. Talk about general welfare. They represent one-half of 1 percent of the population, yet the taxpayers of this country had to foot the bill for almost \$20 million to pay for their election. That makes no sense. So in this amendment we simply say since that election in 1996 was fraudulent, certainly the taxpayers will not have to pay again.

The gentleman pointed out that there is no money authorized or appropriated for a rerun of their election, but I would point out there was no money appropriated in 1996 for the election either. It was a transfer of funds in the Justice Department.

Those who do say that the 1989 consent decree, which is right here, said that the taxpayers should pay for the 1996 election have not read the consent decree real well. It said clearly that the taxpayer will pay to supervise an election, not pay to run the entire election, printing ballots, et cetera. We need to make sure at least on this amendment that we do not fall into the trap again of having the American taxpayer foot a \$20 million bill.

On August 22, 1997, the election officer issued a 134-page decision that she would not certify the election and requested a rerun of the election as the result of finding illegal campaign contributions to the Carey campaign as well as a very complex scheme of money laundering to fund the Carey campaign with funds from the Teamsters' treasury. This money laundering scheme involved Citizen Action and the National Council of Senior Citizens, front groups for the unions, and it involved a complex scheme to put money into congressional campaigns. In the last election, labor unions tried to buy this Congress with their illegal activities, distortions, and misrepresentations of the facts with their whatever it takes plan. This laundering scheme was part of all of that.

Every one of you in this Congress who have been attacked by the unions unfairly and untruthfully should vote for this amendment. Every one of you in this Congress who do not want the taxpayers to pay another \$20 million to benefit one-half of 1 percent of the taxpayers should vote for this amendment. Every one of you that represent the 49 percent of the Teamsters that voted for Jimmy Hoffa, Jr., for president of the Teamsters should vote for this amendment. Every one of you that say we

should fund special education to its legal amount of 40 percent should vote for this amendment. Every one of you who want more inspectors at OSHA should vote for this amendment.

This is what is meant by prioritizing your spending. We cannot afford to waste another \$20 million of the taxpayers' money to have an election for one-half of 1 percent of the people. Vote for the Hoekstra amendment, and do not cheat the taxpayers out of another \$20 million.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the gentleman from Illinois indicated that he accepted the amendment for the committee. We also accept it on this side of the aisle. I would simply note that I have some doubts about it, because the original funding provided by the Congress to supervise these elections came as the result of an agreement entered into by the Justice Department under the Bush administration.

I think it is in the national interest of the United States to see to it that fair elections are conducted in this union. It has a long and checkered history. I think it is in the interest of the country to see to it that the union is as clean as possible.

It is obvious at this point that there are considerable problems with the last election. We do not know yet what the court decision is going to be, but as the gentleman has indicated, there is no money in this bill for financing supervision of any pending election, so there is certainly no problem at this point with accepting the amendment.

Mr. FAWELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Hoekstra amendment. The 1996 Teamsters election of its officers, including the election of its President Ron Carey, has been nullified as has been indicated because of fraud, and under the order of a Federal court-appointed election officer, one Barbara Zack Quindel, who had the duty to supervise the election.

Previously, in 1988, the United States Government had initiated litigation against the Teamsters to rid the union of the influence of organized crime. That led to the entry of a consent decree, which has been referred to, by a New York Federal court providing for the election officer to supervise the 1996 Teamster election to make sure the election was fair and open. As we all know, the election was not very fair. Even though the 1996 Teamster election was supervised by the court-appointed election officer, still, as the election officer herself recently ruled, the 1996 election of Teamster officers was a nullity because of the fraudulent siphoning of union funds to various third parties, who in turn laundered such funds and then contributed them back into the campaign fund of Ron Carey, the president of the Teamsters. Mr. Carey won a very narrow victory in that election for a second term as

president of the Teamsters over challenger James Hoffa, using, however, the tainted contributions. And apparently, as has been indicated, the cost of conducting and operating this fraudulent 1996 Teamster election was financed by the American taxpayers at an estimated cost of \$20 million.

It now appears that a rerun of the court-monitored but fraudulent 1996 election will be required. I think most people do believe that this time around, the cost of conducting and/or supervising a rerun election under court order should be paid for by the Teamsters Union and not by the American taxpayers. Thus this amendment attempts to make it clear that at least none of the funds made available in this appropriation bill may be used to pay the expenses of the election officer appointed to oversee the rerun of the Teamster election, whoever that may be.

By the way, I might add that the election officer has seen fit to resign from her post.

At this point, no one knows just how much the conducting and supervising of the Teamsters' 1996 election did or will cost the American taxpayer, nor do we know what the cost will be for a rerun of the election. I do think that this time around, though, as we find ourselves in a position where the United States Government has to now monitor a rerun of a previously monitored but corrupt 1996 election, that certainly this time the union is the entity who ought to pay those costs and not the taxpayer. The amendment may not do the whole job, but it certainly is pointed in the right direction.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let us focus on what happened here. A judge in New York allowed a consent decree as part of a settlement of a corruption charge against the Teamsters Union. That 1989 consent decree said that the Teamsters would pay for the 1991 election; the American taxpayer would pay for the 1996 election.

Mr. Chairman, rightly or wrongly, the families of this country did pay tens of millions of dollars out of their pockets for an election in 1996. Is it their fault the Teamsters and the Federal Government could not conduct an honest election? No. It is not the fault of the American taxpayer, and it is not their responsibility to clean up the mess. They have lived up to their end of the bargain, and it is time for Congress to stand up and prevent the taxpayer from being fleeced by forcing them to pay for a rerun election. The taxpayers funded an election for a private union. The election was filled with unethical behavior. That is it. The Teamsters had their bite of the apple, and this amendment would guarantee that taxpayer funds would not be wasted again.

Mr. MCINTOSH. Mr. Chairman, I rise in strong support of the amendment of the gen-

tleman from Michigan. The issue here is whether taxpayers should pay twice for the same Teamsters' election. Hardworking, law-abiding American workers have already forked over more than \$20 million for a corrupt, fraudulent 1996 election. Some estimate that when we are done sorting out this whole mess that taxpayers will have paid \$30 million or more. It was not the taxpayers' fault that this election stunk to high heaven. It was not the taxpayers' fault that "funny money" was illegally floated around Ron Carey's campaign. This Nation's taxpayers should not be on the hook for the re-run election which has been ordered by the election overseer.

It has been said that this amendment would mean the Congress is meddling with the courts. Yes, a settlement of corruption charges against the Teamsters did result in a 1989 consent decree saying that the Teamsters would pay for the 1991 election and that the taxpayers would pay for the 1996 election. But the consent decree did not say that the taxpayers would pay for a re-run election in 1997 that is ordered because of corruption.

American families have already paid for one election that they did not get, and they should not have to pay for another. I urge my colleagues to support the amendment.

The CHAIRMAN pro tempore [Mr. BEREUTER]. The question is on the amendment offered by the gentleman from Michigan [Mr. HOEKSTRA].

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. NORWOOD. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Thursday, July 31, 1997, further proceedings on the amendment offered by the gentleman from Michigan [Mr. HOEKSTRA] will be postponed.

The point of no quorum is considered withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to the order of the House of Thursday, July 31, 1997, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 5 offered by the gentleman from Pennsylvania [Mr. GOODLING]; amendment No. 41 offered by the gentleman from Michigan [Mr. HOEKSTRA].

The Chair will reduce to 5 minutes the time for the second electronic vote.

AMENDMENT NO. 5 OFFERED BY MR. GOODLING

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 295, noes 125, not voting 13, as follows:

[Roll No 398]

AYES—295

Abercrombie Gallegly
Aderholt Ganske
Archer Gekas
Army Gibbons
Bachus Gilchrest
Baker Gillmor
Ballenger Gilman
Barcia Goode
Barr Goodlatte
Barrett (NE) Goodling
Bartlett Goss
Barton Graham
Bass Granger
Bateman Green
Bereuter Greenwood
Billray Gutierrez
Bilirakis Gutknecht
Bishop Hall (TX)
Bliley Hamilton
Blunt Hansen
Boehlert Hastert
Boehner Hastings (FL)
Bonilla Hastings (WA)
Bonior Hayworth
Bono Hefley
Boyd Herger
Brady Hill
Brown (FL) Hilleary
Bryant Hilliard
Bunning Hobson
Burr Hoekstra
Burton Holden
Buyer Hostettler
Callahan Houghton
Calvert Hulshof
Camp Hunter
Campbell Hutchinson
Canady Hyde
Cannon Inglis
Carson Istook
Castle Regula
Chabot Jackson (IL)
Chambliss Jackson-Lee
Chenoweth (TX)
Christensen Jefferson
Clay Jenkins
Clayton John
Clyburn Johnson, E. B.
Coble Johnson, Sam
Coburn Jones
Collins Kaptur
Combest Kasich
Conyers Kelly
Cook Kilpatrick
Cooksey Kim
Cox King (NY)
Crane Kingston
Crapo Kleczka
Cubin Klink
Cummings Klug
Cunningham Knollenberg
Danner Kolbe
Davis (IL) LaHood
Davis (VA) Largent
Deal Latham
DeFazio LaTourette
DeLay Lazio
Dellums Leach
Diaz-Balart Lewis (CA)
Dickey Lewis (GA)
Dixon Lewis (KY)
Doolittle Linder
Doyle Lipinski
Dreier Livingston
Duncan LoBiondo
Dunn Lucas
Edwards Manton
Ehlers Manzullo
Ehrlich Matsui
Emerson McCollum
English McCrery
Ensign McDade
Evans McHugh
Everett McLinnis
Ewing McIntosh
Fawell McKeon
Foley McKinney
Fowler Meek
Fox Menendez
Franks (NJ) Metcalf
Frelinghuysen Mica

Millender-
McDonald
Miller (FL)
Mink
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Owens
Packard
Pappas
Parker
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stokes
Strickland
Stump
Sununu
Talent
Tauzin
Taylor (MS)

Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Townes
Traficant
Turner

Upton
Velazquez
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)

Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOES—125

Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Bentsen
Berman
Berry
Blagojevich
Blumenauer
Borski
Boswell
Boucher
Brown (CA)
Brown (OH)
Capps
Cardin
Clement
Condit
Costello
Coyne
Cramer
Davis (FL)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Engel
Eshoo
Hutchidge
Farr
Fattah
Fazio
Filner
Foglietta
Forbes
Ford

NOT VOTING—13

Becerra
Flake
Furse
Gonzalez
Hinojosa

Martinez
Ortiz
Pelosi
Schiff
Smith (OR)

□ 2156

Ms. ESHOO, and Messrs. MALONEY of Connecticut, BORSKI, STUPAK, FATTAH, and RAHALL changed their vote from "aye" to "no."

Ms. KILPATRICK, Mr. BONIOR, and Mr. ABERCROMBIE changed their vote from "no" to "aye."

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, on the Goodling amendment I was delayed on official business and unable to get here in time to cast my vote.

Had I been present I would have voted "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. BEREUTER). Pursuant to the order of the House of Thursday, July 31, 1997, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the next amendment on which the Chair has postponed further proceedings.

□ 2200

AMENDMENT NO. 41 OFFERED BY MR. HOEKSTRA

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 41 offered by the gentleman from Michigan [Mr. HOEKSTRA] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 195, not voting 13, as follows:

[Roll No 399]

AYES—225

Aderholt	Fawell	McIntyre
Archer	Foley	McKeon
Armey	Fowler	Mica
Bachus	Franks (NJ)	Miller (FL)
Baker	Frost	Minge
Ballenger	Gallegly	Moran (KS)
Barr	Ganske	Myrick
Barrett (NE)	Gekas	Nethercutt
Barrett (WI)	Gibbons	Neumann
Bartlett	Gilchrest	Ney
Barton	Gillmor	Northup
Bass	Goode	Norwood
Bateman	Goodlatte	Nussle
Bereuter	Goodling	Obey
Berry	Gordon	Oxley
Bilbray	Goss	Packard
Bilirakis	Graham	Pappas
Bliley	Granger	Parker
Blunt	Greenwood	Paul
Boehner	Gutknecht	Paxon
Bonilla	Hall (TX)	Pease
Bono	Hansen	Peterson (PA)
Boyd	Hastert	Petri
Brady	Hastings (WA)	Pickering
Bryant	Hayworth	Pitts
Bunning	Hefley	Pombo
Burr	Herger	Pomeroy
Burton	Hill	Porter
Buyer	Hilleary	Portman
Callahan	Hobson	Pryce (OH)
Calvert	Hoekstra	Radanovich
Camp	Hostettler	Ramstad
Campbell	Hulshof	Redmond
Canady	Hunter	Regula
Cannon	Hutchinson	Riggs
Carson	Hyde	Riley
Castle	Inglis	Rogan
Chabot	Istook	Rogers
Chambliss	Jenkins	Rohrabacher
Chenoweth	John	Roukema
Christensen	Johnson (CT)	Ryca
Coble	Johnson (WI)	Ryun
Coburn	Johnson, Sam	Salmon
Collins	Jones	Sanford
Combest	Kasich	Saxton
Condit	Kelly	Scarborough
Cook	Kim	Schaefer, Dan
Cooksey	Kingston	Schaffer, Bob
Cox	Klug	Sensenbrenner
Crane	Knollenberg	Sessions
Cubin	Kolbe	Shadegg
Cunningham	Largent	Shaw
Danner	Latham	Shays
Davis (IL)	LaTourette	Shimkus
Davis (VA)	Leach	Shuster
Deal	Lewis (CA)	Skeen
DeFazio	Lewis (KY)	Skelton
DeLay	Lucas	Smith (MI)
Dellums	Manton	Smith (NJ)
Diaz-Balart	Manzullo	Smith (TX)
Dickey	Matsui	Smith, Linda
Dixon	McCormack	Snowbarger
Doolittle	McCollum	Solomon
Doyle	McCrery	Souder
Dreier	McDade	Spence
Duncan	McHugh	Stearns
Dunn	McInnis	Stenholm
Edwards	McIntosh	Stokes
Ehlers	McKeon	Strickland
Ehrlich	McKinney	Stump
Emerson	Meek	Sununu
English	Menendez	Talent
Ensign	Metcalf	Tauzin
Evans	Mica	Taylor (MS)
Everett		
Ewing		
Fawell		
Foley		
Fowler		
Fox		
Franks (NJ)		
Frelinghuysen		

