them. However, Mr. Speaker, the good news is that they have done that. The bad news is not enough have done that.

We are part of the responsibility, and we are part of the solution to make sure that the bad news turns into good news.

TAX CODE NEEDS REVAMPING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I wanted to talk tonight about a number of issues, but before I do so, I wanted to commend the gentlewoman from North Carolina on a very, very important topic, one which I think is probably one of the biggest issues in America today, and certainly I appreciate your leadership on it. I am from Savannah, your hometown. As the gentlewoman knows, we have a tremendous problem because of so many teenage pregnancies.

Mrs. CLAYTON. I appreciate the gentleman recognizing this as an important problem, and part of the thing I have been trying to get my colleagues to recognize is we are part of the problem if we are not part of the solution. We as adults in society or parents or leaders or colleagues in this deliberative body, we have to make opportunities for young people to say yes to positive options, rather than their saying yes to negative ones.

As the gentleman and I know, there are no good solutions to teenage pregnancy. Once they are pregnant, there are a lot of consequences to that action. There is a young kid raising a kid. That kid, as I said earlier, may have societal problems where they draw on the public for a variety of their assistance. They are sometimes behind in school, the young ladies sometimes repeat that cycle, and part of my bringing this issue up is to suggest that all of us have a responsibility.

I am not here to hold them up in scorn. I am up here to say I care about young people, and if I care about them, I want them to be positive in life, and teenage pregnancy gets in the way of them developing themselves and being the adult that they could be.

Mr. KINGSTON. I agree with the gentlewoman. I was speaking the other day in Brunswick High School, to the junior school, a lot of 16-year-old kids. The young women in that class were particularly interested in a lot of issues, but we got on the success of abortion and so forth, and the subject of choice, and one of the things that I said is remember, you are 16 years old. Decisions about sex are tremendous, major league, life-affecting decisions. You may be pro-life, you may be pro-choice. Whatever your decision is, it is a major league decision when you get into that arena.

So I would say to you, young 16-year-old boys and girls, be very, very careful. This is not deciding what kind of car you are going to drive, what you are going to study, what sport you are going to play or what band you are going to go to. This is a major league decision, whatever you choose.

You need to be very, very cautious about it. Sometimes I think that we as adults do not talk to the kids enough. I have a 14-year-old daughter, and in talking to her, and then turning around and talking to my peer group parents, I am alarmed at what the parents are not talking to their children about.

To some degree, and I would say it is my opinion, if my daughter gets pregnant, it is not her school's fault, at some point it is not my fault or her mother's fault, it is her fault. To put that kind of mentality in her where she is shifting the responsibility and saying you know what, look at yourself in the mirror, you have to take a major role here, and we are always reluctant to talk frankly with our young people, and yet in so many ways they can handle it. But we have got to put them on notice and talk to them.

I find time and time again, parents are not talking to them. I have some drug statistics that I will share later on, it is just unbelievable that parents do not know what is going on with their kids.

Mrs. CLAYTON. I appreciate the gentleman yielding. I want to say to you young people can handle more than you think, and they are handling more than you realize. We are afraid somehow to converse with our young people, but we are conversing non-verbally with them. We give mixed signals that it is not important. We talk about those things that are important to us. We have somehow a reservation about talking about sex.

I am old enough to know my mother had reservations in talking to me about it. I probably conveyed that similar reservation to my adult children, they tell me. But as we get older, we understand that we need to embrace that.

I have looked at talking about sexuality very early, through your church, your home setting, as well as your school, so young people can see that this is not a mystery. This is God's way of procreation, but it is also having people to be positive about themselves. Just as a young man is positive about himself running around the track. He abstained from smoking and staying up. Why? Because he wants to achieve something.

We want to have that same attitude in our young people, that they want to achieve something in life, so you have to say yes to this set of things, staying in school, making sure you do not put certain things in your body, you do not engage in premature sex, that you find those kind of development skills that challenge your mind. You take difficult classes. That is because you have a goal.

So if we begin giving young people goals, rather than scorning them, I think you would have less young people in trouble. I commend the gentleman and express my appreciation for allowing me to interact. I know the gentleman cares about this issue.

Although we come at it a different way, I think abstinence certainly is the number one issue. I also think we should do a lot about family planning. I just think to ignore that young people are engaged in conversation with people is to ignore reality. That is why family planning is so important. That is why I think parents ought to talk to the young people, because other young people are talking to them.

