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House of Representatives

The House met at 10 a.m.

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

We pray, O gracious God, a full measure of your grace to all who seek you in prayer. To those who are ill or know uncertainty for their well-being, grant healing and strength; for those who know not the joys and opportunities of freedom, grant liberty; for those who are fearful for their security or experience conflict or war, grant peace; for those who do not have the necessities of life, grant nourishment for body, mind, and soul; and for those who seek greater meaning or purpose in their own lives, grant direction and fulfillment and the blessed assurance of Your grace and love. This is our earnest prayer. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. DOGGETT) come forward and lead the House in the Pledge of Allegiance.

Mr. DOGGETT 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.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON TODAY

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that the business

in order under the Calendar Wednesday rule be dispensed with today.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize 15 1-minutes on each side.

FCC SHOULD SAFEGUARD RURAL TELEPHONE SERVICE CONSUMERS

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

Mr. SHIMKUS. Mr. Speaker, it is time for the Federal Communications Commission to do something to safeguard the telephone rates that people living in rural America pay.

When the Telecommunications Act of 1996 passed, there was one thing Congress wanted to ensure: that rates for residential and rural customers did not skyrocket. To protect against that, the FCC was directed to come with a "competitively neutral" support program.

The law required them to take action by May of last year. We have yet to see action. They announced possible rules, but also stated a whole new round of administrative proceedings. Right now, the FCC is debating which computer model will give them the right answers. Some of the smaller telephone companies have seen their support programs frozen in place; others are still up in the air.

This is not acceptable, Mr. Speaker. I urge the FCC to resolve this issue and resolve it soon. For rural Americans, telephone service at affordable rates is not a luxury, it is essential.

THE REPUBLICAN WAR

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

Mr. PALLONE. Mr. Speaker, I have already said many times on the floor of the House how important it is for us to move on an agenda of managed care reform for consumer protection; and I have to say today that I am very upset to hear that the National Association of Manufacturers is down here today visiting Members trying to basically pressure Members to not support managed care reform.

We have an internal memo that basically says that the message the House Republican leadership is going to send is that we are at war and need to start fighting against managed care reform, and Senator LOTT says that the Senate Republicans need a lot of help from their friends on the outside. "Get off your butts. Get off your wallets."

The Republican leadership is now involved in this special interest activity. They are talking about their wallets and getting off their butts to try to fight against managed care reform.

Mr. Speaker, the American people have spoken out. They want managed care reform. They want quality health care. The Republican leadership should not be backed up by these special interest groups that are down here today to fight against these important, very important, consumer protections that the American people are demanding. This is the beginning of the Republican war.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SUNUNU). Members should refrain from directly referring to members from the other body.

□ 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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H243

CONGRESS SHOULD RETURN BUDGET SURPLUS TO AMERICAN PUBLIC

(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 budget estimates are in; and the news is very good. This year, for the first time, the Congress of this Nation is going to have an opportunity to do what the American family has had to do for year after year. That is balance the budget.

Substantial progress has been made and giant steps have been taken in shrinking the size and the scope of the Federal Government. However, we must not stop now. We have finally righted the ship, and now we must take great care to stay the course.

The presence of a budgetary surplus must be used to save our current entitlement programs, not create new ones. This money should be returned to the people, not used to create more layers of bloated Federal bureaucracy.

Now that this Republican Congress has succeeded in balancing the Federal budget, all attention should be focused on the family budget. The liberal's concept of bigger government and \$100 billion in newer taxes is not better government. Decreasing taxes and reducing the size and the scope of the Federal Government has gotten us where we are today.

Mr. Speaker, I urge my colleagues to continue this fight. Do not follow this giant step forward with two equally large steps back.

PATIENT ACCESS TO RESPONSIBLE CARE ACT

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, today the National Association of Manufacturers is in Washington to oppose legislation that would reform managed care. It appears that the Republican leadership will stand with their special interest friends at the expense of average, middle-class Americans.

Now, let us talk about what this legislation is, the Patient Access to Responsible Care Act. Take away that title. This is what this bill is about: ensuring that patients have access to specialists; making it easier for consumers to sue health plans for medical malpractice; and ensuring that medical decisions are made by doctors and not by insurance company bureaucrats and by allowing doctors to tell their patients what their options for medical treatment are and not be gagged by health care providers.

Instead, the National Association of Manufacturers and the Republican leadership want to keep power in the hands of the insurance companies that are more concerned with healthy profits than with healthy patients.

Mr. Speaker, I call on the Republican leadership to join Democrats in supporting these commonsense reforms.

THE ERA OF SMALLER GOVERNMENT

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

Mr. KINGSTON. Mr. Speaker, 2 years ago on the lectern to my right behind me, the President stood up and said the era of big government is over. Hence, enter into, I guess, the era of the smaller government. And then this week, as he announced his new \$100 billion increase-spending budget, he said we are at the end of an era. So I guess what the President was saying is that the era of big government being over only lasted 2 years, or about 23 months if we are counting.

What else does he say in this new era? Nationalize health care; nationalize Federal day care programs; expansion of the sinking Medicare program, causing more problems for our Nation's seniors; and, of course, paying millions and millions of dollars to that favorite U.N. organization.

We in the Republican party hate to see the era of smaller government being over with. We think that it should continue. We support smaller government and lower taxes; stronger families, not a stronger Washington bureaucracy. We support a stronger military, not a stronger Saddam Hussein. We support stronger local governments and less influence outside of Washington.

INTERNET NEEDS A CHASTITY CHIP

(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, what a world. Frazzled Frances Wyndham believes she got pregnant during a sexy e-mail exchange by a paramour 1,500 miles away. That is right: pregnant.

Frances said, and I quote, "His words were so sexy, I was totally seduced." Talk about instant connection. This is immaculate reception, Mr. Speaker.

And if that is not enough to crash our hard drive, think about the legal implications. What is next? Bill Gates paying child support? Microsoft, my eye.

Mr. Speaker, it is time for Congress to act. The computers do not need a V-chip; Internet needs a chastity chip. I would say, "Beam me up," but that may be a new delivery system for e-mail.

PRESIDENT'S "TAX AND SPEND" BUDGET

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

Mr. CHABOT. Mr. Speaker, President Clinton just 3 years ago proposed a 5-year budget with \$200 billion deficits every year for as far as the eye could see. We Republicans said no. We said no to big government, no to using phony numbers. We in Congress insisted on passing a bipartisan budget that balanced and that kept the lid on spending.