Stupak	Thornberry	Watkins
Sununu	Thune	Watts (OK)
Talent	Tiahrt	Weldon (FL)
Tanner	Traficant	White
Tauzin	Turner	Whitfield
Taylor (MS)	Upton	Wicker
Taylor (NC)	Walsh	Wolf
Thomas	Wamp	Young (FL)

NOES—195

Abercrombie	Gutierrez	Moran (VA)
Ackerman	Hall (OH)	Morella
Allen	Hamilton	Murtha
Andrews	Harman	Nadler
Baesler	Hastings (FL)	Neal
Baldacci	Hefner	Oberstar
Barcia	Hilliard	Olver
Bentsen	Hinchev	Owens
Berman	Hinojosa	Pallone
Bishop	Holden	Pascarell
Blagojevich	Hooley	Pastor
Blumenauer	Horn	Payne
Boehlert	Houghton	Pelosi
Bonior	Hoyer	Peterson (MN)
Borski	Jackson (IL)	Pickett
Boswell	Jackson-Lee	Poshard
Boucher	(TX)	Price (NC)
Brown (CA)	Jefferson	Quinn
Brown (FL)	Johnson, E. B.	Rahall
Brown (OH)	Kanjorski	Rangel
Capps	Kaptur	Reyes
Cardin	Kennedy (MA)	Rivers
Carson	Kennedy (RI)	Rodriguez
Clay	Kennelly	Roemer
Clayton	Kildee	Ros-Lehtinen
Clement	Kilpatrick	Rothman
Clyburn	Kind (WI)	Roybal-Allard
Conyers	King (NY)	Rush
Costello	Kleczka	Sabo
Coyne	Klink	Sanchez
Cramer	Kucinich	Sanders
Cummings	LaFalce	Sandlin
Danner	LaHood	Sawyer
Davis (FL)	Lampson	Schumer
Davis (IL)	Lantos	Scott
DeFazio	Lazio	Serrano
DeGette	Levin	Sherman
Delahunt	Lewis (GA)	Sisisky
DeLauro	Lipinski	Skaggs
Dellums	Lofgren	Slaughter
Deusch	Lowe	Smith, Adam
Diaz-Balart	Maloney (CT)	Snyder
Dicks	Maloney (NY)	Spratt
Dingell	Manton	Stabenow
Dixon	Markey	Stark
Dooley	Mascara	Stokes
Doyle	Matsui	Strickland
Engel	McCarthy (MO)	Tauscher
English	McCarthy (NY)	Thompson
Eshoo	McDade	Thurman
Etheridge	McDermott	Tierney
Evans	McGovern	Towns
Farr	McHale	Velazquez
Fattah	McHugh	Vento
Fazio	McKinney	Visclosky
Filner	McNulty	Waters
Foglietta	Meehan	Watt (NC)
Forbes	Meek	Waxman
Ford	Menendez	Weldon (PA)
Fox	Metcalf	Weller
Frank (MA)	Millender-	Wexler
Frelinghuysen	McDonald	Weygand
Gejdenson	Miller (CA)	Wise
Gephardt	Mink	Woolsey
Gilman	Moakley	Wynn
Green	Mollohan	

NOT VOTING—13

Becerra	Martinez	Torres
Crapo	Ortiz	Yates
Flake	Schiff	Young (AK)
Furse	Smith (OR)	
Gonzalez	Solomon	

□ 2205

Mr. DEUTSCH changed his vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. PORTER. Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. THUNE)

having assumed the chair, Mr. BEREUTER, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

EXPORT EXPANSION AND RECIPROCAL TRADE AGREEMENTS ACT OF 1997—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. Doc. No. 105-130)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and the Committee on Rules and ordered to be printed.

To the Congress of the United States:

I am pleased to transmit a legislative proposal entitled the "Export Expansion and Reciprocal Trade Agreements Act of 1997." Also transmitted is a section-by-section analysis.

This proposal would renew over 60 years of cooperation between the Congress and the executive branch in the negotiation and implementation of market-opening trade agreements for the benefit of American workers and companies.

The sustained, robust performance of our economy over the past 5 years is powerful proof that congressional-executive cooperation works. We have made great strides together. We have invested in education and in health care for the American people. We have achieved an historic balanced budget agreement. At the same time, we have put in place trade agreements that have lowered barriers to American products and services around the world.

Our companies, farms, and working people have responded. Our economy has produced more jobs, more growth, and greater economic stability than at any time in decades. It has also generated more exports than ever before. Indeed, America's remarkable economic performance over the past 5 years has been fueled in significant part by the strength of our dynamic export sector. Fully 96 percent of the world's consumers live outside the United States. Many of our greatest economic opportunities today lie beyond our borders. The future promises still greater opportunities.

Many foreign markets, especially in the developing world, are growing at tremendous rates. Latin American and Asian economies, for example, are expected to expand at three times the rate of the U.S. economy over the coming years. Consumers and industries in these countries prize American goods,

farm products, services, and the many expressions of American inventiveness and culture. While America is the world's greatest exporting nation, we need to do more if we want to continue to expand our own economy and produce good, high-wage jobs.

We have made real progress in breaking down barriers to American products around the world. But many of the nations with the highest growth rates almost invariably impose far higher trade barriers than we do. We need to level the playing field with those countries. They are the nations whose markets hold the greatest potential for American workers, firms, and agricultural producers.

Today, the United States is the world's strongest competitor. The strength of the U.S. economy over the past several years is testimony to the creativity, productivity, and ingenuity of American firms and workers. We cannot afford to squander our great advantages by retreating to the sidelines and watching other countries conclude preferential trade deals that shut out our goods and services. Over 20 such agreements have been concluded in Latin America and Asia alone since 1992. The United States must continue to shape and direct world trading rules that are in America's interest and that foster democracy and stability around the globe.

I have pledged my Administration to this task, but I cannot fully succeed without the Congress at my side. We must work in partnership, together with the American people, in securing our country's future. The United States must be united when we sit down at the negotiating table. Our trading partners will only negotiate with one America—not first with an American President and next with an American Congress.

The proposal I am sending you today ensures that the Congress will be a full partner in setting negotiating objectives, establishing trade priorities, and in gaining the greatest possible benefits through our trade agreements. The proposal expands upon previous fast-track legislation to ensure that the Congress is fully apprised and actively consulted throughout the negotiating process. I am convinced that this collaboration will strengthen both America's effectiveness and leverage at the bargaining table.

Widening the scope of consultations will also help ensure that we will take all of America's vital interests into account. That is particularly important because today our trade agreements address a wider range of activities than they once did. As we move forward with our trade agenda, we must continue to honor and reinforce the other values that make America an example for the world. I count chief among these values America's longstanding concern for the rights of workers and for protection of the environment. The

proposal I am transmitting to you recognizes the importance of those concerns. It makes clear that the agreements we conclude should complement and reinforce those values.

Ever since President Franklin Roosevelt proposed and the Congress enacted America's first reciprocal trade act in the depths of the Great Depression, the Congress and the President have been united, on a bipartisan basis, in supporting a fair and open trading system. Our predecessors learned from direct experience the path to America's prosperity. We owe much of our own prosperity to their wisdom. I urge the Congress to renew our longstanding partnership by approving the proposal I have transmitted today.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 16, 1997.

SPECIAL ORDERS

The SPEAKER pro tempore. 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.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. JONES] is recognized for 5 minutes.

[Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California [Ms. PELOSI] is recognized for 5 minutes.

[Ms. PELOSI addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

PROCEDURAL JUSTICE FOR NICARAGUANS AND OTHER CENTRAL AMERICANS: THE CASE FOR H.R. 2302

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. DIAZ-BALART] is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Speaker, on June 24 the U.S. District Court for the Southern District of Florida granted a preliminary injunction in favor of thousands of Central American immigrants in Georgia, Alabama, and Florida. The court in its decision concluded that the Immigration and Naturalization Service violated the due process rights of thousands of Nicaraguans and others bringing suits.

□ 2215

The court stated that an interpretation of a statute that has the effect of barring completely access to the courts irrespective of the merits of a person's claim is violative of due process. A retroactive application of the Immigration Reform Act of 1996 violates due process by barring persons completely

from even applying for suspension of deportation.

I firmly believe that U.S. District Judge James King captured in his decision the essence of a key issue that is before Congress: Due process of law for immigrants. Legislation that I have introduced, the Technical Revisions Act, H.R. 2302, in conjunction with legally compelled administrative action will restore due process of law to Central American refugees. The administration, however, must also contribute toward ensuring that Central American immigrants will receive procedural justice.

I would like to commend the Attorney General for her decision in July to set aside the Board of Immigration Appeals' ruling in the case of N-J-B; however, at this urgent time I renew my appeal to her, to her good will so that she will act in accordance with her existing authority to completely reverse the N-J-B decision. Given the persistent demonstration of support for that result and the substantial equities involved, I am hopeful she will render this reversal in the near future.

At this time, Mr. Speaker, I want to also urge very especially and personally that the Attorney General issue a parole for a young lady at the Krome Detention Center in south Florida, Cindy Zuyen Martinez, a 19-year-old Nicaraguan young lady who has been unfairly detained for over 10 months. It is Cindy's 20th birthday on Friday, and I would hope and expect that the Attorney General, with using her good will and her good offices and the power of her office, would issue a humanitarian parole to Cindy Zuyen Martinez before her birthday this Friday.

We in Congress, Mr. Speaker, cannot let the misdirected retroactive effects of the 1996 Immigration Act destroy whole families. In case after case, the Supreme Court has noted that the presumption against retroactive legislation is deeply rooted in our jurisprudence and embodies a legal doctrine centuries older even than our Republic. Consistent with that tradition, I do not believe that a majority of the Members of Congress ever intended that those provisions should apply retroactively to our immigrant communities.

By way of example, a distinguished Member of this Congress, my fellow colleague from Florida, Mr. PETER DEUTSCH, who voted for the 1996 act, testified in Federal Court that he never contemplated that the new law would be implemented to operate against those who had sought relief under prior existing rules.

I have introduced House bill 2302 to seek to clarify the ambiguities in the 1996 Immigration Act and to eliminate arbitrarily harmful and retroactive effects of that law. My bill is a technical corrections bill to the 1996 Immigration Act. It merely ensures that immigrants receive a fair hearing, Mr. Speaker.

Refugees from Central America came to the United States for protection

from Civil War and, in the case of our Nicaraguan brothers and sisters, from political persecution. Countless Nicaraguans fought courageously in the Nicaraguan resistance to defeat communism in their homeland. During the Civil War, and after it formally ended in 1990, many resistance members sought refuge in the United States based on the Federal government's pledge they would be able to remain as long as they complied with their application procedures for suspension or asylum.

Nicaraguan families acted accordingly and patiently waited to have their applications considered, many sacrificing their family savings to pay for legal representation during their long pending asylum processes. In some cases our courts have even certified these delays have been the fault of the Immigration and Naturalization Service.

Our Nation owes a great deal of gratitude to our Nicaraguan brothers and sisters, and I think it is our moral obligation and a requirement of elemental fairness that at the very least these refugees be considered under the rules in existence when they filed their applications.

Since these refugees were admitted to the United States, I have witnessed in South Florida how they have made significant social, economic and cultural contributions to my community. They have built businesses, created jobs, they pay taxes, and these hard working families now have children, many of them who are native born American citizens. My bill ensures that these refugees will be able to obtain basic procedural justice in recognition of their historically unique and important circumstances.

Mr. Speaker, we will continue to work with all intensity until we prevail. This issue requires it.

UT PROFESSOR WHO BLASTS EFFORTS FOR DIVERSITY ON CAMPUS SPEAKS FOR NO ONE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, in the swirl of discussions of color-blindness and civil rights, I rise this evening to comment on unfortunate and misdirected comments, without academic content, made by one of our University of Texas professors in the State of Texas. Taken from an article in the Houston Chronicle, this professor offered to give his philosophy on the intellectual capacities of blacks and Mexican Americans.

It is my understanding that his training is in law. I do not view him or have no knowledge of his background in sociology or psychology, but his comments are as follows:

"Racial diversity among students adds little to their education", a University of Texas law professor said

Wednesday, adding that "blacks and Mexican Americans can't compete academically with whites" and that they come from cultures in which "failure is not looked upon with disgrace."

Professor Lino Graglia's thoughts on affirmative action and minority students' abilities have been publicly known for years. In 1986, his controversial views cost him an appointment to the United States 5th Circuit Court of Appeals after objections were raised to his use of the word "pickaninny" in the classroom and to his published articles in which he seemed to urge Austinites in Austin, Texas, to defy court ordered bussing of public school students.

Let me, in contrast to his remarks, say that I am completely confident in the tenure system as well as the first amendment and academic freedom. I do recognize that our Nation's universities, both public and private, are havens for philosophical thought that I may not agree with and that I may agree with. And I recognize that Dr. Graglia hides behind that shield. Many of my colleagues in the State legislature and community activists have rightly called for these unfortunate, untimely remarks to be "taken down," if I may characterize it that way, in that the professor be asked to resign.

I believe that they have the authority and, of course, the initiative to address whether he comes or whether he stays or goes at the University of Texas, but I offer to say as this Congress looks at debating affirmative action, looks at MWBE programs or programs in the Federal Government that respond to creating opportunity for minority contractors, that we listen to the misguided and misdirected sentiments of individuals that are not informed and are not trained.