You would be amazed. I just had a forum with a group to talk about the media's influence on them. You would be amazed at what young people are saying to each other about the subject.

Mr. KINGSTON. On the subject of family planning, the most effective course is going to be at home in the family, not the extended institutional family.

Mrs. CLAYTON. You know, all of our young people are not blessed like your young people and mine, and to ignore that is to dump them in the streets. They need some institution embracing them or somewhere where they get factual information and credible information, not the stuff they hear on the street.

Mr. KINGSTON. I agree. Parents have got to come back into the formula. We are moving in the same direction on this.

Let me say one thing that I have been appalled about with the parents. They are bombarded. When you ask parents, well, do you listen to your kids' rock and roll? And parents think rock and roll, they think the Beatles, the Rolling Stones, Pink Floyd or Jimi Hendrix. They think of their rock and roll generation. They do not understand the Fujis or Tori Amos or some of the groups now that are out there. They are not singing ''I want to hold your hand.'' They are very explicit on sex. Sometimes those explicit sex labels or lyrics are not on the CDs that the kids are buying. Parents should take that opportunity to say ''let me see what you are listening to,'' because now most of them have the words out there.

I have had this happen with my daughter Betsy, because I like music, and I like to sit down with her. I cannot believe some of the stuff, the ''F'' word all the time; sex, all the time. What it does is it gives parents an opportunity to see what their kids are up against every single day of their life, but it also gives, between parent and child, an opportunity to talk. Sometimes parents say ''I am a little reluctant to talk to my kids about sex or whatever, and I do not know how to bring it up.''

All you have got to do is open some of their magazines, maybe read some of the inscriptions in the yearbook, read some of the lyrics on their records and CDs. There is a volume of material

that is an entree for parents to get involved and started talking.

Mrs. CLAYTON. I agree. There is a lot of opportunity for parents to give monitoring guidance and advice about not only the magazines they read, the music they hear, the shows they look at, but that comes from parents being engaged with their young people and taking some responsibility and not leaving it indiscriminately to their young people to buy whatever they want or watch whatever TV they watch.

Also parents ought to express concerns to the media. Still, it is a market-driven situation. If there were enough parents speaking out, young people are going to like different music from what their parents liked. What we call rock and roll, our parents called something else. So you should expect that. Young people want their music. Your music is called the oldies. They do not want to hear that stuff. My kids used to turn the radio when they got in my car. They knew where it was.

So you have got to have an opportunity for them choosing their own music. So the idea is to set standards for them to select within their sphere. You cannot make them like what we like. That is inconceivable, for young people to embrace what their parents liked. But we can have standards by saying what is acceptable for your development, what is ideal for your character formation. Those are things that come from parents engaging, and not enough parents are there, so institutions must be engaged. To ignore that is to relegate too many young people to the street, and we will continue having what is happening already.

Mr. Speaker, I commend the young man for allowing me to interact in his special order.

Mr. KINGSTON. I appreciate your leadership, and look forward to working with you as we wrestle with the issues.

Mr. Speaker, one of the issues I wanted to talk about, that ties into this on the subject of age-appropriate parenting and marriage-based parenting, has to do with the kooky policy that we have in our Internal Revenue Code that says when two people get married, they pay more taxes. It is true, Mr. Speaker, that right now it is less expensive to live together than to get married.

If we agree that marriage is a good institution and we agree that marriage-based parenting is the best way to raise kids, then we should have a tax policy that says when you get married, you either get a tax credit, or at least you do not have to pay higher taxes because of the union between a man and a woman. But right now we have what is called a marriage tax penalty, and it penalizes, of course, working folks.

It is time for this Congress to act on the marriage tax penalty, to repeal it, so that people are not encouraged to live together and they are encouraged to get married, if that is what they want to do, or at least not be discouraged by the tax system.

□ 1945

A couple of things also that are affecting the family that I wanted to share with my colleagues, Mr. Speaker, on this subject of children. Right now, average middle school students, and this is a very recent survey, shows that by the age of 13, 40 percent of American students know someone who has used acid, cocaine or heroin. Thirty-four percent of the 13-year-olds have friends who are regular drinkers. Twenty-nine percent of the 13-year-olds in America can buy marijuana within a day, and 12 percent can buy it within an hour. Twenty-seven percent have friends who use marijuana, and one of four have attended a party in the last six months where marijuana was used. I do not think parents know to what extent the drug problem is in America.