Well, here we go again. It is back to budget-busting time. Once again it is going to be up to Congress to act like grown-ups and keep a lid on spending. The President's budget expands entitlement spending. It puts the Medicare program in jeopardy only 1 year after we acted to save it. Taxes go up and up again in the President's budget.

Tax and spend, tax and spend. No matter how good the White House can spin it, and they are very good at spinning, the President's budget is a tax and spend budget.

Mr. Speaker, let us balance the budget. Let us pay down the national debt. Let us really save Social Security, not with smoke and mirrors. And let us give the American people the much deserved tax relief.

AMERICA SHOULD END CUBAN EMBARGO

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

Mr. BARRETT of Wisconsin. Mr. Speaker, last month we witnessed one of the most amazing events in recent memory, one that we thought that we would never see: Communist dictator Fidel Castro welcoming Pope John Paul to Cuba.

The sight of thousands of Cubans turning out to see the Pope and the sounds of his words on Cuban national television rebuking Castro for decades of repression against democracy and the Church were cheered by Americans. The Pope is on our side in the fight against communism and tyranny.

But let us also remember the second part of the Pope's message: The U.S. embargo against Cuba is unfair and inhumane and should be ended. For almost 40 years, we have tried and failed to isolate Castro's Stalinist regime. The Cold War is over, yet we still pretend that the small island 90 miles off our coast does not exist. But for the millions of Cubans who live in poverty, the lack of adequate food and medicine is all too real.

At a time when we send millions in humanitarian aid to "democratic allies" like North Korea, we should heed the Pope's advice by ending the embargo for food and medicine. We can punish Castro, but it is time to stop punishing the poor people who live in Cuba and need food and medicine.

AMERICA SHOULD MOVE CAUTIOUSLY REGARDING IRAQ

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

Mr. PAUL. Mr. Speaker, the Saudis this past week expressed a sincere concern about an anti-American backlash if we start bombing Baghdad. We should not ignore the feelings of the Saudis. If a neighbor can oppose this bombing, we should be very cautious.

In the next week or two, we may have a resolution coming to this floor endorsing the bombing and, in essence, allowing for a declaration of war. Saddam Hussein does not pose any threat to our national security. We should be going very cautiously. Bombing might cause some accident regarding biological warfare. It may cause an irrational act by Saddam Hussein with one of his neighbors. It is bound to kill innocent lives, innocent civilians in Iraq. It could kill many American flyers as well. It costs a lot of money.

And even if we do kill Hussein, what do we do? We create a vacuum, a vacuum that may be filled by Iran. It may be filled by some other groups of Islamic fundamentalists.

There is no real benefit to pursuing this. Our own military has said this is like putting on a show. It is political, not a military operation.

□ 1015

PATIENT BILL OF RIGHTS

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

Mr. BROWN of Ohio. Mr. Speaker, there is a bipartisan coalition formed in Congress to pass a patient bill of rights to curb abuses from health maintenance organizations, from HMOs. This bill would give people the right to know all their medical options, not just the cheapest: the right to choose the doctor they wanted for the care they need, the right to emergency room care wherever and whenever one needs it, and the right to keep medical records confidential.

A majority of Congress, almost all the Democrats and a fairly large number of Republicans, support the bill. So what is the problem? The problem is Speaker GINGRICH, Republican leadership in this House, Republican leadership in the other body and the insurance industry. Not so long ago there was a memo passed around from one of the top Republican leaders in the other body talking about opposing this legislation and he said, quote, get off your butt, get off your wallets. He talked about spending money and raising money from insurance companies, spending that money to defeat this bipartisan legislation. Again, Mr. Speaker, it is the right thing to do. It is too bad the Republican leadership will not get out of the way and let the House pass it.

THE COMPREHENSIVE HOLOCAUST ACCOUNTABILITY IN INSURANCE MEASURE

(Mr. FOLEY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, during the Second World War and the years preceding it, life insurance companies throughout Europe sold numerous policies to Jews and other minorities worth an average of 400 deutsche marks. As the Nazis seized power and began their anti-Semitic practices, laws were passed to deprive the Jews of their property. In fact a 1933 German law confiscated the property of Jews who emigrated to escape the Nazis. But with sickening irony, Jews who were forcibly deported to the Nazi death camps were considered emigrants, and their property, including any life insurance policies, was confiscated according to German law.

At the war's end death camp survivors and the heirs of those who perished attempted to collect on the life insurance policies that were due. But because many policies had been paid out to the Nazis or because of the companies' unwillingness to pay out the claims, there was no money for the rightful heirs.

Over the years much of the insurance companies' collusion with the Nazis became evident. Some companies attempted a small amount of restitution, but the vast amount of money owed the Holocaust survivors has never been paid.

I have crafted a bill to help these Holocaust victims get restitution.

The Comprehensive Holocaust Accountability in Insurance Measure will prohibit foreign insurance companies and their American subsidiaries from conducting business in the United States or conducting business with a United States bank unless the insurance company fully discloses all financial dealings they have with individuals who are known to have survived or perished during the Holocaust years. Today survivors and surviving heirs are still struggling to regain their property.

I urge Members to cosponsor this bill.

HEALTH CARE

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

Mr. DOGGETT. Mr. Speaker, today our Republican friends are talking about naming airports. What America should really be concerned about is the "NAMing" of our airports. That is right, NAM, the National Association of Manufacturers, is having a corporate fly-in today.

The corporate jets line the runways out at the airport here in Washington, and the special interests fill this Capitol. And what is it all about? They are heeding the cry of the Republican Party to come to Washington and block a consumer bill of rights for health care consumers who are enrolled in managed care: the right to see your own doctor, the right to be able to go

to the emergency room without having to ask someone's permission, the right to hold accountable some insurance plan that denies you access to health care, the right of all Americans to begin to do what Texans can already do, and that is to hold accountable these managed health care plans.

But NAM and the Republican Party, they have the NAM slam of this plan. It is really a NAM scam. It is a scam to deny the American people the rights they should have as health care consumers.

HONORING RONALD REAGAN

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

Mr. ROGAN. Mr. Speaker, I would remind my good friend, the gentleman from Texas (Mr. DOGGETT) that the last time a slew of corporate jets converged upon Washington, DC, those executives were not filling the Capitol. I believe they were filling the Lincoln bedroom.

That aside, Mr. Speaker, I rise today to speak about another President: Ronald Reagan. I am pleased to support naming Washington National Airport after him. He was a President whose legacy was not being written by supermarket tabloids. President Reagan's great legacy included 20 million new jobs created, a substantial drop in poverty rates, an increase in middle class and real farm income, and the doubling of women-owned businesses. Under President Reagan, African-American employment increased 46%, and Hispanic employment increased a whopping 84%.