The UT law school this year expects 4 blacks and 26 Mexican-Americans among its 468 new students. Final figures will not be available until Friday. Last year 31 blacks and 42 Mexican-Americans enrolled at the University of Texas law school. Graglia, who made his comments at the announcement of a new organization, Students for Equal Opportunity, for which he is the faculty adviser, insisted that "blacks and Mexican-Americans are not academically competitive with whites in selective institutions. It is the result primarily of cultural effects." "Various studies," he says, "seem to show that blacks and Mexican-Americans spend much less time in school. They have a culture, it seems, not to encourage achievement. Failure is not looked upon with disgrace."

Let me simply say to the professor that I find him a disgrace. For it is interesting that with his limited training, no expertise in sociology, or the data of gathering any substance to give support to the comment that their culture seems not to encourage achievement, that here he is, isolated in Austin, TX, and he rises to a national platform to characterize all African-American

and Mexican-Americans in this Nation.

I assume maybe he has done a national polling, even to the extent of going into each and every household, starting from slavery for African-Americans and maybe from the first immigrant from Mexico, and he now has the absolute results, almost like the Emmy or the Oscars, he has the final tally that culturally we do not encourage achievement amongst African-Americans or Mexican-Americans.

So the leaders of this Nation, who have been African-American and Mexican-American scientists, lawyers, doctors, teachers, business persons, multimillionaires, billionaires, all do not count for this professor. He sits in his isolated shell, protected by the first amendment and academic freedom, and wants to insult a nation of people.

Graglia said, "Admitting less qualified students because of their race brings down the class and denies admissions to qualified white students." I would simply say to this professor that maybe he should remain isolated, protected by academic freedom and the first amendment, but he speaks for no one, and least of all he speaks not with reason, understanding, and intelligence. He speaks with no data. He speaks with no knowledge of the cultural expressions of African-Americans and Mexican-Americans. Frankly, he says nothing. And, frankly, if I were him, I would silence myself.

SUNSETTING THE U.S. TAX CODE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. PAXON] is recognized for 5 minutes.

Mr. PAXON. Mr. Speaker, I would like to take the opportunity this evening to outline a measure I think, on a bipartisan basis, can say a lot about where this Congress believes the future of our country should be, about what our vision as a Congress is all about for the future of our country.

Mr. Speaker, for decades, few Americans ever really believed in their hearts that this Congress could work together to balance our Nation's budget, yet it was in 1994 our Contract With America finally, and I think clearly, established that we could do it because we put a date certain on it. We said we are going to do this by 2002, let the debate begin on how we are going to accomplish the specifics of balancing this Nation's budget, which in July of this year we finally have done.

In so doing, by establishing that date of 2002, we really captured the attention and the support and the enthusiasm of the American people, and it overrode a lot of obstacles, frankly obstacles at the other end of Pennsylvania Avenue and some right here in this Chamber. I believe that by initiating that balanced budget debate in 1994, with our Contract With America, we defined the playing field and we won an important legislative victory for the American people.

Now, similarly, for years we have talked about abolishing the Tax Code and replacing it with something different, with either a flat rate income tax or a national sales tax or some other alternative. Every day we wait, that 5.5 million word "Tax Code" that is administered by 110,000 IRS employees defines just about everything we do as citizens. It limits our economic freedom, it discriminates against children, families, and entrepreneurs. It encourages hundreds of billions of dollars in the underground economy or in tax avoidance and, most importantly, I believe the complexity of the Tax Code, in its unfairness, turns off many millions of Americans to the government that administers and creates this program.

I do believe that it is time to apply the same defining principles that we did on balancing the budget; establishing a date certain and then letting the debate begin, that same defining approach to the issue of changing our Tax Code.

My colleagues, I believe this fall we should put on the President's desk a bill repealing the entire Federal Tax Code, and today I submitted legislation that would do just that. My bill will effectively sunset the Federal Tax Code at midnight on December 31, the year 2000. It eliminates all elements of the Tax Code except those dealing with Medicare and Social Security.

Now, if this Congress has the courage and the commitment to see this through, think of what it means. Three short years from now Americans everywhere will celebrate New Year's Eve by wishing good riddance to 5.5 million words of Federal bureaucratic gobbledegook along with the 110,000 bureaucrats who enforce all this with a guilty until proven innocent sledgehammer.

Now, I think my colleagues might agree that nothing gets Washington off its duff like a deadline and, frankly, this bill would impose one heck of a deadline. That is why I am calling my legislation No Taxation Without Reformation. I am pleased that already colleagues here in Congress have come forward to support this, and organizations like the NFIB, the National Federation of Independent Businesses, have decided to make the sunset of our Federal Tax Code and the beginning of this great national debate on what would replace it a reality.

□ 2230

I think if we have the courage and commitment as a Congress to start the national debate on this issue, it will mean first it will involve every American in helping us figure out what the ultimate solution, the replacement of the current tax code and its complexity, is all about.

Second, it will help change specifically the system we have in front of us.

And, third, by replacing the Tax Code with an alternative, a flatter, fairer income tax system, other national sales

tax, or something like the Cato Institute has proposed today, the max tax, any one of these alternatives or others that may come forward, we can and will restore people's faith in this Congress and in this Government, that it has the best interest of this country at heart and offers the opportunity for great hope and optimism for this Nation as we enter the next millennium.

I hope that Members of Congress will join with me in this important crusade that we have begun today in the House of Representatives.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Ms. MILLENDER-MCDONALD] is recognized for 5 minutes.

[Ms. MILLENDER-MCDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

OPPOSING THE RENEWAL OF COMMERCIAL WHALING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. METCALF] is recognized for 5 minutes.

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

Mr. METCALF. Mr. Speaker, I rise in opposition to yet another proposal to renew commercial whaling on our Nation's West Coast.

Next month the International Whaling Commission will meet. On its agenda is a resolution to authorize the Makah Tribe that is on the west coast of Washington State to renew commercial whaling, to kill five gray whales annually. Just three years ago gray whales were removed from the endangered species list. If they are granted whaling rights, 13 tribes in British Columbia are prepared to begin commercial whaling themselves.

We all know that whales were hunted almost to extinction in all the oceans in the last century. I do not believe that people are prepared to renew commercial whaling in North America. There are many reasons: Guilt for the past actions a hundred years ago. People feel protective of whales. They are concerned for these great beasts. And there are economic reasons. There is a multimillion-dollar whale watching industry in northern California, Oregon coast, Washington coast, British Columbia, clear to Alaska.

The gray whales and local orcas, they are used to boats. People sort of consider them like pets. Many individuals have been identified and can be recognized. People are thrilled to get a close look at them. But these are very intelligent animals. Once commercial killing starts, even on a limited basis, explosive harpoons, whales thrashing, blood in the water, there will soon be no whale watching. No boat will get close to gray whales again. That will be the end of a major industry on the Pacific Coast.

We must ask, why renew whale hunting? What will they do with the whales that they catch? The Makah Tribe has not hunted whales for over 70 years. That is not a part of their diet at all. No, this is not subsistence. This is commercial whaling. One gray whale is worth \$1 million in Japan.

The Makah Tribe has established contact with the Norwegian and Japanese whaling interests. Boats and modern stun or explosive harpoons are available. The Seattle Times reported on April 13, and I quote,

The proposed hunt is allied with efforts by the commercial interests in Japan and Norway that hope to turn the tide against anti-whaling sentiment by promoting what they call "community based whaling among indigenous people for cultural, dietary or economic reasons."

I want to read that again.

The proposed hunt is allied with efforts by the commercial interests in Japan and Norway that hope to turn the tide against anti-whaling sentiment by promoting what they call "community based whaling among indigenous people for cultural, dietary or economic reasons."

Again, I must question the validity of the proposal and the motivations behind the renewed whale harvest. The fact that many whales are creatures that routinely migrate the globe demands a consistent international policy.

If a few native groups are allowed to harvest whales, then Japan and Norway deserve and they will demand the same. They have hunted whales through all recorded history. This policy is a step we must not take.

Mr. Speaker, the grim history of commercial whaling must not be repeated, and I will do my best to see that it is not. In response to this action, I am drafting a letter to the International Whaling Commission meeting in October asking that they refuse the Makah proposal. I urge every Member of Congress to sign this letter or call my office and have their name added. I believe a firm statement by this House will turn the tide and defeat the commercial whaling resolution.

ISTEA LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

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

Mr. FOX of Pennsylvania. Mr. Speaker, dear colleagues, I come to the House floor tonight because we have legislation which is coming up next week which is very important, the ISTEA legislation. The shorthand for that is the transportation bill.

What is very important about the ISTEA legislation is this is the legislation long awaited which will give each American community and our States the kind of transportation and privilege that we need. Each State and each community has great schools, great

health care institutions, and have great employers and great employees. But if they cannot get around, how will they contribute to the quality of life?

So I am hoping that my colleagues will support the Shuster bill, H.R. 2400. That ISTEA legislation will provide the following: The road construction that is needed across the country; the road repairs that are needed in each community; the bike paths that are needed to help the environment, give recreational opportunities; and the public transit assistance. By that I mean trains, buses, subways, any kind of high-tech, new technology transit, any ways of getting people around that may be more easily done in urban and suburban areas, that will cut down on the gridlock and reduce the amount of cars that are too much on the roadway. This would actually not only help people get around faster but do so more economically and preserve the environment.

My position on the Shuster bill is that this is a great piece of legislation that is going to help in a bipartisan way every single district, every single State. It is pro-environment. It is pro-jobs. It is pro-quality-of-life. The Shuster bill is consistent and supports a balanced budget.

The Nation's driving and traveling public need H.R. 2400. This bill is one that is going to set the standard, not only for making sure we have the roads and repair them and making sure we have the public transit, but also adds very important new safety guidelines which will help all of our Americans.

Finally, Mr. Speaker, the Nation's Governors support this legislation. This bill is one that is not only fiscally responsible but it is helpful to our environment, and will make sure that the driving public has safe roads now and into the future.

So I urge my colleagues to cosponsor the bill, to certainly vote for the bill, and meet with constituent groups back home so they are aware that we are looking out for them and making sure that their quality of life is improved and their neighborhoods and communities have the advantage of improved roadways and improved public transit.

THE CITIZENS REFORM ACT OF 1997

The SPEAKER pro tempore [Mr. THUNE]. Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. BILBRAY] is recognized for one-half of the time until midnight as the designee of the majority leader.

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

Mr. BILBRAY. Mr. Speaker, I include for the RECORD the statement by the gentleman from Texas [Mr. SMITH], chairman of the Subcommittee on Immigration of the Committee on the Judiciary, in support of H.R. 7, the Citizens Reform Act of 1997.

Mr. SMITH of Texas. Mr. Speaker, the United States is one of the few major industrialized countries in the world that still grants automatic citizenship to the children of illegal aliens. Only three other countries do so—Mexico, Argentina, and Canada, and Canada is in the process of changing its law.

Some argue, though I disagree, that birthright citizenship is anchored in the first section of the 14th amendment to the Constitution, which states that "all persons born * * * in the United States and subject to the jurisdiction thereof, are citizens of the United States * * *"

The 14th amendment was written to guarantee citizenship to those formerly held in bondage and their descendants after the Civil War.

The Supreme Court did not consider application of the citizenship clause of the 14th amendment to children born in the United States to legally-residential aliens until 30 years after the amendment was ratified. The court ruled that children born in the United States to parents who were lawfully admitted for permanent residence should receive automatic citizenship.

But while the Supreme Court has consistently held that the citizenship clause of the 14th amendment applies to children born to legal immigrants, it has never held that this principle extends to children born here to illegal alien parents.

Because of the adverse effects of our present policy, it should be changed.

Those effects include smugglers bringing pregnant women into this country to give birth only because their children will become citizens. Approximately 16 percent of all the births taking place in California each year are to illegal alien mothers.

The county of Los Angeles estimates that almost 200,000 U.S. citizen children of illegal alien parents living in Los Angeles are collecting \$461 million per year in AFDC benefits.

And an estimated 10 percent of total education costs to school districts in Los Angeles County are attributable to primary and secondary education for citizen children of illegal aliens.

Apart from the costs, isn't citizenship being devalued when it is given away as a result of illegal behavior?

I support H.R. 7, legislation introduced by Representative BRIAN BILBRAY of California, because it would do a great deal to discourage illegal aliens from entering the United States. And it would make U.S. policy consistent with the vast majority of countries around the world.

Mr. BILBRAY. Mr. Speaker, those of us who have had the privilege of being American citizens and being raised here in the United States know that the United States has always prided itself as being a Nation of laws, of citizens that respect their laws and serve the Nation, rather than a Nation that serves men and ideas of individuals over the concepts of good laws.

Mr. Speaker, H.R. 7, the Citizens Reform Act of 1997, is a legislative correction by Congress for an issue that has been ignored for much too long. The issue really before us is the issue of who qualifies for automatic citizenship in the United States by right of birth.

Now, many of us assume that if we are born on U.S. territory, no matter

what the situation, we get automatic citizenship. The fact is, here in Washington and in New York the diplomats and their children do not get automatic citizenship in the United States, because the Fourteenth Amendment clearly states that not all persons born in the United States are given citizenship, only those who are born or naturalized and who are subject to the jurisdiction thereof.

Now, that conditioning clause has been interpreted in many different ways over the hundred years and plus that it has been in effect. The definition of "subject to the jurisdiction" has clearly stated that the children of diplomats do not get automatic citizenship, and that is not a punitive action. That is a calculated interpretation of the fact that diplomats do not owe allegiance, loyalty to the United States Government, and that their children do not receive the rights of automatic citizenship because the parents do not bear the obligation of loyalty.

Now we may ask, what does this have to do with 1997? Well, Mr. Speaker, across this country there are individuals who are entering this country illegally, who are violating the law, who are violating the trust of the American people, and then are demanding or acquiring automatic citizenship without due process for their children.