Now, let us go up a couple of years. By the time these kids are out of middle school and in their senior year, age 17, two-thirds can buy marijuana within a day, 44 percent within an hour; 62 percent have friends who have used marijuana, and 21 percent will say that more than half of their friends use marijuana. Half of the kids have seen drugs personally sold on their school grounds, and 60 percent of American 17-year-olds attend schools where 60 percent of the kids drink on the grounds.

We are losing the war against drugs. I think that the President certainly has a right to bring up this tobacco situation, and we need to reduce teen tobacco use. There is no question about it, and I think we can do a lot in that regard. Yet, while we are debating the tobacco wars, it is a shame that for the columns and the ink and the advertising and the air time that has been spent on tobacco, probably not even one-tenth has been spent on the drug problem. These are tremendous problems, Mr. Speaker.

This is something that centrally affects all of the children in America, and if one does not believe it, talk to a 13-year-old, 14-year-old, 15-year-old, 16-year-old, 17-year-old; find out from them directly, do not take my word for it. Sit down and talk to the kids. As somebody who goes to lots of high schools and lots of student groups to talk, I have seen these statistics are roughly true. I believe that is a tremendous crisis that is facing our country.

Our country, as my colleagues know, Mr. Speaker, has lots of crises, and we as Americans, the great Nation that we are, we face crisis after crisis and we live up to it, and time and time again we pull through. I think a lot of the secret to our success is because of something that happened on this date in history, September 17 in 1787, and that was of course the signing and general ratification of the United States Constitution. Our Constitution, as my colleagues know, came as a result of the Articles of Confederation not being strong enough to meet the needs of the American system of government after the Revolutionary War.

The thing about after the Revolutionary War, we spend a lot of time talking about Francis Scott Key, and we can stand on the gunnel of the ship with him as we see the ramparts in the air and the flying through the night, and we think about the glory of the great American Revolution. We think about Francis Marion, the Swamp Fox of the Revolution, hiding in the oak trees and the Spanish moss with the alligators and the snakes and the mosquitoes and running raids on the British soldiers, and them realizing that if somebody is willing to sacrifice that much for freedom that they probably cannot be defeated on the battlefield.

We think about the Francis Marions of the world. We think about George Washington at Valley Forge. We think about Nathan Hale, a school teacher who went behind enemy lines to spy on Cornwallis, and who, when caught, with a noose around his neck, utters the words, ''I regret that I have but one life to give for my country.''

Incidentally, Mr. Speaker, that was moments after the British asked him what his last request was, and his last request was to write a letter to his mother and asked them to deliver it, and the British soldier took the paper and tore it up, and he turned around and made this great and wonderful lasting statement about America.

That is our glorious Revolution, and yet sometimes we do not remember that once in war, after we take the hill, sometimes the work is not finished at all, but just beginning in a new phase, and that is where America was after the Revolutionary War. We had a weak executive. We had no, virtually no court system, and the power of the States was tremendous, so there was little State unity. It was clear that the Articles of Confederation needed to be rewritten. So a Constitutional Convention was called on May 14, 1787.

Now, politicians being politicians, it took them from the 14th until the 25th until they had a quorum. Now, we think about how long it takes us to have a quorum coming over from Longworth and Cannon and so forth, but here they had to go by horseback and sometimes they did not even know there was a quorum call. But it took them a while, and finally they got a quorum and they went to work, and out of 55 delegates, 39 made it until September 17 to sign the Constitution.

It was a great period in history. A lot of the big minds, the great minds of our history were in the room: Alexander Hamilton, Benjamin Franklin, Madison, Washington, a lot of the great thinkers, and yet other people were gone. Thomas Jefferson was in France; John Adams was in Britain; Samuel Adams, not a delegate; Patrick Henry refused to because he did not like the idea of a strong, centralized government.

They got together and in September passed it. It took until July 1788 before

the State of New York actually ratified it, but the Constitution was brilliant. It was profound, and it was concise.

The major parts of it, part one, the legislative branch, the apportionment, at that time there was a lot of growth in the State of Virginia, some growth of Georgia coming on, but a question as to how many Members of Congress would we in Georgia have. It was decided through a tie, and I believe that Washington and Franklin were both very integral on this, George Washington actually leading the way, that we would have one Member of Congress per 30,000 people, so Georgia ended up with three Members of Congress and Virginia with 25.

Now, when we think about our Congress today, we are at 600,000, and no doubt at the next reapportionment it will probably ease up to 625,000 or something like that.