More importantly, Mr. Speaker, he was a President who gave us a romance and patriotism about our country that we knew long since, and had lost for awhile. We recovered that splendid sense under his leadership. It is time to honor President Reagan with this simple, yet well-earned, tribute.

MANAGED CARE REFORM

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

Mr. WYNN. Mr. Speaker, today the American people will get an opportunity to see the spectacle of the dreaded special interest groups. That is right. The National Association of Manufacturers have flown into town to oppose managed care reform.

Congress has in the works the Patient Access to Responsible Care Act, a bipartisan bill, Democrats and Republicans working together to protect patients rights. The President refers to it as a patients' bill of rights. It would guarantee access to emergency rooms, access to specialists. It would make the decisions or put the decisions in the hands of doctors, not medical insurers or bureaucrats or medicrats. It would guarantee that the American people

have the kind of access to health care that they deserve.

But the special interests are in town, and they are here to try to scare Americans, to try to convince Americans that if you have a health care bill of rights, you will lose your health insurance, that employers will not be able to offer health insurance to their employees. My colleague says it is a scam. I think he is right. We need to stand up to the dreaded special interest groups.

NEW BIG GOVERNMENT PROGRAMS

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

Mr. PITTS. Mr. Speaker, what would you call a leader that wants to begin spending money before he even has it? Irresponsible? Liberal? Slick? Well, the budget just submitted by the President calls for spending on 39 new big government programs with tax revenues that the government does not yet have. Using the usual sleight of hand, the President's budget makes assumptions about billions of dollars from a tobacco settlement that does not even exist. Spending money based on tax increases that do not even exist adds new meaning to the expression tax and spend liberal. Now we have a liberal who spends first and hopes that a tooth fairy Congress will give him a tax increase later.

Mr. Speaker, the middle class has gotten the shaft long enough. The middle class is tired of promising something for everyone and sticking their families with the bill. Mr. President, do not break the balanced budget agreement with these new big government spending programs and entitlement expansions. It is time to say no to more big government.

PRESIDENT'S HEALTH CARE TASK FORCE

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

Mr. DAVIS of Illinois. Mr. Speaker, it seems as though we are beginning this year on the same note as last year but with a different tune. Today we are going to vote on House Joint Resolution 343, an effort to deny the legitimate payment of bills incurred by the President's Task Force on National Health Care Reform convened in 1993. Some Members of this body do not want to pay the bills because they did not like the recommendations.

Let us be serious. Let us get on with the real business of this country like providing health care to indigent children, protecting Social Security, fixing our roads and bridges, providing day care, creating jobs with livable wages, hiring teachers and lowering class size.

Let us vote down House Joint Resolution 343 and get on with the real business of the American people.

RONALD REAGAN

(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, later today we are going to vote on a very important resolution concerning former President Ronald Reagan. I love President Reagan for many reasons, but he was a great storyteller. I wanted to relate a story that he told, and I quote:

I remember one day I was sitting in the principal's office. I was not invited there for a social visit. He said something that fortunately stuck in my mind and I remembered. He said, Reagan, I do not care what you think of me now. I am only concerned with what you will think of me 15 years from now. Thank the Lord I had the opportunity to tell him shortly before he died how I felt about him 15 years later, after that visit in his office. And I was very grateful for the influence he had on my life.

Mr. Speaker, President Reagan was a man who worked for the people. He was a man concerned about the people. He was a man who put the people first. It has not been 15 years since President Reagan left office, but I believe we, the people, can honor his life by renaming our national airport after him.

CORPORATE SPECIAL INTERESTS

(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, today the corporate special interests are responding to the call of the Republican leadership to get off their wallets. Today they start spending millions of dollars, with the National Association of Manufacturers fly-in, to kill the bipartisan effort to pass a patients' bill of rights to protect people against the excesses of managed care, to make sure that people know that doctors are making the medical decisions and not insurance companies, to make sure that patients have a right to appeal the denial of services, to make sure that people understand that these medical decisions are theirs and between them and their doctors.

But, no, the Republican leadership in the House and the Senate have told the special interests lobby to come to Washington to spend millions of dollars to deny us the right to have a bill that has over 220 cosponsors, Republicans and Democrats, who know that their constituents need these protections against managed care. We have got to respond to the need of our people, not to the corporate interests and their million-dollar campaign.

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

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

Mr. WELLER. Mr. Speaker, today I wanted to stand up and rise and speak towards an issue which deserves bipartisan support. That is the issue of eliminating the marriage tax penalty. I believe that the best way to frame the issue of the marriage tax penalty is to ask some very simple questions: Do Americans feel that it is fair that a married couple with two incomes who both work pay higher taxes under our Tax Code? Do Americans feel that it is fair that a married working couple, two incomes, pays higher taxes than an identical couple who choose to live together outside of marriage? That is just not unfair, Mr. Speaker, that is wrong.

On average, 21 million married working couples pay an average of \$1,400 more in taxes under our Tax Code today just because they are married. Here in Washington that is a drop in the bucket. Back in the south suburbs of Chicago, \$1,400 is a lot of money for the average of those 21 million married working couples: down payment on a car and a home, a year's tuition in a local community college. Let us work together in a bipartisan way and eliminate the marriage tax penalty.

HMO REFORM

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

Mr. ROTHMAN. Mr. Speaker, today the special interests are swarming around this Capitol to defeat HMO reform, reform that will hold the HMOs accountable for their actions. The American people of both political parties want to make their health care decisions with themselves and their doctors and not with some accounting clerk, who is neither a doctor or a nurse or other health care professional, make that decision which often denies them the care that they paid for with their insurance premiums, where the accounting clerk often gets an incentive for denying that care.

Both political parties have put forth a bill to reform HMOs, but the special interests are now swarming over this Capitol to deny the right of the American people to get what they paid for when they paid their insurance premiums, the right to see the specialists they need, the right to know that they can go to the emergency room and not be turned away, the right that their doctor can send them somewhere and know that the patient that they send will get the care they deserve.

I will save the special interests some trouble coming to my office. The people of Bergen and Hudson Counties, New Jersey want HMO reform, and they will not let the special interests stop us from doing the right thing.

THE ERA OF BIG GOVERNMENT
CONTINUES TO LIVE IN INFAMY

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

Mr. SOLOMON. Mr. Speaker, we seem to be living in a Humpty Dumpty world today. Humpty Dumpty says, "When I use a word, it means what I mean it to mean." I think that applies to the person who announced in his State of the Union address 2 years ago the era of big government is over.