Now I, for one, am very sensitive to this. I was raised by an immigrant of a foreign country who came here legally, who played by the rules. I think it is just an assault on our entire concept of fair play to say that there are those who are waiting patiently to immigrate legally, whose children are born in foreign countries, who do not acquire automatic citizenship but who are required to go through the process and naturalize.

At the same time, there are those who enter this country illegally or enter this country, as most illegals do, and I want to point this out, legally, and then violate their agreement with the Federal Government by overstaying their visas. Then their children who are delivered here in the United States gain the right of automatic citizenship, while those who are playing by the rules, their children, as I stated before, do not.

H.R. 7 points out that we need to address this issue of fairness, we need to make sure that we send a very clear message to everyone. And I want to point out quite clearly, it is not the immigrants' fault; it is Congress' fault. The Fourteenth Amendment says that Congress will have the responsibility to statutorily enforce these sections. Congress has ignored this problem because they did not think the problem was very big, did not think it was worth addressing.

Mr. Speaker, let me just say quite clearly, even if it was one person benefiting from the violation of our national laws, that would be enough. But in California alone in 1993 we had 96,000

children born to illegal aliens who qualified for automatic citizenship. That is 40 percent of the Medicaid births in the State of California, the largest State in this Union. That population in itself sends a very clear message that we are sending the wrong message to the rest of the world.

Now I did not do a poll, and a lot of people in Washington did not do a poll, but I just received information from California that a group did a poll asking women who are illegally in the country, why did they come to the United States. Frankly, even those of us who are involved in illegal immigration were shocked to see that a quarter of them stated that one of the major reasons to come here was so that their children could gain the privileges and rights of automatic citizenship, of citizenship in the greatest Nation in the world.

Now, I do not fault them for doing that. But I do fault a Congress that stands by and ignores the fact that we are telling people who want to come to this country, "Come here illegally and we will reward you. Wait patiently to come here legally, and we will make you toe the line."

□ 2245

I think that is a very wrong statement to send. I think it is one that we need to correct.

H.R. 7, Mr. Speaker, corrects it. It says if you are a citizen of the United States, a resident alien in the United States that has been accepted as a resident by the United States, then you bear the responsibility of loyalty and service to the American people, and we will give your child automatic citizenship. With the obligation goes the rights. But if you are a tourist who is just asking to pass through, or if you are an illegal alien who has violated our laws, we will not reward you or your child for you breaking the law while we require those who wait patiently to immigrate to play by the rules.

Mr. Speaker, this item goes back many years. First of all, many may say, again, I thought everyone on U.S. soil was automatically a citizen. In fact, it was not the 14th amendment that allowed native Americans to become automatic citizens of the United States. In fact, many, many individuals in this country who come from native American backgrounds did not get their right of being automatic citizens from the 14th amendment, because the Supreme Court ruled in a case back in the 1880s that Indians, native-born Americans, did not qualify as being subject to the jurisdiction thereof as conditioned by the 14th amendment. The fact is the Supreme Court ruled that Native Americans could not be tried for treason and could not be drafted and could not be held liable, though they could be arrested, but they could not be held liable for not being loyal to the U.S. Government, and thus their children did not qualify.

The first case of that, that reflected that, was the Elk versus Wilkins, which was a situation where an Indian who had left his tribe went to qualify as a voter and tried to register as a voter. The registrar of voters refused to register him because they said, you are not a citizen. John Elk, an Indian born within the territory of the United States, in Nebraska, went to the Supreme Court and said, I was born within the United States; the 14th amendment gives me automatic citizenship. The court ruled that the Indian born of a member of the tribe within the United States was still not subject to the jurisdiction thereof, and that Mr. Elk was not a U.S. citizen by right of the 14th amendment.

Let me remind my colleagues that this is the same 14th amendment that a lot of people say illegal aliens should get automatic citizenship for, that a legal Native American within the United States has been ruled not to be a U.S. citizen. But this House and this Congress and this Federal Government has continued to assume that illegal aliens qualify under that category.

I think that any reasonable person would say there should be some major questions raised here. I think the question illustrates quite clearly that not all individuals born within the territory of the United States automatically get citizenship under the 14th amendment, because there is that conditioning clause "subject to the jurisdiction."

The next case that is always brought up on this issue, Mr. Speaker, is a case that people that want to give automatic citizenship to illegal aliens point out, and that is U.S. versus Wong Kim Ark. Wong Kim Ark was an individual who was the son of two Chinese immigrants, legal resident aliens, who were allowed to set up business within the United States, and the child was born while they were here legally in the United States. When Mr. Wong Kim tried to come back from a visit after his parents had been extradited through the Chinese Exclusion Act, he went to visit them in China, tried to come back into the United States, and he was told he could not because he was not a citizen.

The Supreme Court ruled quite clearly on that and made a reference to a case, which was our British common law case, that the parents had been legal under a case called the Calvin case, and that the Supreme Court ruled that because they were residents of the United States and had been permitted under British common law and United States immigration law to be in the United States, that the child had the rights, because while the parents were in the United States, they had a temporary allegiance through legal immigration.

This may really sound like a bunch of legal gobbledegook, but it comes back to the point of fairness, and it comes back to a point that I think those of us in Washington forget too

often. The whole case that we are talking about citizenship and automatic citizenship comes back to a basic rule that there are rights and responsibilities, and that people or individuals cannot claim rights without bearing equal responsibilities.

Actually in the Calvin case, which was a case where a Scotsman was basically told by one group that he was not a citizen and could not qualify in the English courts, that he had no rights there, that Calvin was able to prove that he had rights because he had obligations; that his parents could have been tried for treason, could have been drafted for service to the king; that his parents in a most gross sense could have been drawn and quartered as traitors because they had an obligation to be loyal to their government, and because of that obligation, there became a right to the child.

The same argument has to be reflected, that there are those in our society who think that rights come without responsibilities. I think we may debate back and forth when and where those begin, but I think it is quite clear here with this case that the law that we base our immigration birth-right citizenship is based on a British law that was articulated in the Calvin case which said if the parents are obligated to be loyal and to serve the government, with that obligation comes the rights of the child to be a citizen. The British said it in their very poetic way. It says quite clearly that it is not the ground that really matters, it is the state of mind. The terminology that was used in the Calvin case was that it is not the soil or the climate, but the loyalty and the obedience that makes the subject born.

I think anyone here would agree that it would be absolutely absurd to think that an illegal alien owes loyalty and allegiance to the U.S. Government. If we can come to that conclusion, that a person who has violated our immigration laws, that has come into this country illegally or stayed in this country illegally obviously does not have either the concept of loyalty to the United States or the obligation being enforced of that loyalty.

In fact, I would remind a lot of my colleagues who think that the concept of not giving illegal aliens automatic citizenship is such an outrageous concept, I would ask those colleagues to remember how long would you stand by in this House if an illegal alien was tried for treason, if an illegal alien was being drafted to serve in the U.S. Army, and that illegal alien said, "Look, I want out of it, I don't want to have to serve, I would rather go back to my country." The concept of trying an illegal alien for treason is as absurd today as it would be in the 1860s when the 14th amendment was passed. That same absurdity applies to the fact that you give automatic citizenship to somebody without the related obligation to them or their parents.

Mr. Speaker, it may seem like an academic debate. I think that we have

pointed out again and again as we talk about illegal immigration that this city, Washington, DC, and this Federal Government has an obligation, an obligation to start clarifying what behavior is appropriate, and what behavior will be rewarded, and what behavior is inappropriate, and what behavior will not be rewarded. That may seem radical and extreme to somebody. In my family, I try to make sure that we send that message to our children and to our friends, and it is about time Washington understands that common sense may seem extreme here, but America wants to see more of it coming out of this place.

It is not the obligation of illegal immigrants to make rhyme and reason out of our immigration laws. It is not the mothers of illegals who are responsible to make sure that our citizenship laws reflect common sense and reflect the historical precedents that have been set over the decades, over the centuries, that to have the rights you must bear the responsibilities.

When we talk about who bears the responsibility here, it is not the mother who wants to cross a border or come in from Europe or Asia illegally to get automatic citizenship. The responsibility bears right here in Washington, DC. Washington, DC, has to bear that responsibility.

I still remember an illegal woman telling me one time, an illegal alien woman saying, "Mr. Bilbray, if you really didn't want us to do it, you wouldn't be rewarding us for doing it." I think that it is time that we send that clear message, and we send it quite fairly and quite strongly, that we do not blame them, we blame ourselves, for the lack of commitment and involvement in this issue; that we have sent the wrong message for too long, and that we are going to address it.

The 14th amendment, Mr. Speaker, does not say that all persons born or naturalized in the United States are citizens of the United States. The 14th amendment says that you have to be born in the United States and must be subject to the jurisdiction thereof. To be subject to the jurisdiction thereof, you do not only have to be subject to being arrested and prosecuted, as so many people assume in this country, but to be subject to the jurisdiction as defined in British common law and as inherited by us through our own Constitution, because even in the Wong Kim Ark case, it was quite clear the Supreme Court ruled there is no common law in America except the British common law; that the British common law said that to be subjects, you must be not only obedient, but you must be loyal; that the obligation of obedience is only one-half of the responsibility of being subject to the jurisdiction thereof, and that loyalty is the other half.

The 14th amendment specifically was trying to address, after the Civil War, the issue of the Dred Scott case, to ensure that everyone was given equal protection for the right of citizenship

regardless of race. One of the biggest problems we had was that there was an assumption that only white Europeans had the rights under the British common law. So to clarify that it was universal, the 14th amendment was passed to specifically say that everyone, regardless of their race or their past servitude or any other condition, had the same rights.

But the 14th amendment did not change the conditions for birthright citizenship in a general sense. The Supreme Court ruled over three times that the 14th amendment was to reinforce the concepts that had been accepted by the United States, and by the Colonies before the United States, and by the English empire before that, that being that those who are going to gain automatic citizenship have to be the children of people who are subject to the jurisdiction, people who are obedient to the law, and obligated to serve the Government and to be loyal to the Government.

Today, Mr. Speaker, most people do not know this, but legal resident aliens are obligated to serve in the military and are obligated to be loyal to the Government while they are here. They have a temporary allegiance of loyalty. When the courts reviewed this under the Calvin case, they clarified that when a legal resident comes into the United States, there is a contract between a legal resident and the Government. The act of allowing someone into your country, you are saying to them, or your Government is, you may come into this country and be a resident, but you must act with the obligations of being a citizen, and you can be drafted, you can be taxed, and you are obligated to be loyal. When an illegal alien comes into the country or when a diplomat comes into the country, there is no contract between the Government and the person entering the country. That contract has not been made, and the obligation does not exist. The obligation does not exist and the rights of automatic citizenship do not exist.

□ 2300

I know there are those in this city that would love to say there are all kinds of rights out there, but no obligations and no responsibilities. That is not reflected in the text of the law or the historical background of automatic citizenship.

Now, we can debate the issues of rights and responsibilities, but one thing that is made quite clear, when the Senators were debating the 14th amendment, there was no concept that they were going to pass an amendment that would encourage people to break the laws of the United States.

Senator Howard, who was one of the authors of the citizenship clause, specifically made reference to the fact that he wanted to treat fairly those individuals who had lived in our country and lived by our rules and followed our laws. In fact, his statement, referring to the slaves, were that they lived by

our laws, they have borne the responsibility of citizenship, they are here because we choose them to be here, and, in fact even, without them having a choice to be here, and they have the right and their children and grandchildren have the right of citizenship.

Mr. Speaker, that does not exactly sound like an illegal immigrant to me. It sounds like exactly what it was meant to mean, that those who played by the rules, that have been loyal and served this country, have a right for their children to be automatic citizens. But those who have violated our laws, again, should not be rewarded for it.

I have to say that I live on the Mexican border and I see very interesting things happen. I know of individuals who were in Mexico who are waiting patiently for their immigration status, and I know they are having children in Mexico. When they get here, they will immigrate, they will come here legally, they will wait for years and years to be able to play by the rules, and their children will then have to apply to naturalize, just like everyone else.

But when I talk to a lady, like this one lady from El Paso, about how outraged she was at the concept while she played by the rules, someone could cross the border illegally and their children get automatic citizenship, and then their children qualify for welfare, and their children qualify for Medicare, that is probably the greatest sin, is to continue to tell those who have played by the rules, "Hey, you were crazy to play by rules. Break the rules. This is what this country rewards." I do not think the American people want that to continue.

Mr. Speaker, if the people that really believe that everyone who was born on U.S. soil should get automatic citizenship, if they really believe it would be so unjust to enforce the clause that says that you have to be subject to the jurisdiction thereof, if people think that my legislation and that H.R. 7 is so outrageous, then let them have the guts to finally stand up and say, look, from now on, every child born to a diplomat will get automatic citizenship. From now on, any time anybody violates U.S. territory, there will be no problem, they will get automatic citizenship. But today, tomorrow, and next month, there will be children born in the United States to people who we allowed to come here legally, who will not get automatic citizenship, and those are the children of diplomats and their aides and their support staff. Those individuals are not having their rights taken away. We are not punishing their children. We are just reflecting not only the 14th amendment, but the British common law and the law that we have all inherited into this land.

So the hypocrisy of this issue is there are those who will oppose H.R. 7 and then will continue to ignore the fact that we are today saying not everyone born on U.S. soil is a U.S. citizen.

Again, Mr. Speaker, I must apologize for the fact that this bill has to be brought up, but I think that there are those who have not read the law, the root law, which was the case where you had an individual claiming to be a citizen, and some people saying he was not, and that case goes all the way back to 1607. This is not a new case, 1607.

You had a Scotsman who said I am a British subject, and I am a British citizen, and I should have some rights. The courts ruled then that the determining factor was did the parents have responsibilities? With those responsibilities, they investigated that the parents did have them, they were obligated to be loyal, they were obligated to serve the Government, they did not have the right to leave the country based on the fact that they were aliens and foreigners, that they had the obligation of loyalty, and with that obligation the child received automatic citizenship.