The legislative branch was outlined in section 1. Also, the power to collect taxes and borrow money. Now, just think about that. We have certainly utilized section 1 of the Constitution to the fullest extent. Section 2 gave the executive branch strong authority. Section 3, the judicial branch.

Now, one of the problems that I think we are experiencing in some parts of the judiciary, the judges can get in an ivory tower. We know the case last year, Mr. Speaker, of a judge who when a drug case got to his court, and the circumstances were such that a woman was driving around in a high-risk area in, I believe, New York City, some guys came out from the darkness. She opened the trunk, and they pulled out of it two duffle bags of cocaine. When this happened, the police sting operation moved in, and the people ran, and the judge threw out the two duffle bags of cocaine as inadmissible evidence because he said that in that part of the country, in that part of the city, it was appropriate to run from the police because the police are oppressive.

Now, that was later, because of the public outcry, the judge backed down on that, but it is pretty bad when we have members of the judiciary who are so high in an ivory tower that they remove themselves from the real world.

I think that can happen in any branch, but with our legislative, executive and judicial branches of government, we all have to keep each other in check from time to time, and certainly the judges have no hesitation of keeping Congress in check.

Section 4 of the Constitution, the interstate commerce clause, part of that was how does a State become part of the Nation. When I was first elected to Congress in 1993, I believe one of the big issues was making Washington, DC, a new State, which was voted down, but that was actually outlined in the Constitution.

Section 5, amending the Constitution. Mr. Speaker, since the beginning, we have had 4,900 proposals to amend the Constitution. I believe only 27 have passed. And Miss Johnson at Brunswick High School corrected me on that the other day, so if I am wrong, we are going to talk to Miss Johnson about it, but Miss Johnson is never wrong.

We have votes on this this year. As my colleagues know, the Balanced Budget Amendment would be another amendment; and flag desecration, to prevent people from burning Old Glory or using it in certain manners, as they did in one art gallery where they put the flag, the United States flag on the floor and had, including young school children, had it arranged such that people had to walk on the flag to see the art exhibit. That would have been prohibited. Another so-called art exhibit had Old Glory stuck in a toilet halfway, and I guess in certain parts of the world, that is considered art. But the flag desecration amendment would have addressed things like that, and that was in section 5.

Section 6, one thing we argue very often around here is the Nation rules over State, national government can supersede State laws, and that is something that of course we fought a war over, and some other issues. That is constantly argued about and debated year after year.

Section 7 talks about how to ratify. As I said, actually New York waited almost a year to ratify the Constitution. North Carolina and Rhode Island actually held out for the Bill of Rights, and the Bill of Rights, as we know, were the first 10 amendments, including very, very importantly, the First Amendment, freedom of speech, freedom of religion, freedom of the right to assemble.

I reminded the school kids the other day, the right to assemble, how important that was to civil rights activists in the 1960s when the civil rights movement was at its heyday. Where did they meet? They met in churches, and they did not need a permit from the governor to do that, as in the early days of the colonies they had to have a permit from King George to get together and that was one way that they kept people from organizing.

In terms of freedom of speech, we are having huge debates right now on what should be on the airways, what should be on the Internet. The number one hit area on the Internet today is pornography.

Now, the question is, Mr. Speaker, should we have the right of freedom of information, freedom of speech on the Internet? I think most Americans would say yes to that. Okay, what about the 10-year-old? Should he or she have a right to it? People would say well, yes. Now, how do we draw the line? It gets a little more complicated the more we explore what our rights are and then what we are potentially exposing people to.

Other things, do we want certain people to have access to how to make a bomb, and would that be something that we would want to guarantee that freedom of speech right to certain folks, maybe prisoners or something like that? Points to ponder.

We have right now under the freedom of religion debated the Istook amendment. That is the Religious Freedom Restoration Act that would allow for nondenominational student-led prayer in school, and yet, there are some cases where that is going to be very controversial. We may and may not have a vote on that amendment. But again, it goes back to the First Amendment.

The Second Amendment, well, we never, ever debated gun control in this body, Mr. Speaker. At least not this week, we will probably get to it next week. But we are always debating these things, and I think the fact that we are makes the Constitution a living, breathing instrument. It shows how profound it is. People do not realize that the American Constitution, while over 200 years old, is one of the oldest constitutions in the world. Britain, France, Japan, all the major nations of the world have had to rewrite their constitutions, but not ours.