I guess the question that all America would like to know is what the President meant when he said that. Does he mean that the government will not continue proposing huge programs to achieve social goals? Does he mean that government spending will decline or even the spending as a percentage of GDP will decline? Does he mean that the trend towards ever more control and micromanagement from Washington will end? Does he mean local control will be given preference over Federal bureaucratic control from Washington?

The Humpty Dumpty truth is that the President's budget answers no, no, no, to all of these questions. Yes, Mr. Speaker, the era of big government continues to live in infamy.

RONALD REAGAN WASHINGTON
NATIONAL AIRPORT

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 344 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 344

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2625) to redesignate Washington National Airport as "Ronald Reagan Washington National Airport". The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed two hours. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a re-

corded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from New York (Mr. SOLOMON) is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I might consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 344 is a modified open rule providing for consideration of H.R. 2625, the Ronald Reagan National Airport bill.

The rule provides 1 hour of general debate equally divided and controlled by the chairman and the ranking member of the Committee on Transportation and Infrastructure. The rule also provides a 2-hour overall limitation on the amendment process.

The rule also makes in order the Committee on Transportation and Infrastructure amendment in the nature of a substitute as an original bill for the purpose of amendment, which shall be considered as read.

The rule additionally authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD, and it allows the chairman of the Committee of the Whole to postpone votes during consideration of the bill and reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote.

And, finally, the rule provides one motion to recommit.

Mr. Speaker, this rule strikes an appropriate balance between the majority's interest in moving its legislation through the House expeditiously and the minority's interest in being allowed to offer amendments to the bill. An overall time limitation in this case seemed to be a fair way for the Committee on Rules to address both sides' interest in the legislation.

Mr. Speaker, we are here today to honor Ronald Reagan through the passage of a bill to rename National Airport the Ronald Reagan National Airport. Why should we bestow this honor on President Ronald Reagan?

As far as I am concerned, Mr. Speaker, we cannot honor Ronald Reagan enough. His leadership brought pros-

perity and pride back to America and freedom to much of the rest of the world, and I will discuss that maybe perhaps a little bit later in the debate.

Mr. Speaker, in order to fully appreciate President Reagan's lasting impact and the rationale for naming the airport, let me remind Members of the world landscape when he took office back in 1980, and I was here then. In 1981, the Soviet Union was continuing a massive arms buildup and attempting to spread its hegemony into Afghanistan. They had invaded Afghanistan back in 1979. Eastern Europe suffered under the boot of totalitarian regimes, and the Berlin Wall scarred the face of Europe, enslaving millions and millions of people.

In America, we were experiencing something called "stagflation." I just wonder if many of my colleagues can remember back that far. That dreadful combination of unconscionable 13 percent inflation. Can we imagine what that did to senior citizens living on a fixed income? Thirteen percent annual inflation and interest rates of 22 percent, and 24 percent prime if one happened to be a small businessman like I was, borrowing money to keep our businesses going and paying 24 percent interest. That brought on a recession, my colleagues, that created massive unemployment in almost every industry in America. And that was back in 1980, before President Reagan took office.

In fact, our country's morale was so low that then President Carter even declared the American people to be in a state of malaise. Imagine that, we proud Americans being in a state of malaise. But President Reagan saw the moral and financial flaws inherent in that Soviet system that was enslaving half the world population. He had the courage to call communism by its rightful name, the Evil Empire, and insist on human rights and proper treatment of human beings, dissidents, behind the Iron Curtain.

And his peace through strength policies, Mr. Speaker, ultimately resulted in the collapse of the Soviet Union and freedom for the captured nations of Eastern Europe so that today, instead of deadly atheistic communism spreading its tentacles throughout this world, we now have democracy breaking out all over the world, and these people now have sovereign nations to live in and they enjoy the freedoms that we have enjoyed for so many years now.

Mr. Speaker, as a member of the Committee on Foreign Affairs all during President Reagan's two terms, it was a great honor for me to support President Reagan's foreign policies here in the House and on the floor of Congress. It makes me so proud to know that those policies for which President Reagan was berated at the time have led to an explosion of that freedom I just talked about of democracy and prosperity all around this globe and in this country of ours.

Domestically, President Reagan's economic policies not only pulled this

country out of that stagflation I talked about, but they created economic benefits for everyone, for all of our citizens. Nineteen million new jobs were created. Incomes grew at all levels. New industries and technologies flourished and exploded. Exports exploded around this world.

In fact, a recent survey of leading American businessmen, and I hope Members will listen to this, a survey of leading American businessmen attributed today's strong economy precisely to the Reaganomics that was laid out during the 1980s right here on the floor of this Congress.

Mr. Speaker, Ronald Reagan's views and his ideas, once considered conservative, now occupy the center, the mainstream, of American politics, and it is represented here in this Congress in the House and Senate today. President Reagan's vision of a smaller government and individual responsibility are still embraced by the American people even more so today, and that is really what we Republicans are fighting for on the floor of this Congress every single day.

And, finally, Mr. Speaker, Ronald Reagan set a moral tone for this country that would always bring out the best in us as individual Americans and as a Nation as a whole. He would speak to the Nation plainly and convincingly about complicated subjects and he trusted in the judgment of the people, the American people. His words and his gestures were always genuine.

He had such respect for the office of Lincoln and Washington that he would never ever put personal gratification above the national interests of this country. Let me repeat that. He had such respect for the office of Lincoln and Washington that he would never, ever put personal gratification above the national interest of this great country of ours. Ronald Reagan would never have put himself in a situation which might tend to degrade either himself or the esteemed office of this Presidency. That is why he was such a great President.

Mr. Speaker, passage of this rule will bring us one step closer to voting on a bill to honor one of the greatest Americans that I have ever had the privilege of knowing and working with. I urge all of my colleagues to come over here and participate in this next 3 hours of debate to pay long-lasting tribute to this great American, Ronald Wilson Reagan.

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

Mr. MOAKLEY. Mr. Speaker, I thank my dear friend and colleague, the gentleman from New York (Mr. SOLOMON), for yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, I know and I realize that there may be a lot of people in this country who think Washington National Airport should be named after President Reagan, but I daresay very few of them live in the area.

For that reason, Mr. Speaker, I rise in opposition to this restrictive rule. Because in 1986 there was a bill in which the Federal Government ceded responsibility for managing this airport to the Metropolitan Washington Airport Authority. That bill was signed into law by none other than President Ronald Reagan. Because, Mr. Speaker, President Reagan was a big believer in giving local government more control and the Federal Government less control.