It is not a popular thing to talk about, Mr. Speaker, but it is a fairness issue now. No one in the United States can say that it is a good policy to reward individuals and their families for breaking the law, and that it is a good policy to tell people that if you play by the rules, you will be disadvantaged, if you follow the law, you will be disadvantaged.

Now, I am not talking about punishing the children or punishing immigrants. I am talking about let us stop punishing the people who play by the rules. Let us make a law statutorily under section 5 of the 14th amendment that reflects the intent of the Senators when they stated we are here to protect those who have played by the rules, are here because we choose for them to be here, and we look forward to their ancestors being here henceforth.

I think that we can talk about Elk versus Wilkins, we can talk about the Calvin case, we can talk about many different cases, but I think when it really comes down to it, Mr. Speaker, we have to talk about the future. We have got to talk about how many people are being smuggled in from all over the world. What is the message being told to people, like my cousins in Australia, that say my God, we hear you guys really want illegal immigration; my God, you reward people for breaking the laws.

We have got to send a message that ambassadors are not being discriminated against and their children are not being discriminated against. There is no impunity meant here. We are just reflecting what the law is, and we need to send a quite clear message around the world that if you want to come to the United States, then come here legally. We will reward you and your children if you play by the rules. We will reward your generations to come. But we will not reward you for violating our national sovereignty, for breaking our laws, and for violating the basic concept that when you go

into somebody else's neighborhood or somebody's home or into their country, you go there as a guest, not as an intruder.

Mr. Speaker, I hope this House, I hope the Committee on the Judiciary, will consider H.R. 7, and at least have the guts to raise the issue and quit ducking the issue. The 5th article of the 14th amendment specifically says Congress will have the responsibility to enforce the appropriate statutory sections. This is our responsibility. It is not the states of the United States, it is not even the illegal aliens' responsibility, it is our responsibility.

If those of us think that this is too hot an issue to talk about, too hot to take care of, then maybe we ought to talk about going somewhere else, because the Constitution says this issue falls square in the lap of the Congress of the United States.

Mr. Speaker, I ask you to clarify this, and I ask the Speaker and the leadership to allow H.R. 7 to be brought up for a vote and to move through committee so this issue can be debated at length. It is one that has been ignored for too long, it is one with many misperceptions, and it is one that can be really clarified very quickly.

I am sure there are those that will say if somebody is in the United States illegally by their presence, they have obviously showed they are not obedient to the Federal Government's laws. If somebody is here in the United States illegally, they are not held to the same loyalty standards, which is obviously one of the conditions.

With those two conditioning clauses, the children of illegal aliens and the children of tourists who are just passing through fall in the same category as native-born Indians did before 1924 when Congress, Congress, had the guts to finally give all Indians automatic citizenship. The children of illegals, of tourists, fall in the same category as children of diplomats, and the Congress, as it had the guts to address the issue in 1924, has to have the guts to address the issue now in 1997.

FAST-TRACK AUTHORITY SOUGHT ON TRADE AGREEMENT NEGOTIATIONS

The SPEAKER pro tempore (Mr. THUNE). Under the Speaker's announced policy of January 7, 1997, the gentleman from Michigan [Mr. STUPAK] is recognized for 41 minutes as the designee of the minority leader.

Mr. STUPAK. Mr. Speaker, I will not be using all my time tonight, but I do want to say a few comments. Today the President and Vice President came to the legislative hill, to the Capitol Hill to detail for us, at least the Democratic Caucus, the fast-track trade authority that the President would like this Congress to approve.

As I listened to the comments being made by my colleagues and others on fast-track legislation, and I hope the

listeners understand that fast track means give the President the authority to enter into a trade agreement mostly with South America, Chile, and the Caribbean Basin, and that authority or that agreement, frayed agreement, that the President would negotiate on behalf of his negotiators, would then come before the Congress for approval or disapproval. There would be no opportunity to amend this fast track. You have no opportunity to alter it. You have to accept it as is and vote yes or no.

I sit on the Subcommittee on Health and Environment of the Committee on Commerce, and as we have dealt with over the past few years food safety and food standards in this country and how it was affected by the NAFTA agreement, and what can we expect as we look for a new round of trade negotiations under a fast track authority with South America, Chile, or the Caribbean Basin. In the caucus today when the President came, we heard a lot of discussion about labor standards and environmental standards, and those are very important, and those standards in and of themselves would be enough to defeat any kind of fast-track legislation, if not adequately covered.

But I come to the floor tonight because I did not hear a lot of discussion about the food safety issue and the pesticides that are used in other countries. As food is developed in other countries and shipped here to the United States, of course the United States being the largest consuming Nation, do those standards underneath these trade agreements, our standards, the U.S. standards, the highest in the world, are they going to be upheld? Or do the trade agreements, as is pointed out in NAFTA, will they be lowered, either due to the written word of the agreement or because of the lack of inspection of the vehicles, container ships, coming into the United States?

Understand when a container ship comes into the United States, and let us say it has bananas in the container, the large container on the outside may be marked bananas from Ecuador. But once they are removed from that container and put into boxes and on our grocery shelves, we do not know where they come from. There is no way. There is no labeling required.

Therefore, you do not know what pesticides, what country it even came from, and do they have standards that you wanted for yourself and for your family?

Recently in this country we have had a lot of outbreak of E. coli and hepatitis A breaking out throughout this country, including my own State of Michigan. How does it get by our inspectors?

If you take NAFTA alone, if you look back at NAFTA, North American Free-Trade Agreement with Mexico and Canada, coming up through Mexico, 12,000 trucks a day, 3.3 million trucks a year cross the border. Less than 1 percent are inspected.

Now, there is not enough inspection, there is no enforcement. I am not talking about the trucks, which are another story in and of themselves, but I am talking about the container and what do these trucks contain, what kind of food, what have we found?

The Government Accounting Office in May of 1997 reviewed NAFTA and the effect of the food and use of pesticides on food products coming into this country, and they found strawberries alone, about 18 percent, just a random sample, 18 percent violate our standards for food safety and the use of pesticides. Head lettuce, which we get a lot from Mexico, 15 percent is in violation of our food standards in the pesticide use. Carrots, another 12 percent of them.

There is not enough enforcement, there is not enough inspection, not just the vehicles they are traveling in, but also what pesticides are used on these food products and how they are shipped, handled and labeled and sent to the United States.

I mentioned hepatitis A. If you take a look at Texas, where most of the food comes in through this country from Mexico, you will find that along these border communities, hepatitis A outbreak is 2 to 5 times greater than other parts of the country. In fact, there are some counties in Texas where it is 10 times greater than the state average and the national average.

I mentioned Michigan, and being from Michigan, even in Michigan we have the strawberries where we had 130 children affected with hepatitis A because of strawberries, when after we traced back, came out of Mexico, because they do not have the same sanitation requirements, the same safety inspections, the same food inspection. Once they get across the border, again, in a truck, only 99 percent of them are not inspected, less than 1 percent are inspected. Of 12,000 trucks per day, then you can see how these things easily get into our society, into our food chain, and on our dining room table.

Pesticides, if you take a look at it under NAFTA, and in the past agreements and the studies have shown, that basically we have waived our standards. When we come to food safety, we should not be waiving our high standards, and we have. It is not necessarily a trade issue, but reality is a health issue, about the health and safety for our families.

□ 2315

So those who would argue that those of us who may oppose any kind of NAFTA or fast track authority, it is not because we are against trade, it is the health and safety of our families that we are concerned about.

In fact, the concern is not just for our own families and what is happening from other countries and food being shipped into this country that we are consuming, but even if we take a look at it, what have we seen? Even the Department of Agriculture, Secretary

Glickman has been on Capitol Hill and has called upon us, the legislative branch, to push for more regulation of meats and poultry, and he continues to raise concerns about the pesticide safety in this country. But yet at the same time that administration and the Department of Agriculture, the opponents of a fast track extension actually make it easier for unsafe food to enter into this country.

So the gentleman from Ohio [Mr. BROWN], who sits on the Subcommittee on Health and Environment with me, will be sending a letter to the President urging him to include specific food safety provisions in his fast track proposal. Again, we did not hear much about it at the caucus today when the President and Vice President were there, but we welcome all Members of the Congress, Democrats and Republicans, to join on the letter.

What we are asking the President to do is to renegotiate the provisions of NAFTA which relate to border inspections and food safety and to ensure that any future request from this fast track authority includes strong food safety protections.

We would like to see increased funding for border inspections, or alternatively, limit the increasing rate of food imports to ensure the safety of our own food supply that we put on the table every night. We would like to see an aggressive program of labeling on all foodstuffs, including fresh and frozen fruits, meats, and vegetables, and also what country were they grown in, what is the country of origin. We think these are just some very basic things we should do to assure the health and safety and security of our families.

Mr. Speaker, I do not think it is fair to ask the American people, when we start talking about fast track or NAFTA, to start lowering our own high standards for the health, safety, and welfare of our children. When we take a look at it, what is the rush to enter into another fast track agreement? There are many arguments for and against, and I am not here to argue trade agreements but I am just trying to say, what is the rush here? Why are we continuing to enter into these trade agreements? Why do we have to have fast track agreements we cannot amend or alter?

I think it is a bad deal for American workers and American consumers. I think we need to take a very serious look, and I think if we do, the country would say, why are we making these trade agreements so quickly? Why are we giving the President so much power? It is really not necessary. The economy is going well; let us keep it going.

I see the gentleman from California [Mr. HUNTER] is here on the floor, and I yield to him.

Mr. HUNTER. Mr. Speaker, I want to say to the gentleman that I agree with him with respect to fast track and the fact that when Americans buy especially agricultural goods now that are

grown in other countries, they are really buying a pig in a poke. We have a number of countries that still allow the use of DDT-like pesticides, pesticides and chemicals that this country banned long ago due to the experience of our researchers who found that they had a very unhealthy effect on America's populace.

It is interesting, Mr. Speaker. My kids do a farmer's market every week, and the farmer's markets in San Diego County, in fact in all of California and I am sure in the gentleman's State, generally in farmer's markets one can only sell produce that is grown in the State. We have so many people who ask us, "Can you prove to us this does not come from Mexico, because we know that they can use DDT and other pesticides in Mexico and other places." We can assure them, because there is a certificate there that shows that in fact it is grown in the State of California, that it does not come from those places where some very dangerous substances are placed on the agricultural produce that our population ultimately buys. So I think there is a real value in slowing down the so-called fast track.

I can remember my friend was not a fan of NAFTA, at least I believe he was not a fan of NAFTA, and we were told when NAFTA was before us as an issue that since we had approximately in those days a \$3 billion trade surplus with Mexico, that we were going to build on that surplus by passing NAFTA. I glanced at the figures today, and the Clinton administration admits that this year we had a \$17 billion trade loss with Mexico. I just wonder what kind of a track record that is to justify a new fast track for other countries that have not yet been able to take advantage of the United States and drive us into such a trade loss.

I appreciate the gentleman for his remarks. I think it would be good, because we have so much produce now that comes from other countries, to at least allow the American people to see by some sort of a labeling system what in fact is grown in America, so that they know that that produce grown in America has protections that we afford it. I know the gentleman, and I think the gentleman from California [Mr. BONO] is offering legislation to that effect, and perhaps the gentleman from Michigan [Mr. STUPAK] is as well.

So I want to add my support for what has been said and tell the gentleman that I will work with him to see that we slow down this fast track.

Mr. STUPAK. Mr. Speaker, reclaiming my time, I thank the gentleman and I appreciate him coming out and saying a few words. I know some people thought, and I do not have much auto in my district, in fact basically none, maybe some parts but no cars are being built there, that it was all a manufacturing issue. A lot of us, and I know the gentleman did also, were against NAFTA, and he is from California and we see the wave of these trucks coming in every day and not getting inspected.

In particular, I know the gentleman was familiar with chapter 7, which dealt with NAFTA, the food trade chapter. Actually, when we read it, it limits our border inspections of food and similar items, and also chapter 9 basically comes right out and says we are going to have an open border to Mexican trucks of limited inspection.

We are seeing these problems developing. The gentleman mentioned DDT as being one of them, and the gentleman is right that they allow DDT being used on lettuce and tomatoes and carrots and vegetables and fruits. One of the things we are saying is, let us renegotiate some of these provisions of NAFTA which relate to border inspections and food safety, and ensure that future requests for fast track would include strong food safety protections. My concern in coming to the floor tonight is we did not hear that today in the caucus when the President appeared.

Also, we want to increase the funding for border inspections to limit the increasing rate of food being imported in. The gentleman was absolutely correct when he said the gentleman from California (Mr. BONO) has the legislation that puts in an aggressive program to label all foodstuffs, including fresh and frozen vegetables, meats and fruits, and label the country of origin, because the gentleman is correct. The farmer's market has an insurance that it is grown in his State and in the local area, it has been inspected, and not being brought from outside the country where we have all kinds of chemicals being used.

So we are concerned here as we start another round of fast track that we want to make sure there are adequate protections, that child labor laws are there, there are workplace and environmental safety standards and some basic human rights. But I would hope that we do not fast track our standards, our safety, and our family's health and security.

If I just may close, once again I find it amazing that at a time when the administration is pushing for more regulation in meats and poultry due to what happened with the Hudson hamburger, and they tell us Burger King, and I am not slamming the company, but in this State we still cannot determine where the meat that goes for those hamburgers comes from. We do not know if it is from Europe, we do not know if it is from Mexico, we do not know if it is from Canada or Kansas; we really do not know, but yet we certainly consume them as a nation, because we are a consuming nation. So those assurances we want in any kind of fast track legislation.

So we, certainly the gentleman from Ohio (Mr. BROWN) and I have been urging Members to make sure there are the food safety provisions in any fast track proposal, and we still have not seen it. As I say that I see that my friend the gentleman from Ohio has joined us on the floor, and I will yield to him at this time.

