Stupak
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
White
Whitfield
Wicker
Wolf
Young (FL)

NOES—195

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Doyle
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Foglietta
Forbes
Ford
Fox
Frank (MA)
Frelinghuysen
Gejdenson
Gephardt
Gilman
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
LaHood
Lampson
Lantos
Lazio
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDade
McDermott
McGovern
McHale
McHugh
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Poshard
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Tauscher
Thompson
Thurman
Tierney
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—13

Becerra
Crapo
Flake
Furse
Gonzalez
Martinez
Ortiz
Schiff
Smith (OR)
Solomon
Torres
Yates
Young (AK)

□ 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 compiled 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