In fact, Mr. Speaker, President Reagan himself said, and I quote, this is a quote:

In many respects the Federal Government is still operating on the outdated and, if I may say so, arrogant assumption that the States just can't manage their own affairs.

But this bill is a complete contradiction of the very philosophy of Ronald Reagan himself. This bill takes a local airport name and says the Federal Government has decided to change the name of this airport despite nearly unanimous local opposition. And I want to add also, Mr. Speaker, that this airport does have a name. It is Washington National Airport, named for our first President, George Washington, who lived just a stone's throw away from where the airport currently stands.

The Federal Government has already named the second largest building in Washington after Ronald Reagan, the Ronald Reagan Trade Center. And as far as I am concerned, they can name the largest building in the D.C. area after Ronald Reagan, the Pentagon. It does not have a name. Let us make it the Ronald Reagan Peace Clinic.

Mr. Speaker, President Reagan had a profound impact on our country. He was one of the greatest proponents of freedom worldwide. My opposition in renaming the airport has nothing to do with my respect for the former President but, rather, my belief that we should honor his ideas as well as his name.

Yesterday afternoon in the Committee on Rules we heard from local representatives, Democrats and Republicans alike. These are the people who speak for this area. These are the people who can speak for the people who live around the airport. Mr. Speaker, every one of them, every one of them asked that the airport not be renamed but remain Washington National Airport after our first President, George Washington.

□ 1045

But today it looks like my Republican colleagues are going to continue despite strong local opposition and despite the very principles Ronald Reagan himself stood for.

My dear friend, my colleague, the gentleman from New York (Mr. SOLOMON), said this bill will honor President Ronald Reagan. That is true. But, Mr. Speaker, this bill will dishonor President George Washington.

I urge my colleagues to oppose the rule. This imposes a 2-hour time cap on

a partisan bill, which we have nothing but time around here, and it does not do anything to credit the memory of a great president, Ronald Reagan.

Mr. Speaker, may I inquire from my dear friend how many speakers he has remaining?

Mr. SOLOMON. Mr. Speaker, if the gentleman will yield, we have a number of speakers; but, at the present time, none of them are on the floor.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. Speaker, it is a great puzzlement to me why the Committee on Rules chose to have, in a sense, an open rule on amendments and a closed rule on the time in which to consider the amendments and the votes thereon.

I indicated yesterday to the Committee on Rules that I did not expect more than three amendments to be offered but that we did expect to have some time for debate. I did not expect that we would be constrained given the very light schedule that there is today. But I did expect that we would have an opportunity to discuss at some length, not ad nauseam; and I did indicate that I had worked diligently to deflect a number of amendments that I thought would be dilatory and to reserve those amendments to only those that were necessary.

Unfortunately, we are operating under a very restrictive rule; and we will limit the number of amendments. But I hope that, within the time, we will also have adequate discussion of the issue at hand.

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

Mr. OBERSTAR. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, as the gentleman knows, I have great respect for him. I served on his committee as much as 20 years ago. He was a good Member in those days, and he is a good Member today. But I just have to take exception with him talking about a closed rule, a restrictive rule.

Mr. OBERSTAR. I did not say "closed." I said, "restrictive."

Mr. SOLOMON. No, my colleague said, "closed."

Mr. OBERSTAR. Closed as to time.

Mr. SOLOMON. But forget about that. The truth is the gentleman did say there were only a couple of amendments that might be offered. As a matter of fact, several of them were withdrawn I think by the gentleman from Virginia (Mr. MORAN) when he was upstairs. And in order to try to schedule the schedule for today, and we have another open rule coming up after this one, I felt that 2 hours was ample time.

The SPEAKER pro tempore (Mr. SUNUNU). The time of the gentleman from Minnesota (Mr. OBERSTAR) has expired.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota and ask if he would yield to me.

Mr. OBERSTAR. Mr. Speaker, I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, the gentleman knows that, under the Rules of the House, that if my colleague or his counterpart, the other respected Member, the gentleman from Pennsylvania (Mr. SHUSTER) feel that additional time is needed, I am sure I would agree and I am sure he would agree that we might want to extend that time a little bit.

So we are not trying to cut anyone off at all. I want the gentleman to know that.

Mr. OBERSTAR. I greatly appreciate that. That is a very grand gesture, and I appreciate that very much.

I will return just briefly, if I have additional time, to summarize my concern about the bill at hand.

Of course, we will debate it on its merits later. But it is not appropriate for the Congress to intercede in a jurisdictional matter where we have given authority to a local airport entity with full power, full authority, over the Dulles and National airports to then take back some of that power and say we will arrogate onto ourselves the authority to name this airport, not only to name it but to take off a good name that it already has and to replace another name. That is my principal objection.

Never in the history of the Committee on Transportation and Infrastructure or its predecessor, named Public Works Committee, did we take a name of a building and replace it with another name.

Washington National already has a name. It is good enough for the country. It has been good enough since 1940. It ought to be good enough for the next 50 years or the next millennium.

We should not be in the business of renaming facilities. If this precedent is followed, then woe be to any other building that the Federal Government has funded or any other airport that has received Federal airport improvement funds anywhere in the Nation as this Congress is setting a precedent today that we can come in and take names off buildings and place other names on them. That is not appropriate.

If this building were rising fresh out of the ground, if there had not been a Washington National Airport, I would have no objection to naming it for whomever the Majority chose to name it. But I certainly object to taking the name Washington National off that airport and replacing it with another name.

Mr. MOAKLEY. Mr. Speaker, the gentleman from New York still does not have any speakers?

Mr. SOLOMON. I do. But I think you want to yield the time.

Mr. MOAKLEY. Why do you not give the gentleman from Ohio (Mr. TRAFICANT) the time then?

Mr. SOLOMON. I do not have as much time as he wants. So, I think he is a good Democrat on your side of the

aisle. The gentleman from Massachusetts ought to yield him some time; and I will, too.

Mr. MOAKLEY. He only needs a couple minutes. Why not give him a couple minutes?

Mr. SOLOMON. I am friendly today. I am glad to yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT). He is one of the most respected Members on the gentleman's side of the aisle. I will always yield him 2 minutes.

Mr. TRAFICANT. Mr. Speaker, I rise to support the rule and support the bill. How much time do I have?

Mr. SOLOMON. I yield the gentleman 3 minutes.

Mr. MOAKLEY. Mr. Speaker, I wish the gentleman from New York would make up his mind.

Mr. TRAFICANT. Mr. Speaker, I question many of the economic policies, like many Democrats. And we can take a look at Ronald Reagan as any other president, and we can question many things. But I think we have to give the Gipper his due here today.