Mr. BROWN of Ohio. Mr. Speaker, I appreciate the gentleman from Michigan's time and the work that he has done with food safety, a real leader in the House of Representatives on that issue in regards to NAFTA and fast track, and whether or not this Chamber allows the President to continue to negotiate these trade agreements in a way that unfortunately Presidents of both parties, President Bush, President Reagan, President Clinton, have been negotiating over the last many years.

One of the statements that the gentleman was talking about, we do not know where food comes from. One of the things I thought of the other day, if one travels to Mexico, if an American citizen goes to Mexico, people will tell that visitor, that American, other Americans will say in certain parts of Mexico one should not eat the food, one should be careful about the water one drinks; one should just be careful, there are certain things one should not eat. Yet those same places in Mexico send food to this country and we do not really know where it comes from. Some irony. We should not eat that when we are in Mexico, but it is good enough for our kids when it comes here.

That is why it is so important that before we move ahead and rush headlong into another series of trade agreements that cost American jobs and trade agreements that endanger our food supply and trade agreements that put unsafe trucks on the roads throughout the United States, that we stop and we fix the North American Free-Trade Agreement, that we do take care of food safety issues, that we do in the North American Free-Trade Agreement take care of truck safety, that we do deal with the problems of drugs at the border, that we do take care of especially the jobs issues with NAFTA.

One of the real interesting aspects of this is that the administration loves to tell us and the Republican leadership of the House love to tell us that we are exporting more than ever to Mexico, we are sending all of these goods all over the world, that American exports are up and that is why our trade policy is working. Well, the fact is that while we do sell more goods to Mexico than we did 4 years ago, our balance of trade is worse because we import so much more. So we went from a \$2 billion trade surplus with Mexico 4 years ago to a \$20 billion trade deficit today.

Mr. Speaker, even the things that we sell to Mexico are not really exports. So often they are what somebody termed industrial tourism. We send parts to Mexico. They may be in Mexico only a day or two or three. Those parts are then made and assembled into a car or assembled into something else and then sent back to the United States. So those things that we are exporting to Mexico so often end up being just put together, assembled in Mexico and sent back to the United States.

The other thing we are sending a lot of to Mexico, are so-called capital goods or various kinds of machine

tools, where we are sending things to Mexico which they use to build high-technology plants and produce things and then send them back to the United States.

So we really are not sending more goods to Mexico, that really are exports that stay in Mexico, than we were in 1993. The fact is that we are doing things that are only costing us jobs more and more. The people that are the losers in this trade deal that we have going on, whether it is NAFTA or whether it is fast track down the line, the people that are the losers are people in this country that lose their jobs, work with their hands, the people that there are not enough people in Congress caring about.

□ 2330

That is why it is especially important that we slow down on fast track, we fix the things that are wrong with NAFTA, we fix things that are wrong such as the jobs issue, we fix the food safety issues, we fix the truck safety and the drug problems at the border. Because we owe it to the people whom we represent, we owe it to them that when they go to the store, that they do know, in fact, where this food comes from, whether it comes from Michigan or New Jersey or Ohio, or whether it comes from Mexico, or wherever it comes from.

Just like the food labeling that is now on soup cans or anything we eat, it says how much sodium is in that can of soup. We want to know what is in it. We want to know the ingredients in foods and where those foods come from. That is what we are asking.

That is one of the things we can do to fix NAFTA. We can do better inspections at the border, where, as the gentleman [Mr. STUPAK] said, less than 1 percent of fresh and frozen fruits and vegetables are examined and inspected at the border. We have to do better than that.

We are asking the President to simply slow down. Do not rush headlong into this new series of trade agreements. Let us fix what is wrong with NAFTA. Let us make those things better with food safety and truck safety, and all of the jobs issues. Let us make that better before we move on into another trade agreement that costs jobs and endangers our Nation's food supply.

Mr. STUPAK. Reclaiming my time, Mr. Speaker, the gentleman made a good point about the trade deficit, how we had a surplus, and now we have somewhere between a \$16 to \$20 billion deficit. And the idea of parts going down to Mexico, they are being assembled, and they come right back. The gentleman mentioned tourism. When we take parts and assemble them in another country and send them right back as a finished product at a high rate of cost, such as vehicles, we call those things industrial tourists. They just go down for a few days, enjoy the sunshine, come right back up and be

sold to us northerners up here. Industrial tourists is what we call this.

That is why we see the big trade deficit. I know the last time we did a special order we talked about the twin deficits, not just the budget deficit but also a trade deficit which needs to be addressed. What we are asking for, and it is not that we are against free trade, and we are not protectionists, but what we are really saying here is what are the rules of trade here?

We have standards for intellectual property, we have standards for patents, we have standards for compact disk players or CDs, as we call it. Can we not take those same standards, those same rules we apply to intellectual property, to CDs, and to patents, and should they not apply to things like labor standards, environmental standards, but especially food safety standards?

What we are saying, before we have this new fast track, what are the standards we are going to live by, what are the rules of the game, and let us all have the same rules of conduct, whether it is food safety, intellectual property, truck safety, whatever it might be, because we insist, and we have strong consumer standards in this country, and we insist that they be part of any trade agreement.

I see my friend, the gentleman from New Jersey [Mr. PALLONE] is here, and I gladly yield to him.

Mr. PALLONE. I thank the gentleman for yielding to me, Mr. Speaker.

I just want to start out by saying that I appreciate the remarks that my colleague, the gentleman from Michigan [Mr. STUPAK], and also my colleague, the gentleman from Ohio [Mr. BROWN], have been making in talking about fast track, and also talking about the experience that this country has with NAFTA, and expressing their concern over where we are going with this fast track legislation.

I know that the gentleman from Michigan [Mr. STUPAK] and the gentleman from Ohio [Mr. BROWN] have been doing special orders on this issue for a number of months now, and I have listened to some of it. I certainly agree with everything that the two of the gentlemen have been saying. They have really been taking the lead on this.

I just wanted to very briefly, if I could, follow up and talk about the environmental aspect, because it is something that concerns me a great deal. What I find so strange is that the advocates of this new fast track authority, and I guess we are going to be voting on this probably within the next week or two, keep suggesting that somehow we should not even make reference to NAFTA and the experiences of NAFTA in deciding how to vote on fast track. To me, that makes absolutely no sense at all, because if anything, the best indicator to me of what might happen once this fast track authority is given, and if it is given, and these trade

agreements are negotiated, that the best experience I have is the experience that we have with NAFTA.

I was very much opposed to NAFTA. I voted against it. For those who at the time were having a debate on NAFTA, I remember distinctly how we were being told that if we were concerned about labor conditions, if we were concerned about the environment, that certain so-called side agreements were going to be entered into, and that those should basically alleviate the concerns of people like myself who felt that enough was not being done to deal with the environmental and labor issues.

I did not buy that at the time, but it was sort of a bill of goods or whatever that was being sold to people at the time to try to persuade them to vote for NAFTA. Frankly, I think that the experience of the last few years with NAFTA has shown very dramatically that there was no result from those side agreements; that, in fact, labor conditions in Mexico got worse; that there were more job losses here in the United States as a result of the loss of jobs and the transfer of factories and manufacturing to Mexico.

The same thing was true of the environmental agreement. The environmental side agreement was supposedly going to improve environmental conditions in Mexico, and what do we have? For the last few years we have more companies going down to the border area, polluting the area so the level of pollution has gotten worse, coming back to the United States, and having a negative impact on the United States.

My understanding was there was about \$2 billion in funds that was supposed to be used to clean up some of the toxic wastes and other problems on the border area with Mexico, and not one penny of that money has been spent so far. So for those who say, do not look back at NAFTA in deciding whether to vote for fast track, the only reason they are saying that is because NAFTA has been a failure.

Mr. BROWN of Ohio. If the gentleman will continue to yield, Mr. Speaker, the gentleman is exactly right. When NAFTA passed, obviously the three of us and our friend, the gentleman from California [Mr. HUNTER], voted no on it back in 1993, but the people that supported NAFTA never really prepared, they never really prepared the border area for what was going to happen.

They really were disingenuous about it, because they knew that there would be more traffic coming across the border, they knew there would be more pollution, as the gentleman from New Jersey [Mr. PALLONE] says, more pollution along the maquiladoras, along the area near the border, and they simply did not prepare for building any kind of an infrastructure to deal with what was going back and forth across the border.

When truck traffic is such that I believe there are 12,000 trucks a week, something like that—

Mr. STUPAK. Twelve thousand trucks a day.

Mr. BROWN of Ohio. One truck every 7 seconds across the border, they knew truck traffic was going to increase. They knew more than likely there would be drugs in some of those trucks smuggled in. They knew there would be huge loads of fresh and frozen fruits and vegetables crossing the border coming north every day, and they knew a lot of these trucks would not be safe, and they knew there would be environmental problems because of the increased activity.

Yet, there was no planning in NAFTA; there was no real appropriation to build the infrastructure at the border to take care of that, to accommodate that. It did not just mean hiring more inspectors, because there simply are not enough stations, way stations, and the actual infrastructure itself, gates coming across the border, to be able to manage all that. So they did not prepare, I think, purposely did not prepare this country for the problems at the border.

There is no sign that they are doing it this time with fast track with Chile, with any other trade agreement. That is why we need to stop and say, wait a second, show us you can fix the infrastructure at the border, that you can clean up the environment at the maquiladora, that you can deal with the problems of truck safety and food safety and drug smuggling. Then we can talk about fast track, then we can talk about trade agreements that are actually in people's interests in the Western Hemisphere, American workers' interests, Chilean workers' interests, and not just the investors that benefit from these trade agreements that make the rich richer. That is really what these trade agreements have been all about.

Mr. PALLONE. Mr. Speaker, the gentleman talks about the investors getting richer. Those are the only people who have benefited from this. I look at these agreements and say, OK, you have the United States and you have Mexico. As far as I am concerned, from the United States point of view, if as a result of NAFTA more people have jobs and more people have higher wages for the jobs that they have, or, similarly, that somehow the environmental standards go up in the United States, or looking at it from Mexico's point of view, that the wages of the Mexican citizens go up or that the environmental standards or cleanup is improved in Mexico, then we might say, OK.

But here it actually makes it worse on both sides. The way I understand it, and I have it from my own district, I can give some examples, plants that have closed in my district, what is happening is our plants are closing, our workers are losing their jobs, or in order to make sure that the plant does

not move to Mexico, they have to give up benefits or lower their wages. Then at the same time, when we look at the situation in Mexico, my understanding is that wages have actually gone down there.

The same thing with the environment. The effort is to reduce our environmental laws and make them less stringent, because we are told that if we do not, the plant is going to move to Mexico. Similarly, in Mexico, nothing has been done to clean up any of the problems in the border areas, and the amount of pollution that is being spewed is even greater than before. So in reality, what is happening is things are being ratcheted down. The environmental standards and the air quality and the water quality in general between the two countries is getting worse, and the labor situation is getting worse. No one benefits.

The thing that is amazing to me is that even though we have this experience that shows that no one benefits from either the environmental or labor or wage point of view, other than the corporations and those who have invested in the corporations, even though we have that experience that shows that no one has benefited, in the case of NAFTA, nonetheless, we are now being told to move on, let us get the fast track authority, let us enter into similar agreements with other countries, and do not worry about what happened with NAFTA. That is not a good example. Somehow, the situation in Mexico is an aberration, and that will not happen with the other countries.

It is really hard for me to believe that we are being told to do this, based on the experience of NAFTA.

Mr. STUPAK. Right. Reclaiming my time, Mr. Speaker, when they say do not look back, do not look back at NAFTA, I think we do have to take a look at it. Remember, we had side agreements on tomatoes, and we had side agreements on lettuce, we had side agreements on citrus fruits, to try to protect the U.S. interests here.

Yet, if we take a look at it and take a look at NAFTA, and I think we have to, because it is the only agreement we can make a comparison to, but again we are expanding it to South America and Chile, and Mexico is right there in Central America, it is all part of that region, we have an increase. Fruit imports in the United States has increased 45 percent. Vegetable imports have risen 31 percent. So those are going up, the imports in the country, from Mexico.

But then yet, as the gentleman from Ohio [Mr. BROWN] pointed out, the inspections, and take a look at chapter 7 and chapter 9 of the NAFTA food requirements or food trade requirements, we have limited inspections. In fact, they will inspect a limited number of Mexican trucks, and there is a limited infrastructure to even carry it out, where 1 percent of 12,000 trucks per day are being inspected.

Actually, it is 3.3 million trucks entering this country, and we are inspecting 1 percent. And we say, how can there be an increase in drugs coming into this country? The truck may say "bananas," but we do not know what is really in there because we are not inspecting it. They all know that.

Then we have a NAFTA Agreement which limits our ability to make the inspection at the border and to limit the number of trucks that will be inspected. So the more trucks you bring up, the less are going to be inspected, the greater chance of getting through whatever you want, be it contraband, be it fruits or vegetables laced with DDT.

Again, this is not just us who oppose NAFTA saying this. This is found in the Government Accounting Office May 1997 report. It is all documented. And their recommendations that we have been talking about here tonight are certainly contained in here.

Again, I think the issue here is not necessarily a trade agreement, but really a safety agreement: What standards are we going to apply? Do we lower our standards to allow more goods to come in this country? Is that not what this is really about? What are the standards, and should we not all go by the same standards?

We have to have standards. We have them for, as I said earlier, for patent law, intellectual property, compact disks. Remember the big fight with China on that? We have these standards and enforce them, but somehow when it comes to food safety, the environment, labor, we are not going to enforce it? I think there are some very good arguments here that must be made. What is the rush? Let us slow this thing down.