□ 2000

It is a great, great document. On this date we, as Americans, should be as aware of September 17 as we are of July 4. I want to mention some names. Mr. Speaker, I will submit all these names, but I want to read a few names, because I want to show what these people were.

George Washington, a planner, a soldier, a statesman;

Nathaniel Gorham from Massachusetts, a merchant;

Rufus King from Massachusetts, a lawyer;

From New Hampshire, John Langdon, a merchant;

William Samuel Johnson, from Connecticut, a lawyer;

Roger Sherman, from Connecticut, a shoemaker;

David Brearly, from New Jersey, a lawyer;

Benjamin Franklin, a printer, a statesman, a scientist, a philosopher;

Thomas Mifflin from Pennsylvania, a merchant;

Robert Morris from Pennsylvania, a merchant;

John Dickinson from Delaware, a lawyer;

Jacob Broom from Delaware, a surveyor;

William Blount from North Carolina, a landowner;

Hugh Williamson from North Carolina, a physician;

Charles Pinckney, from South Carolina, a lawyer and a soldier;

William Few, from Georgia, a lawyer and member of the State legislature;

And Abraham Baldwin from Georgia, a clergyman.

They came from all walks of life, and they got together and formed almost a perfect document, or to the world of government certainly one.

Mr. Speaker, I yield to my friend, the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Georgia. Indeed, as he recalls those who signed the

document that was ratified as the Constitution of the United States, I am reminded that in just a few hours, in the Valley of the Sun in the Sixth District of Arizona, many who reference this Constitution will gather to celebrate the vibrancy of this document and its importance.

As the chairman of the Congressional Caucus founded during the 104th Congress, I would say to my colleagues in this institution, and Mr. Speaker, to those who watch throughout our Nation and around the world, that it is this document that we swear to uphold and defend when we take the oath of office.

The challenge for us, I believe, Mr. Speaker, is not one that can be summed up with some sort of political phraseology. There are those here in this body and elsewhere in this town who talk about reinventing government. There are others who have written, part of the Fourth Estate who have written, as journalists, that this new conservative majority in Congress is here for a revolution.

Mr. Speaker, let me simply say that I do not believe what we are all about is a reinvention or a revolution. I think, instead, that we would be better off as a country and as a Congress representing those in our country to really try to work for a restoration, a restoration of what this document intends, enumerated powers specified in the Constitution of the United States.

Sadly, what we have seen over the years is that many have taken this document, and they have put it up on the shelf. It is dusted off from time to time in commemorative weeks for historical observance, but our challenge is to live the Constitution. It is a remarkable document, founding this great Republic. If we remember, if we restore what this document means, with its limited and enumerated powers, then we will serve the American people well.

I would say that certainly there are differences of opinion. We champion those differences of opinion. There are those who claim that this document has great implied powers. That debate should continue. That is the essence of our constitutional republic.

But I think it would be important to remember that as one author put it, Catherine Drinker Bowen, in that remarkable title that reviews the history of the Constitutional Convention, that what our founders were about was putting together what she titled in her book ''The Miracle at Philadelphia''; the fact that people from different walks of life, enduring hardship, covering great distances, would embrace a notion that has continued to thrive over two centuries, the notion that here in this Nation, the people are sovereign, a thought that was groundbreaking 2 centuries ago, where, in the kingdoms of Europe, and indeed throughout the world, the notion was that power was conferred from God on a sovereign, someone sitting upon a throne. Here, our notion of governance is that God confers rights on people first, and then people confer power on the government.

Small wonder, then, that the document starts with the three words, ''We, the people.'' And to understand the eloquence and the miracle of that accomplishment in Philadelphia is something that I think all too often we perhaps minimize or perhaps try to put in a special relationship. These were very human people with very human failings.

The book, ''Miracle at Philadelphia'' encapsulates some debates that, quite candidly, Mr. Speaker, were less than civil, emotional outpourings, honest disagreements; and yes, from time to time, dare I say it, personal attacks. But even through the midst of that type of strife came this remarkable document.

It would be my hope that as we continue to work through this 105th Congress, that we work together, acknowledging differences, coming to the floor in this remarkable Chamber, where 435 of us have been chosen by our fellow citizens to represent them.

It would be my hope that we would do more than simply take this document out and dust it off and speak of it eloquently in commemorative fashion, but to remember that this is a living document, a Constitution of enumerated powers that, if we remember and restore that intent, we will have what Thomas Jefferson spoke of when he talked about a limited but effective government. That is what we should rejoice in and that is what we remember tonight.