Ronald Reagan, probably more than any other single individual, was responsible for correctly identifying the Soviet Union as the big bad bear, for pressing communism around the world, and for challenging the people of the free world to really actually tear down the Berlin Wall. And, more than any other individual, Ronald Reagan is to be credited with the collapse of the Soviet Union, the demise almost of communism, and the dismantling of the Berlin Wall.

Now I do agree with the gentleman from Massachusetts (Mr. MOAKLEY), whether he was serious about it or not, and he is a great Member, that, honestly, we probably should name the Pentagon after this fearless leader. But the Republican party wants to honor their great president, and it is a lesson that maybe the Democrats should learn from it. I believe that I will support that because he was a great president, and I will vote for the rule, and I will vote for the bill.

But I want to say this to the Republican party. There are many Democrats that want the legacy of Robert Kennedy remembered with a significant naming in this District; and since RFK has become now a suburban stadium, there is no real present honoring that legacy.

Now the Union Station has a lot of private interests, but I believe we could look at that and talk to those interests, and I think we should look at some other buildings in this district. So I am not talking about any deal being made here. I support the naming of the National Airport, the local interests notwithstanding. This is a national airport.

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

Mr. TRAFICANT. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. I would just like to ask the gentleman if, during his years as chairman of the Public Buildings

and Grounds Subcommittee, in his years as Ranking Minority Member on that subcommittee, if he presided over a bill naming in which we took the name off a building and put another name on? Did we ever rename a building?

Mr. TRAFICANT. Mr. Speaker, reclaiming my time, no, this was not in my jurisdiction. And when we look at J. Edgar Hoover, I think the Democrats should have taken some action when we were in charge.

So all I am going to say is I support this. I believe President Reagan did a great job in dismantling communism, and I will vote for the rule.

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

Mr. TRAFICANT. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I would just like to say, speaking as a former John F. Kennedy Democrat, which I was and so was Ronald Reagan, we support what my colleague has just asked for; and we would like to help him with Robert F. Kennedy in the future.

Mr. TRAFICANT. We will be doing that. I thank the gentleman very much.

Mr. MOAKLEY. Mr. Speaker, I just had a thought. I was thinking maybe 10 or 15 years into the future, when there is a beautiful edifice in New York named after the gentleman from New York (Mr. SOLOMON), then maybe 20 years later than that someone says, take that name down and let us put up another name, what a terrible travesty that would be.

Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY), Ranking Member of the Committee on Rules, for making the important points that need to be made so eloquently, as well as the Ranking Member of the Committee on Transportation and Infrastructure. (Mr. OBERSTAR.)

I want to say to the chairman of the Committee on Rules that my opposition to this bill in no way implies a lack of sympathy for the health condition of our former president. It is not a criticism of his policies. In fact, it is just the opposite. My opposition is completely consistent with his philosophy. Our hearts do go out to the Reagan family. We want a fitting memorial for President Reagan.

But I strongly oppose this bill. I bitterly oppose it because it is an arrogant abuse of power, and it stands in direct contradiction to everything that President Reagan stood for.

Arlington County, where the airport is located, is opposed to this. The City of Alexandria, which is directly contiguous to the airport, voted unanimously in opposition to this. The Greater Washington Board of Trade, which represents the business community in the Washington Metropolitan Area, is opposed to this. It is going to cost them millions of dollars to change all their

advertising material. Why can we not respect the wishes of local government and the small businesses in the area.

It needs to be emphasized that, in 1986, it was President Reagan who signed the legislation that turned over the authority of this airport to a regional authority that would then be responsible for making these decisions. Why should we not now defer to them? Why would we impose our will upon the very organization that President Reagan created?

It is wrong that we do this today. It is wrong to strip George Washington's name from our national airport.

Many of my colleagues may not be aware of the fact that Franklin Roosevelt, when this airport was commissioned, told the architects he wanted the main terminal to look like Mount Vernon. It was clear that this was to memorialize George Washington. His adopted son owned the land. There is no precedent for this, stripping a former president's name and imposing another president.

The only explanation can be a partisan political one. And this should not be partisan. In fact, in many ways it dishonors President Reagan's legacy to be subjecting he and his family to this kind of contentious debate, to be doing something that is so contrary to what he believed in. This should not be done.

And one of the people that has explained why it should not be done is the first Republican governor of Virginia, Governor Linwood Holton, who was the first chair of this airport authority. Governor Holton has written a letter. We have that letter. He urges us in the strongest terms, do not do this.

□ 1100

It is completely contrary to what President Reagan stood for.

We will have a number of amendments that will seek to make a bad bill a little bit more palatable. One would defer this renaming decision to the Washington Airport Authority. Another would say that until we have enough money to reimburse the businesses and the public bodies that are going to incur substantial expenses because of this, we should not do it.

President Reagan is being honored in appropriate ways. We have an \$800 million Federal Trade Center. Outside of the Pentagon, this is the largest Federal building in the world. It is going to be named after President Reagan in just a few weeks. We are going to name the next *Nimitz* class aircraft carrier after President Reagan. We have got a courthouse in California named after President Reagan. There are going to be a lot of things named after President Reagan.

I am not sure that this idea that was in *Time* Magazine that we ought to carve his face in Mount Rushmore is not going to be an even more contentious issue, but there are sure going to be lots of opportunities to honor President Reagan, appropriate non-partisan opportunities. This is not an appropriate opportunity.

Mr. MOAKLEY. Mr. Speaker, I would ask the gentleman from New York (Mr. SOLOMON), are his speakers reassessing their position on this bill?

Mr. SOLOMON. Mr. Speaker, if the gentleman will yield, one of the real pleasures of serving on the Committee on Rules is having the gentleman from Massachusetts (Mr. MOAKLEY) as my counterpart, as the ranking member, because the gentleman always makes my day, as Ronald Reagan used to say.

Mr. MOAKLEY. I hope they do not make it the same way they made Clint Eastwood's day.

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

Mr. Speaker, I am surprised at the opposition from my friend the gentleman from Massachusetts (Mr. MOAKLEY), because there was a speaker of this House named Thomas "Tip" O'Neill, and he was one of the most loved speakers we have ever had, even though he was tough and he once broke a gavel yelling at me from the Chair up there one day.

But let me just say that we have heard people say, well, you know, this goes against Reaganomics and all President Reagan wanted to do.