Mr. BROWN of Ohio. That is exactly the point, Mr. Speaker, if the gentleman will continue to yield. We in this country for a long time, for a lot of years, have raised our living standards with pure food laws, with strong clean air laws, with good, solid safe drinking water laws, on fights that were conducted in this Chamber, where often groups of very conservative Members that had major backing from the largest corporations in the country would oppose clean water laws, would oppose safe drinking laws, would oppose pure food laws.

Over a period of decades after decades after decades, beginning in the early part of this century when books were written about contaminated food and all the problems with our food supply, over those many, many years, we have built probably the best standards to protect all people in this country; not just the rich, not just the poor, not just white, not just black, not just men, not just women, everyone.

We have protected people because they know when they go to the grocery store that meat is inspected. They know that there are clean air and clean water requirements. We know when we go shopping that the food we buy is

generally, almost 100 percent of the time, good, clean, safe food. What we are doing is we are having our standards pulled down by a country that has not had those kinds of protections built into their laws, and has not had that kind of history.

Rather than allow them to pull our standards down, we can negotiate trade agreements that would pull their standards up. And we are going in the exact opposite direction. That is why we need to pursue the kinds of efforts the gentleman from Michigan [Mr. STUPAK] is pursuing with his work.

Mr. PALLONE. I just wanted to say, I know earlier today the gentleman had spoken up at a meeting about the need for more enforcement, and I think the response was that, well, we need more money. Congress should appropriate more money for enforcement. I sort of laughed and said to myself, well, if we do not have the ability, if this body, if this House of Representatives and the other body are not going to appropriate the money to do the enforcement, to make sure the inspections take place, then we should not be supporting NAFTA and fast track.

□ 2345

I want to say that if this same group of elected officials are going to say that we are not going to provide the funding to make sure these enforcement measures take place, then they should not be supporting NAFTA and should not be supporting fast track.

I think my colleague from Ohio comes right to the point, because he is saying what are we going to put first here? We are going to put the mechanisms to make sure the laws are properly enforced; that the environmental laws are enforced; that there is not going to be the ratcheting down or the weakening of standards, whether it is labor standards or it is environmental standards. And once we have those guarantees in place, both here and in the country we are entering into this trade agreement with, then, sure, we can move toward free trade, but not have the cart before the horse, or whatever the term is, and that is what we are getting now.

We are being told the most important thing is to have the agreement, because the flag of free trade is the most important flag and we have to wave that wherever we are in the world. And in the meantime we will try to use our good devices to try to convince some of these other governments that they should have better environmental standards or better labor standards. But that is secondary and we cannot really talk to them about that now because they might be offended by it and we have to enter these agreements and wave that free trade flag.

I do not buy it, and I am glad the gentlemen with me here tonight do not buy it and, hopefully, we will not have a lot of other people buy it when this comes up a couple of weeks from now.

Mr. STUPAK. Mr. Speaker, reclaiming my time, it is amazing that the

President indicated at the caucus today that the way to get around this and to make sure there is inspection and food safety at the border is to increase the inspections. And if Congress will not appropriate the money, the heck with it, let us just move forward with this trade agreement anyway as the fast track trade agreement.

But, remember, it was 2 or 3 weeks ago the administration was up here pushing for more regulation, more regulation for more inspection in this country for meats, poultry, and they continued to raise concerns about pesticides being used in this country. If we cannot control and inspect adequately, and the Secretary of Agriculture wants more regulations and more authority to invoke emergency powers to take food off our tables and the grocery store shelves, if we cannot do it within our own country, because we do not have enough people and they need more authority, how will we do it on items coming into this country where we inspect 1 percent of everything that comes in? It defies their argument. It defies their logic.

So I certainly hope our colleagues on both sides of the aisle, and I am glad to see the gentleman from California [Mr. HUNTER] is here helping us out on this issue tonight and the gentleman from Ohio [Mr. BROWN] and the gentleman from New Jersey [Mr. PALLONE]. I hope they will all join us in sending a letter to the President urging him to include specific food safety provisions in his fast track proposal.

And we welcome all Members, Democrats, Republicans, Independents to sign this letter because, as we said earlier, what we want to know is what are the rules of the game? What are the rules of the trade game? We should not lower our standards as a country. We should not lower the health and safety requirements of this country. We have rules that affect intellectual property rights, compact disks, patent law. Why can those same standards, those same rules not be afforded to labor, the environment but especially food safety? Let us not fast track our standards, our safety and our families' health and security.

Mr. Speaker, I apologize to you and the staff, I said I would be brief, but I was joined by all my friends here tonight, that I could not anticipate, so we went a little longer.

CHANGES THAT HAVE TAKEN PLACE IN CENTRAL AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. HUNTER] is recognized for the remainder of time until midnight, or 11 minutes.

Mr. HUNTER. I think I can do it all in 11 minutes, Mr. Speaker.

I thought I would just come to the floor tonight and talk about several issues. I was late to the special order of the gentleman from California [Mr.

BILBRAY] where he spoke about his bill which would disallow automatic citizenship to the children of people who have come into the United States illegally. He went through a fairly lengthy litany of court cases and legal precedent behind the rule of law, the idea that coming to this country and achieving citizenship requires certain accountability and certain responsibilities and that that status should not be conferred; that is, citizenship should not be conferred on people who have come into the country using trickery or deceit or simply forcing their way in or simply walking across a land border.

The theme I think of the gentleman's special order, and I thought it was an excellent special order, was that when an individual comes to the United States that they should use the front door; do not come in through the back door. And it is only appropriate that we reserve citizenship for people who have used the front door. I applaud him for that and wish I could have been here earlier, and I apologize to him for missing his special order. I think it was excellent and I think his legislation is very timely.

Mr. Speaker, I wanted to talk about another person tonight who is a very important person to many of us in Congress who fought in what I call the contra wars in the 1980's. Those were the legislative debates that drove, to a large degree, American policy in the 1980's during the Reagan administration with respect to Central America, and particularly with respect to the Soviet Union's attempt to transfer a terroristic guerilla operation from the Soviet Union and from its client states into the guerilla operations in El Salvador, Guatemala, and in Nicaragua, manifested there by the Sandinistan Government.

We saw the Soviets, then Soviets, moving in with tons of munitions, automatic weapons, all kinds of explosives, and fostering the guerilla movements in El Salvador that threatened to overthrow that very fragile government which even then had the makings of democracy.

It is interesting, when I came in in 1980, as a freshman, Guatemala, Honduras, Salvador, and Nicaragua all had some form of military dictatorship. None of them had, when Ronald Reagan arrived on the scene as President of the United States, none of them had democracies. Today, they all have democracies, albeit fragile.

It was important for us at that point, when they were struggling to achieve those democracies and to put off the terrorism, I can remember in El Salvador when the FMLN, the guerilla operations supported by the Communists, were blowing up electrical plants and were massacring people trying to engage in a harvest, were regularly assassinating state officials, and I remember when Ronald Reagan enunciated the idea that we need to provide a shield, a military shield for these governments like El Salvador and also for the free-

dom fighter movement in Nicaragua, where a few very brave souls were fighting the Sandinistas, the Communist Sandinistas, which were strongly supported by the Soviet Union.

There was enormous debate at that time in the United States, and a number of citizen groups were engaged on both sides trying to persuade the Congress either to stay out of Central America and let the Russians have their way or to engage in Central America and provide the shield that I talked about.

Bill Blakemore of Texas was a Texas businessman who wanted to engage in supporting the Reagan doctrine in Central America, and he put together a group of business people in Texas who came to the Hill and lobbied and did everything they could to see to it that people understood what was at stake in having democracies rather than tyranny in Central America in our own hemisphere.

Bill Blakemore did a great job at that. He did not ask for anything in return. He did not get any money for it. He did not make any contracts. He simply did that work because he thought it was important to be a leader as an American citizen and to fight for and persuade people to do what was right.

□ 2355

He is very ill today in Texas. He is down at his ranch, an Iron Mountain ranch near Marathon, TX. So I want to say to Bill Blakemore and all the people that helped him, thank you for what you did for this country. Because partly because of your efforts, we now have democracies, fragile democracies in that part of the hemisphere, and that has accrued to the benefit of the United States.

Lastly, Mr. Speaker, before I end my time, I wanted to say that my friend Bob Dornan has taken a lot of flak from Members on the other side of the aisle, Democrat Members, for the simple fact that after his election, which he won on Election Day by several hundred votes and then lost later when they counted absentee ballots, when they discovered that one group had fraudulently registered and voted a number over 300, that number of illegal voters, Mr. Dornan raised a question "Were there more?" And he raised a question as to whether or not he had really lost that election. In fact, the question was who had gotten the most votes, the most legal votes.

He had every right to do that. And we, as a House of Representatives, should be very concerned when we see one group that fraudulently votes 300 illegal voters on Election Day, telling them, manipulating them and telling them as non-citizens that they not only had the right but the duty as non-citizens to vote in an American election.

So we are now undergoing a very thorough review of that voting situation to validate or to follow through on

a very simple principle, and that is the person with the most votes wins in a democracy. Now why is that anathema to the other side? Why do they not want to see the votes counted?

So we are almost at the end of that situation. And I just wanted to say that I think Mr. Dornan has comported himself in an absolutely fine manner. He has raised the question. He has every right to raise it. I think we have as much interest as he has and as the gentlewoman from Californian [Ms. SANCHEZ] has in seeing who got the most votes in that election.

So the House administration committee is going to be coming up with the results of that analysis fairly soon, and I look forward to it.

On a personal note, nobody fought for the pro-life cause as hard, as energetically, as compassionately and as passionately as Bob Dornan. And I thought it was kind of appropriate here just a few days after Mother Theresa's untimely death to remind our colleagues how valiantly Bob Dornan fought for people who did not have big political action committees and did not have enormous clout on the House floor, and were not CEOs and did not have all the things that generally drive and manifest influence in the city of Washington, DC.

He fought for the most helpless of individuals, that is, unborn children. He never wavered. He always came up with the right amendments at the right time, standing side-by-side with guys like the gentleman from Illinois [Mr. HYDE] and the gentleman from New Jersey [Mr. SMITH].

We miss Bob Dornan. We miss that passion that he brought to the debate. As a member of the Committee on National Security, I can remember when our Rangers were killed in Somalia. And Bob Dornan, the only member of the committee who had the nerve and energy to do it, flew all the way to Somalia and debriefed all of the people or many of the people who had been involved in that combat, and came back and contacted the families of every Ranger who was killed in Somalia and talked to them about the incident and thanked them for the service of their loved one to this country.

Bob Dornan was a great, great member of the Committee on National Security. He was also one of the few guys that actually flew all the planes, went out and looked at all the equipment, had a great analysis of what worked and what did not work, and brought great energy and great expertise to that committee.

Lastly, Bob Dornan was a guy when I was a freshman who gave up his seat that he could have had on the Committee on National Security, then the old Armed Services Committee, to a new freshman from San Diego. That freshman was myself. I am very grateful to Bob for the friendship that he has shown me and many other Members of the House over the years.

So, Mr. Speaker, I would simply conclude my remarks by saying that I

wish Bob Dornan the very best and his wonderful family the very best, and I think that the results of this research and this analysis will be out before the House in the next several weeks.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GONZALEZ (at the request of Mr. GEPHARDT), for today and the balance of the week, on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. EDWARDS) to revise and extend their remarks and include extraneous material:)

Ms. PELOSI, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

The following Members (at the request of Mr. BILBRAY) to revise and extend their remarks and include extraneous material:

Mr. WELDON, for 5 minutes, on September 17.

Mr. PAXON, for 5 minutes, today.

Mr. GOSS, for 5 minutes, on September 17.

Mr. HANSEN, for 5 minutes, on September 18.

Mr. METCALF, for 5 minutes, today.

Mr. PAUL, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. EDWARDS) and to include extraneous matter:)

Ms. NORTON.

Mr. SHERMAN.

Mr. LAFALCE.

Mr. HAMILTON.

Mr. LANTOS.

Mrs. MALONEY of New York.

Mr. CAPPS.

Mr. SKELTON.

Ms. MILLENDER-MCDONALD.

Mr. NEAL of Massachusetts.

Mr. DELLUMS.

Mr. MILLER of California.

Mr. KENNEDY of Rhode Island.

Mr. ACKERMAN.

Mr. BENTSEN.

Mr. STARK.

Mr. HASTINGS.

Ms. JACKSON-LEE of Texas.

Mr. UNDERWOOD.

Mr. MENENDEZ.

Mr. RUSH.

Mr. FILNER.

(The following Members (at the request of Mr. BILBRAY) and to include extraneous matter:)

Mrs. JOHNSON of Connecticut.

Mr. TALENT.

Mr. HYDE.

(The following Members (at the request of Mr. HUNTER) and to include extraneous matter:)

Mr. SHUSTER.

Mr. KIND.

Mr. BURTON of Indiana.

Mr. MCINNIS.

Mrs. MCCARTHY of New York.

ADJOURNMENT

Mr. HUNTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock a.m.), the House adjourned until tomorrow, Wednesday, September 17, 1997, at 10 a.m.

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:

Mr. GOSS: Permanent Select Committee on Intelligence. H.R. 695. A bill to amend title 18, United States Code, to affirm the rights of U.S. persons to use and sell encryption and to relax export controls on encryption; with an amendment (Rept. 105-108, Pt. 4). Ordered to be printed.

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. PAUL:

H.R. 2477. A bill to enforce the guarantees of the 1st, 14th, and 15th amendments to the Constitution of the United States by prohibiting certain devices used to deny the right to participate in certain elections; to the Committee on House Oversight.

H.R. 2478. A bill to require that candidates who receive campaign financing from the Presidential Election Campaign Fund agree not to participate in multicandidate forums that exclude candidates who have broad-based public support; to the Committee on House Oversight.