Mr. Speaker, as pleased as I am to join my colleague, the gentleman from Georgia, I am also very pleased to join one of the newcomers to the people's House who joined us here in the 105th Congress, our good friend, the gentleman from New Jersey [Mr. PAPPAS].

Mr. KINGSTON. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. PAPPAS].

Mr. PAPPAS. Mr. Speaker, I thank the gentleman for yielding to me. I really was quite inspired in hearing the gentlemen speak of what is being celebrated this week as a truly momentous occasion, the history of the world.

We tend to overlook it, but the little booklet the gentleman is holding in his hand, I carry one of those in my briefcase. Every once in a while, especially traveling back and forth between here in Washington on the train, just the other day I read through it. I try to read through it every once in a while when we are dealing with an issue that a portion of the Constitution may deal with specifically. I just find it very helpful.

But as I was thinking about participating in this discussion tonight, I thought of doing something a little bit differently, and in talking to the gentleman from Arizona [Mr. HAYWORTH] and the gentleman from Georgia [Mr. KINGSTON] and those that may be viewing hopefully back home in New Jersey, I will talk a little bit about the four people from New Jersey who participated and signed the Constitution.

For my friend, the gentleman from Georgia [Mr. KINGSTON] and my friend, the gentleman from Arizona [Mr. HAYWORTH], and the chairman from Louisiana, I will give a little history on the four gentlemen.

William Paterson, Jonathan Dayton, David Brearly, and William Livingston.

William Paterson was born in Ireland in 1745. When he was almost 2 years of age his family emigrated to America, disembarking in Newcastle, Delaware. In 1750 he settled in Princeton, New Jersey, which is part of my district in central New Jersey, and became a merchant and manufacturer of tin goods. His prosperity enabled him to attend local private schools in the college of New Jersey, which is now referred to as Princeton University.

Paterson studied law at Princeton under Richard Stockton, a very famous name for those of us in central New Jersey, and later was to sign the Declaration of Independence. Near the end of the decade he began practicing law in New Bromley, in Hunterdon County, also a county in my district.

Then he moved to South Branch, a section of Somerset County, which is my home county. In 1779 he located in New Brunswick, central New Jersey, which is the town that I was born in. The War for Independence broke out. Paterson joined the vanguard of the New Jersey patriots, served in the provincial Congress from 1775 to 1776, the Constitutional Convention in 1776, several other capacities. He also held a militia commission, and from 1776 to 1783 he was the Attorney General for New Jersey, a task that occupied so much of his time that it prevented him from accepting election to the Continental Congress in 1780.

In 1789 he was elected to serve in the U.S. Senate, and he played a pivotal role in drafting the Judiciary Act of 1789. The next position was Governor of his State, my State, for 4 years. He began working on a publication called the Laws of the State of New Jersey. During the years of 1793 through 1806 he served, and I did not know this until this evening, he served as an Associate Justice of the U.S. Supreme Court, and served with distinction.

Jonathan Dayton was born in Elizabethtown, now known as Elizabeth. He practice studied law and established a practice. He sat in the Continental Congress through 1788. He became a foremost Federalist legislator, and although he was elected a representative, he did not serve in the first Congress in 1789, preferring, instead, to become a member of the New Jersey Council and Speaker of the State Assembly.

However, he did serve in this body, in the U.S. House of Representatives, from 1791 to 1799, and became Speaker in the Fourth and Fifth Congresses. The city of Dayton, Ohio, was named after him. He owned extensively landholdings there, I am told over 250,000

acres. The city of Dayton, named after him, many believed to be his greatest monument.

One of the two other people, David Brearly, was born in Trenton, New Jersey. He attended but did not graduate from Princeton; the College of New Jersey, now Princeton. He was elected Chief Justice of the New Jersey Supreme Court, a position he held until 1789. His career was short. He presided at the New Jersey Convention that ratified the Constitution in 1788, and served as a presidential elector in 1789, and President Washington appointed him as a Federal district judge. He served in that capacity until his death.

The last person, William Livingston, was born in Albany, New York, in 1723. He became a member of the Essex County, New Jersey, Committee of Correspondence, and in 1776 he left the Congress to command the New Jersey militia as brigadier general, and held this post until he was elected later. He was the first Governor of the State of New Jersey. Tom Caine served as the Governor of our State in the 1980s, and he is a direct descendent of William Livingston.