I was just going to ask the gentleman from Massachusetts (Mr. MOAKLEY), how did he and all of the other Members that have spoken here today vote when we wanted to reform welfare, return welfare back to the States and back to the counties, so that we could make able-bodied people work for their welfare checks? How did they vote when we changed the whole concept of doing away with categorical aid grants for education; in other words, where we were telling local school boards how to educate their children, we here in Washington? We changed all of that, converted it to block grants, gave it to the States, and mandated that 80 percent of those funds go right on to the local school districts. That is Reaganomics.

So when we talk about what we are doing here, I just have to question a little bit the complaint about Washington National Airport, because, as the gentleman knows, and I will read from this document, according to the National Park Service, in 1927 a joint airport committee voted to approve a site for a new municipal airport for the Nation's capital. It chose Gravely Point, a shallow water area on the west bank of the Potomac across from Hains Point, 4.5 miles south of Washington, D.C. This was designed to replace, listen to this, the Washington Hoover Airport, which was located over where the Pentagon is today.

At first the proposed airport was referred to as the Gravely Point Airport project. However, over time it came to be known as the National Airport. There does not seem to be any precise moment or action that can be cited for the name change. Nevertheless, the name National Airport was appearing on documents as early as 1938.

Then in 1940, when legislation was finally passed on this floor, they named

it Washington National Airport, after the City of Washington, after the District of Columbia. So it is not that we are deleting one name and adding another.

As a matter of fact, I do not have any strong opposition to naming it the Ronald Reagan Washington National Airport. There may be an amendment on the floor here dealing with that. We will cross that bridge when we come to it.

Mr. Speaker, I just wanted to make clear that the gentleman ought to be singing the accolades of Ronald Wilson Reagan, the same way our good friend Tip O'Neill would if he were on this floor today.

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

Mr. Speaker, I appreciate the gentleman's explanation, but I do not know what he was explaining. All we are talking about here is naming an airport. I have the greatest respect for my colleague's greatest friends and idol, Ronald Reagan. I have great respect. The matter here is taking one President's name off a building and putting another President's on it. It is a bad precedent. Who knows where it is going to stop?

I would hate to think that the party in power is going to rename every Federal Building in honor of their heroes and take down the minority's names. It just does not make sense.

Ronald Reagan, in his own statements that I quoted, would be the last one in the world that would want to take someone else's name off a building and put his name on it. He would be the last one in the world that would want a congressional action to name a local airport, against the wishes, against the desires of the people who sit on the board. Nobody who represents that district was even asked. They read about it in the newspaper. This is no way to legislate.

Mr. Speaker, I urge Members to vote against the previous question. If the previous question is defeated, I will offer an amendment to the rule that will remove the 2-hour time limitation on the amendments and will also provide that the IRS reform bill be added to this bill.

Mr. Speaker, as you know, the measure passed the House last spring by an overwhelming vote of 426 to 4. What greater tribute could we pay to President Ronald Reagan than this IRS amendment?

The Senate has yet to consider this bill, but by adding the House-passed bill to the measure, we can give the Senate a much-needed push to take up the IRS reform.

Mr. Speaker, so I urge Members to vote no on the previous question so we can add the bipartisan IRS reform bill, H.R. 2625.

Mr. Speaker, I include the following for the RECORD.

PREVIOUS QUESTION FOR RULE ON H.R. 2625:
RONALD REAGAN NATIONAL AIRPORT

Text: Strike all after the resolving clause and insert in lieu thereof the following:

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2625) to redesignate Washington National airport as "Ronald Reagan Washington National Airport". The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the Committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

Sec. 2. In the engrossment of H.R. 2625, the Clerk shall: (1) add the text of H.R. 2676, as passed by the House, as new matter at the end of H.R. 2625; (2) conform the title of H.R. 2625 to reflect the addition of the text of H.R. 2676 to the engrossment; (3) assign appropriate designations to provisions within the engrossment; and (4) conform provisions for short titles within the engrossment.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the de-

mand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a role resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the *Legislative Process in the United States House of Representatives*, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the title, or yield for the purpose of amendment."

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

The vote on the previous question on a role does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. Speaker, I yield 2 minutes to my dear friend, the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, I want to thank my friend, the gentleman from Massachusetts, for yielding me this time.

Mr. Speaker, I rise in support of this request that we reject the previous question so that we can have made in order H.R. 2676, the IRS Restructuring Act of 1997 and be able to bring that up and include it in this bill.

H.R. 2676 is a bill that is very important. It is one of the highest priorities, I think, of this Congress. I want to congratulate both the Democratic and Republican leadership in this body, because we made it a truly bipartisan bill.

The Speaker, the gentleman from Texas (Mr. ARCHER), the gentleman from Ohio (Mr. PORTMAN), the gentleman from Missouri (Mr. GEPHARDT),

the gentleman from Pennsylvania (Mr. COYNE), and others, worked together so that we in this House could pass by an overwhelming majority the IRS Restructuring Act of 1997.

It is important for us to act now. Tax season is coming up shortly. We need to act before April 15 so that the reforms can take effect immediately.

President Clinton has urged the Congress to act, and Secretary Rubin has worked with us on this important legislation. It provides for a reform in the administration of the IRS by creating an outside oversight board. It provides for taxpayer bill of rights and makes it easier for electronic filing. It simplifies the Congressional oversight function. In short, it will be the first major reform of the IRS in over a half a century.

Mr. Speaker, it is important that we act now. By defeating the previous question, we have a chance so that the other body can follow the lead of this body and act now on IRS reform.

Since the House passed this bill, we have continued to learn about abuses in the IRS. Charles Rossotti, the new Commissioner, has embarked on an ambitious plan to reorganize the IRS, but he needs the tools provided in this legislation in order to complete the job.

Mr. Speaker, I agree with the ranking member: Nothing could be more fitting than for Ronald Reagan to be associated with this historic legislation to reform the IRS. I urge my colleagues to reject the previous question so we can move this legislation forward and give the other body a chance to do what this body has done.

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

Mr. Speaker, I was surprised to hear my good friend the gentleman from Maryland (Mr. CARDIN) talk about breaking the rules of the House, because the gentleman is known as a person who obeys the rules of the House. As a matter of fact, he helps us keep the House in order quite often. But the gentleman knows that an amendment making in order an IRS debate is not in order, it is not germane, and cannot be added to it, regardless of whether you defeat the previous question or not. We might as well add the Superfund to it, or we could add cloning. We could do a lot of things. But we have rules, and we have to obey them.

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

Mr. Speaker, we know it is also non-germane, but we know of the gentleman's love for Ronald Reagan. We felt, because of that, the gentleman would allow this amendment to be placed on this bill.