By Mr. ENSIGN:

H.R. 2479. A bill to authorize a study by the National Academy of Sciences on the migration of plutonium underground at the Nevada Test Site; to the Committee on National Security, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GANSKE (for himself, Mr. ABERCROMBIE, Mr. BARTON of Texas, Mr. BURTON of Indiana, Mr. COBURN, Mr. COOKSEY, Mr. EHLERS, Mr. FRANK of Massachusetts, Mr. GRAHAM, Mr. HASTINGS of Washington, Mr. HASTERT, Mrs. KELLY, Mr. LINDER, Mr. MANTON, Mr. NORWOOD, Mr. OXLEY, Mr. PAUL, Mr. PORTER, Mr. SOUDER, Mr. TAUZIN, Mr. UPTON, and Mr. WELDON of Florida):

H.R. 2480. A bill to provide for the approval of a petition pending at the Food and Drug Administration to allow the use of low-dose irradiation to pasteurize red meat, and for

other purposes; to the Committee on Commerce.

By Mr. LAFALCE:

H.R. 2481. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify that records of arrival or departure are not required to be collected for purposes of the automated entry-exit control system developed under section 110 of such Act for Canadians who are not otherwise required to possess a visa, passport, or border crossing identification card; to the Committee on the Judiciary.

By Mr. OBEY:

H.R. 2482. A bill to require that the Secretary of Agriculture include an estimate of the cost to produce milk whenever the Secretary announces the basic formula price for milk to be used under Federal milk marketing orders; to the Committee on Agriculture.

By Mr. PAXON:

H.R. 2483. A bill to terminate the taxes imposed by the Internal Revenue Code of 1986 other than Social Security and railroad retirement-related taxes; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 2484. A bill to amend part C of title XVIII of the Social Security Act to speed up by 1 year the application of risk adjustment factors under the Medicare Choice Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK (for himself, Mr. GOODLING, Mr. HEFLEY, and Mr. MCHALE):

H.R. 2485. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) to provide liability relief for small parties, innocent landowners, and prospective purchasers; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII,

Mr. BURTON of Indiana introduced a bill (H.R. 2486) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Southland*; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 27: Mr. NEUMANN and Mr. SHUSTER.

H.R. 44: Mr. CHRISTENSEN and Mr. WELDON of Pennsylvania.

H.R. 59: Mr. KOLBE.

H.R. 65: Mr. RODRIGUEZ, Mr. KENNEDY of Massachusetts, Ms. STABENOW, and Mr. CHRISTENSEN.

H.R. 84: Mr. MINGE.

H.R. 107: Mr. BRYANT.

H.R. 182: Ms. CHRISTIAN-GREEN, Mr. UNDERWOOD, and Mr. WATT of North Carolina.

H.R. 292: Mr. KOLBE and Mr. SAM JOHNSON.

H.R. 303: Mr. RODRIGUEZ, Mr. HUTCHINSON, and Ms. STABENOW.
 H.R. 339: Mr. ENGLISH of Pennsylvania.
 H.R. 371: Mr. RIGGS.
 H.R. 372: Mr. SANDERS.
 H.R. 409: Mr. DREIER and Mr. CAMP.
 H.R. 411: Mr. RUSH.
 H.R. 438: Mr. SESSIONS.
 H.R. 563: Mr. CONDIT.
 H.R. 659: Mr. KLINK.
 H.R. 715: Mr. COX of California and Mr. MCGOVERN.
 H.R. 789: Mr. BOYD.
 H.R. 815: Mr. BALLENGER, Mr. SALMON, Mr. HASTINGS of Florida, Mr. BISHOP, Ms. MCKINNEY, Mrs. MALONEY of New York, Mr. MORAN of Virginia, Mr. HASTERT, Mr. HASTINGS of Washington, Mr. BORSKI, Mr. McNULTY, Mr. MANTON, and Mr. NEAL of Massachusetts.
 H.R. 820: Mr. PASCARELL and Ms. LOFGREN.
 H.R. 836: Mr. ENSIGN, Mr. BONO, and Mr. HOUGHTON.
 H.R. 875: Mr. PRICE of North Carolina.
 H.R. 922: Mrs. EMERSON.
 H.R. 923: Mrs. EMERSON.
 H.R. 981: Ms. SLAUGHTER and Ms. ESHOO.
 H.R. 1018: Mrs. ROUKEMA.
 H.R. 1041: Mr. WEYGAND.
 H.R. 1060: Mrs. EMERSON, Mr. KING of New York, Mr. HASTINGS of Washington, and Mrs. MCCARTHY of New York.
 H.R. 1114: Mr. MARTINEZ, Mr. ENGLISH of Pennsylvania, Mr. SKEEN, and Mr. WICKER.
 H.R. 1126: Mr. SNYDER, Mr. OBERSTAR, and Mr. BLILEY.
 H.R. 1134: Mr. SHAYS.
 H.R. 1165: Ms. DELAURO.
 H.R. 1202: Mr. GOSS, Mr. MALONEY of Connecticut, Mr. BLUMENAUER, Mr. EVANS, and Mr. HINCHEY.
 H.R. 1241: Mr. RODRIGUEZ and Mr. RADANOVICH.
 H.R. 1270: Ms. ROS-LEHTINEN and Mr. SHADEGG.
 H.R. 1322: Mr. HOLDEN, Mr. SPENCE, and Mr. GRAHAM.
 H.R. 1329: Mrs. ROUKEMA.
 H.R. 1410: Mrs. LINDA SMITH of Washington.
 H.R. 1411: Mr. UPTON, Mr. SOLOMON, and Mr. HASTERT.
 H.R. 1450: Mr. CUMMINGS.
 H.R. 1500: Mr. BLUMENAUER and Ms. HARMAN.
 H.R. 1531: Mr. TORRES, Mr. RUSH, Mr. KENNEDY of Rhode Island, and Mr. POSHARD.
 H.R. 1534: Mr. EVERETT, Mr. STEARNS, Mr. BACHUS, Mr. GOODLING, Mr. SOUDER, Mr. HOEKSTRA, Mr. RYUN, Mr. WHITE, Mr. FALEOMAVAEGA, Mr. MCDADE, Mrs. CUBIN, Mr. HOBSON, Mr. NUSSLE, Mr. DICKS, Mr. ROGERS, Mr. BILIRAKIS, Mr. PITTS, Mr. PETRI, Mr. LAHOOD, Mr. HAMILTON, and Mr. MICA.
 H.R. 1541: Mr. BARRETT of Nebraska.
 H.R. 1555: Mr. REYES.
 H.R. 1580: Mr. MCHUGH and Mr. QUINN.
 H.R. 1619: Mr. HUNTER.
 H.R. 1704: Mr. PETERSON of Pennsylvania and Mr. BAKER.
 H.R. 1712: Mr. ENGLISH of Pennsylvania.
 H.R. 1719: Mr. CANNON.
 H.R. 1727: Mrs. TAUSCHER.
 H.R. 1753: Mrs. FOWLER.
 H.R. 1788: Mr. FALEOMAVAEGA.
 H.R. 1791: Mr. DAVIS of Illinois.
 H.R. 1792: Mr. DAVIS of Illinois.
 H.R. 1823: Ms. CHRISTIAN-GREEN, Mr. FROST, and Mr. CUMMINGS.
 H.R. 1842: Mrs. EMERSON.
 H.R. 1883: Ms. SLAUGHTER.
 H.R. 2004: Mr. PETERSON of Minnesota.
 H.R. 2040: Mr. REYES.
 H.R. 2070: Mr. RIGGS and Mrs. TAUSCHER.
 H.R. 2112: Mr. CAPPs and Mr. DOYLE.
 H.R. 2118: Ms. DEGETTE and Mr. EVANS.
 H.R. 2172: Mr. KLECZKA.
 H.R. 2173: Mr. SOUDER.
 H.R. 2174: Mr. JACKSON and Ms. SLAUGHTER.
 H.R. 2191: Mr. BLILEY and Mr. ROGAN.

H.R. 2198: Mr. DELLUMS.
 H.R. 2202: Mr. RUSH, Mr. LAHOOD, Mr. LEACH, Mr. REGULA, Mr. WOLF, Mr. GIBBONS, Mr. WICKER, Mr. HOUGHTON, Mr. BALDACC, and Mr. PARKER.
 H.R. 2206: Mr. BILIRAKIS, Mr. DOYLE, Mr. MASCARA, Mr. SMITH of New Jersey, and Mr. REYES.
 H.R. 2265: Mr. DELAHUNT.
 H.R. 2290: Mr. FALEOMAVAEGA.
 H.R. 2319: Mr. KUCINICH.
 H.R. 2321: Mr. CRANE, Mr. HOBSON, Mr. HORN, and Mr. RAMSTAD.
 H.R. 2365: Mr. LAFALCE and Mrs. KELLY.
 H.R. 2366: Mrs. EMERSON and Mrs. THURMAN.
 H.R. 2367: Mr. BILIRAKIS, Mr. DOYLE, Mr. MASCARA, Mr. PASCARELL, Mr. GUTIERREZ, Ms. BROWN of Florida, Mr. REYES, Mr. SNYDER, Mr. RODRIGUEZ, Ms. CARSON, Mr. BISHOP, Mr. KENNEDY of Massachusetts, and Mr. PETERSON of Minnesota.
 H.R. 2380: Mr. ANDREWS, Mr. TRAFICANT, Mr. FRANKS of New Jersey, Mr. SAXTON, Mr. GILCHREST, Ms. KAPTUR, Mrs. ROUKEMA, Mr. DOOLITTLE, Mr. HASTERT, Mr. WAMP, Mr. COLLINS, Mr. LIVINGSTON, Mr. GRAHAM, Mr. WICKER, Mr. ENGLISH of Pennsylvania, Mrs. KELLY, Mr. LEACH, Mr. BURR of North Carolina, Mr. METCALF, Mr. BARR of Georgia, and Mr. SHAYS.
 H.R. 2385: Mr. ANDREWS and Mr. MINGE.
 H.R. 2397: Mr. TOWNS, Mr. UNDERWOOD, Mrs. KELLY, and Mr. DIAZ-BALART.
 H.R. 2405: Mr. TRAFICANT and Mr. DEFazio.
 H.R. 2469: Mr. GREEN and Mr. STRICKLAND.
 H.J. Res. 71: Mr. HOLDEN, Mr. SPENCE, and Mr. GRAHAM.
 H. Con. Res. 80: Mr. SOUDER.
 H. Con. Res. 109: Mr. GUTIERREZ.
 H. Con. Res. 114: Ms. ROYBAL-ALLARD.
 H. Con. Res. 134: Mrs. KENNELLY of Connecticut.
 H. Res. 64: Ms. RIVERS.
 H. Res. 171: Mr. LAZIO of New York.
 H. Res. 220: Mr. HOSTETTLER and Mr. SOUDER.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2204

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT No. 1. Page 14, after line 15, insert the following:

(13) SOUTHLAND (United States official number 639705).

H.R. 2264

OFFERED BY: MRS. LOWEY

AMENDMENT No. 67: Page 102, after line 24, insert the following new section:

SEC. 516. Subsection (k) of section 9302 of the Balanced Budget Act of 1997, as added by section 1604(f)(3) of the Taxpayer Relief Act of 1997, is repealed.

H.R. 2267

OFFERED BY: MR. BENTSEN

AMENDMENT No. 26: Page 117, after line 2, insert the following new section:

SEC. 617. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to implement, administer, or enforce any fee or surcharge pursuant to section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, for issuance of a nonimmigrant visa or border crossing card with respect to a child entering the United States for prearranged medical treatment at a hospital or comparable medical facility (or to a parent or guardian of such a child traveling together with the child).

H.R. 2267

OFFERED BY: MR. HOSTETTLER

AMENDMENT No. 27: Page 49, line 9, insert "(reduced by \$101,000,000)" after "\$185,100,000".

H.R. 2267

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT No. 28: Page 81, line 5, insert before "; of which" the following: "(reduced by \$3,000,000)" and on page 96, line 23, insert before the colon the following: "(increased by \$2,000,000)".

H.R. 2267

OFFERED BY: MRS. LOWEY

AMENDMENT No. 29: Page 50, line 13, after the dollar amount insert "(increased by \$2,500,000)".

Page 50, line 23, after the dollar amount insert "(increased by \$2,500,000)".

Page 51, line 11, after the dollar amount insert "(increased by \$2,500,000)".

Page 51, line 13, after the dollar amount insert "(increased by \$2,500,000)".

Page 51, line 16, after the dollar amount insert "(increased by \$2,500,000, which shall be available for implementing the nonpoint source pollution control program authorized by section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (16 U.S.C. 1455b)".

H.R. 2267

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT No. 30: Page 5, line 9, insert "(reduced by \$500,000)" after the dollar amount.

Page 7, line 6, insert "(increased by \$500,000)" after the dollar amount.

H.R. 2267

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT No. 31: Page 7, line 6, insert "(increased by \$500,000)" after "\$973,000,000".

H.R. 2267

OFFERED BY: MS. NORTON

AMENDMENT No. 32: In title I, under the heading "General Provisions—Department of Justice", strike section 103.

H.R. 2267

OFFERED BY: MR. SCHUMER

AMENDMENT No. 33: Page 67, line 19, insert before the period the following:

: *Provided*, That, of such amount, not more than \$356,242,740 shall be available for obligation until the Secretary of State has made one or more designations of organizations as foreign terrorist organizations pursuant to section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)), as added by section 302 of Public Law 104-132 (110 Stat. 1214, 1248)

H.R. 2267

OFFERED BY: MR. SCHUMER

AMENDMENT No. 34: Page 67, line 19, insert before the period the following:

: *Provided*, That, of such amount, \$7,270,260 shall be for the designation of organizations as foreign terrorist organizations pursuant to section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)), as added by section 302 of Public Law 104-132 (110 Stat. 1214, 1248)

H.R. 2378

OFFERED BY: MRS. LOWEY

AMENDMENT No. 7: Page 80, strike lines 7 through 15.