He served as a delegate to the Constitutional Convention, though his gubernatorial duties prevented him from attending many of the sessions. I am very proud of these four gentlemen from New Jersey.

Mr. KINGSTON. Mr. Speaker, I would say, Livingston also sat on the committee that drafted the Declaration of Independence.

Mr. PAPPAS. That is correct.

Mr. KINGSTON. He is a very important historical figure. The gentleman actually had a fifth delegate named William Churchill Houston who did not sign. And it is interesting, because in Georgia we had a William Houstoun who also did not sign. They spelled their names slightly differently. The one in the New Jersey was H-O-U-S-T-O-N and the Georgia one is H-O-U-S-T-O-U-N.

As was the case with so many of the delegates, they had to go back home and conduct business or see about family or whatever, and not all of them made it to the actual signing, but boy, did they make their imprint on history, not just for all of us, but in the world.

Mr. Speaker, I yield to the gentleman from Arizona.

□ 2015

Mr. HAYWORTH. Well, I thank my colleagues from Georgia and New Jersey, and I think about those who helped to write our Constitution but also those blessed in history to help draft the Declaration of Independence. I think of so many who gave so much, and indeed history has well-chronicled the hardships of many of those who signed our Declaration.

As eloquent as the first few words in the Constitution of the United States are, that wonderful, beautiful Preamble, I am also struck by the faith and the determination of our Nation's Founders in the final words in the Declaration. Those words we should remember.

And for the support of this declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes and our sacred honor.

Mr. Speaker, I said earlier that for some reason, as years pass, we tend to view these events perhaps not through rose colored glass but with an unwillingness or, dare I say, ignorance of the hardships many of these people faced. Several signers of the Declaration saw their personal fortunes fall as the cause of this Nation rose. Others gave their lives. Others saw their families destroyed. It was not some small, some item done without consequence.

For as great as the impact was on the world, it can be argued the impact was felt also in a much more personal way by those who pledged their lives, their fortunes and their sacred honor.

Mr. Speaker, I mentioned earlier that this is a living document, our Constitution now, which we celebrate this week, over two centuries and a decade being applied, being the foundation of our constitutional republic, and after that beautiful Preamble——

Mr. KINGSTON. If the gentleman would yield. Would the gentleman go ahead and read the Preamble or should I? I think we should remind everybody about this.

Mr. HAYWORTH. I would be honored.

Mr. KINGSTON. Back years ago schoolchildren were required to memorize this. What a shame that is no longer the case.

Mr. HAYWORTH. I thank my colleague from Georgia for pointing that out, and let me indeed read the Preamble.

We the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution for the United States of America.

Mr. Speaker, after that beautiful Preamble comes Article I, section 1 of the Constitution. And I believe that is something where we need to remember and restore the intent of our Founders of the past. ''All legislative powers herein grant,'' it reads in Article I section 1, ''All legislative powers herein granted shall be vested in a Congress of the United States,'' and yet one of the historically seismic shifts, if you will, in our opinion, constitutional republic has come in this century as this institution has ceded its power to a branch of government not articulated in this document but one, Mr. Speaker, that I believe historians will comment on, a fourth branch of government, the regulatory state.

With that in mind, I believe we should heed what Article I, section 1 of the Constitution says, and that is why I have introduced in the House and in the other body Senator BROWNBACK of Kansas has introduced the Congressional Responsibility Act; understanding that as industries have developed; that as life in these United States has changed over the years, that there must be a modicum of regulation; that as Theodore Roosevelt pointed out earlier in this century, it was good to involve experts, men of science in government, helping us draft regulations to ensure the safety of food product, to ensure transportation safety, to ensure cosmetic safety, and as we have seen with many different industries that have literally been born in this century, aviation, broadcasting, a variety of different endeavors, there needs to be regulation but, again, we should remember Article I, section 1 of this document.

So what the Congressional Responsibility Act would do would be to simply say that when regulations are promulgated by these executive agencies within the Executive Branch, that in addition to a time of public comment; that before these regulations, these proposed regulations, are published pell-mell in the Federal Register, that those proposed regulations be returned to the Congress for an up or down vote in expedited fashion. And if voted down, well, then those proposed regulations would be sent to a respective committee of jurisdiction and those regulations, proposed regulations, would be treated as any other proposed law.

Because here is the curious occurrence that exists today, and it is this. What we have done unintentionally, what we have done, born with the best of intentions, has been to transfer power not only from the people to their elected officials but ofttimes now to bypass elected officials and put the power in the hands of the unelected.

Mr. PAPPAS. If the gentleman would yield, Mr. KINGSTON.

Mr. HAYWORTH. I would gladly yield to the gentleman from New Jersey.

Mr. PAPPAS. If the gentleman would yield, I wanted to respond to my friend from Arizona. I experienced the same thing as a county elected official in my State of New Jersey; that the unelected bureaucracy, at whatever level of government, tends to desire to have more of the decision-making; that we as elected officials are accountable to our constituency for. That is something that is pervasive in all levels of government. What happens here at the Federal level, so difficult for the public to understand and to deal with, is the size of it, the scope of it and the sense that it is so distant; that there is an inability for the public, the taxpayer that provides the funds for these programs, to have any kind of an effect on the programs and the regulations that are enacted that affect our daily lives.

I have just been pleased to be a part of this special order, to again celebrate something that we have and are so fortunate to have as American citizens. I think we take it for granted, and this

opportunity to highlight an amazing document that an amazing group of people wrote, and were it not for divine providence, as they refer to it, the hand of God, we would not be here as Americans today.

Mr. KINGSTON. I yield to the gentleman from Arizona.

Mr. HAYWORTH. I thank my colleagues for this opportunity and also to point out that this is a living document that we need to restore. That is our mission here in the 105th Congress as we work to honestly engage each other in debate and problem solving; as we work within this constitutional republic.

I mentioned earlier the work of Catherine Drinker Bowen and her book ''Miracle at Philadelphia.'' Let me say, Mr. Speaker, that the miracle that should continue to astound the world is that we, as human beings, for all our failings and frailties and disagreements and challenges, have been able to preserve this constitutional republic for two centuries and a decade.

Indeed, the miracle occurred not in Philadelphia two centuries ago, although that was important, the miracle occurs in Phoenix, AZ; in Phoenix city, AL; in Flagstaff, AZ; in Savannah, GA. The miracle endures, and our challenge is to preserve it, to protect it, to defend it and to represent those who sent us here to the best of our abilities. And it is my privilege to yield to my colleague from Georgia for his closing thoughts.

Mr. KINGSTON. Mr. Speaker, I thank my colleagues. The interesting thing, along the lines of the words of the gentleman from Arizona [Mr. HAYWORTH] in 1997 were said nearly 100 years ago by Grover Cleveland, and these are his comments that I want to close with. It says, Mr. Speaker, and I quote:

> The man who takes the oath today to preserve, protect, and defend the Constitution of the United States only assumes the solemn obligation which every patriotic citizen—on the farm, in the workshop, in the busy marts of trade and everywhere—should share with him. The Constitution which prescribes his oath, my countrymen, is yours; the government you have chosen him to administer for a time is yours; the laws and the entire scheme out of civil rule, from the town meeting to the State capitals and the national capital, is yours. Every voter, as surely as your chief magistrate, under the same high sanction, though in different spheres, exercises a public trust. Nor is this all. Every citizen owes to the country a vigilant watch and close scrutiny of fidelity and usefulness. This is the people's will impressed upon the whole framework of our civil policy—municipal, state, and federal; and this is the price of our liberty and the inspiration of our faith in the public.

CONFERENCE REPORT ON H.R. 2160

Mr. SKEEN submitted the following conference report and statement on the bill (H.R. 2160) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes:

CONFERENCE REPORT (H. REPT. 105–252)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2160) ''making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes,'' having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed $75,000 for employment under 5 U.S.C. 3109, $2,836,000: Provided, That not to exceed $11,000 of this amount, along with any unobligated balances of representation funds in the Foreign Agricultural Service, shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104–127: Provided further, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104–127.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $5,048,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $25,000 is for employment under 5 U.S.C. 3109, $11,718,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $5,986,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $4,773,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $4,283,000: Provided, That the Chief Financial Officer shall actively market cross-servicing activities of the National Finance Center.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded in this Act, $613,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for the operation, maintenance, and repair of Agriculture buildings, $123,385,000: Provided, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account. In addition, for construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the programs of the Department, where not otherwise provided, $5,000,000, to remain available until expended; and in addition, for necessary relocation expenses of the Department's agencies, $2,700,000, to remain available until expended; making a total appropriation of $131,085,000.

HAZARDOUS WASTE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961, $15,700,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Waste Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $27,231,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109: Provided, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.