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

Mr. Speaker, as early as this morning, I spoke to Senator BILL ROTH from Delaware, who has the IRS bill in his committee. They are moving that bill and it is going to become law. We are going to make it a lot easier for the

taxpayers of this Nation to obey the law when they are filing their income taxes.

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

Mr. Speaker, the gentleman could make it a lot easier by allowing an amendment on this bill.

Mr. Speaker, I think we have touched all the pertinent pieces, and I would hope that Members would vote no on the previous question so we can amend this bill to take away the 2-hour time limitation and also put the IRS language in here.

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

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

Mr. Speaker, as a former town mayor in New York, they are called supervisors, town supervisors, and county legislator and State legislator, I would be the last one to stand up here and try to take away home rule, to try to usurp the authority of local governments. But let me just lay the facts out here.

The Congressional Budget Office has stated, and it is in the report here, that the cost of complying with this particular mandate, the mandate of changing a name, is insignificant. The cost, therefore, would be negligible. There is no real cost. I, for one, would be glad to work with the Committee on Appropriations and reimburse anyone for any cost there might be.

Mr. Speaker, let me tell you why we are really here. I am also the chairman of the NATO observer group, and that is a group of parliamentarians here in the House and the Senate that are responsible for the expansion of NATO.

I was in various countries in central Asia, which is really a part of Europe, just recently. These are countries that have strange names like Uzbekistan, like Kazakhstan, like Turkmenistan, Azerbaijan, Georgia, and these people, who were enslaved for decades under this terrible philosophy called communism, all came to me as I was walking the streets in each one of these cities and each one of these new sovereign nations, and, even though they could speak little English at all, they all knew the words "Ronald Reagan," and they all gave a thumbs up to this great President, because after decades and decades and decades of suffering, they were now a free people, they were no longer a captive nation. They had their sovereignty, and now they have a chance to enjoy what we Americans have enjoyed for all these 200-plus years, the ability to live where we want to live, to work where we want to work, to worship in the church of our choice, these things we all take for granted.

The rest of the world knows the value of Ronald Reagan and why he was a great President. That is why we are attempting to just pay some lasting tribute to this great, great American.

Mr. Speaker, therefore, I would hope all Members would come over here and

vote for the previous question, vote for the rule, and then come over here and vote for this bill. This President deserved it.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. SUNUNU). The question is on ordering the previous question.

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

Mr. MOAKLEY. 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 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 227, nays 189, not voting 14, as follows:

[Roll No. 3]

YEAS—227

Aderholt	Duncan	Kim
Archer	Dunn	King (NY)
Armey	Ehlers	Kingston
Bachus	Ehrlich	Klug
Baker	Emerson	Knollenberg
Ballenger	English	Kolbe
Barr	Ensign	LaHood
Barrett (NE)	Evans	Largent
Bartlett	Everett	Latham
Barton	Ewing	LaTourette
Bass	Fawell	Lazio
Bateman	Foley	Leach
Bereuter	Forbes	Lewis (CA)
Bilbray	Fossella	Lewis (KY)
Bilirakis	Fowler	Linder
Bilely	Fox	Livingston
Blunt	Frelinghuysen	LoBiondo
Boehkert	Gallely	Lucas
Boehner	Ganske	Manzullo
Bonilla	Gekas	McCollum
Brady	Gibbons	McCreery
Bryant	Gilchrest	McDade
Bunning	Gillmor	McHugh
Burr	Gilman	McInnis
Burton	Goodlatte	McIntosh
Buyer	Goodling	McKeon
Callahan	Goss	Metcalf
Calvert	Graham	Mica
Camp	Granger	Miller (FL)
Campbell	Greenwood	Moran (KS)
Canady	Gutknecht	Morella
Cannon	Hall (TX)	Myrick
Castle	Hansen	Nethercutt
Chabot	Hastert	Neumann
Chambliss	Hastings (WA)	Ney
Chenoweth	Hayworth	Northup
Christensen	Heffley	Norwood
Coble	Hill	Nussle
Coburn	Hilleary	Oxley
Collins	Hobson	Packard
Combest	Hoekstra	Pappas
Cook	Horn	Parker
Cooksey	Hostettler	Paul
Cox	Houghton	Paxon
Crane	Hulshof	Pease
Crapo	Hunter	Peterson (PA)
Cubin	Hutchinson	Petri
Cunningham	Hyde	Pickering
Davis (VA)	Inglis	Pitts
Deal	Istook	Pombo
DeLay	Jenkins	Porter
Diaz-Balart	Johnson (CT)	Portman
Dickey	Johnson, Sam	Pryce (OH)
Dicks	Jones	Quinn
Doolittle	Kasich	Radanovich
Dreier	Kelly	Ramstad

Redmond	Shays	Thornberry
Regula	Shimkus	Thune
Riley	Shuster	Tiahrt
Rogan	Skeen	Trafficant
Rogers	Smith (MI)	Turner
Rohrabacher	Smith (NJ)	Upton
Ros-Lehtinen	Smith (OR)	Walsh
Roukema	Smith (TX)	Wamp
Royce	Smith, Linda	Watkins
Ryun	Snowbarger	Watts (OK)
Salmon	Solomon	Weldon (FL)
Sanford	Souder	Weldon (PA)
Saxton	Spence	Weller
Scarborough	Stearns	White
Schaefer, Dan	Stump	Whitfield
Schaffer, Bob	Sununu	Wicker
Sensenbrenner	Talent	Wolf
Sessions	Tauzin	Young (AK)
Shadegg	Taylor (NC)	Young (FL)
Shaw	Thomas	

NAYS—189

Abercrombie	Hall (OH)	Oberstar
Ackerman	Hamilton	Obey
Allen	Harman	Olver
Andrews	Hastings (FL)	Ortiz
Baesler	Hefner	Owens
Baldacci	Hilliard	Pallone
Barcia	Hinchey	Pascarell
Barrett (WI)	Hinojosa	Pastor
Bentsen	Holden	Pelosi
Berman	Hooley	Peterson (MN)
Berry	Hoyer	Pickett
Bishop	Jackson (IL)	Pomeroy
Blagojevich	Jackson-Lee	Poshard
Blumenauer	(TX)	Price (NC)
Bonior	Jefferson	Rahall
Borski	John	Rangel
Boswell	Johnson (WI)	Reyes
Boucher	Johnson, E. B.	Rivers
Boyd	Kanjorski	Rodriguez
Brown (CA)	Kaptur	Roemer
Brown (FL)	Kennedy (MA)	Rothman
Brown (OH)	Kennedy (RI)	Roybal-Allard
Cardin	Kennelly	Rush
Carson	Kildee	Sabo
Clay	Kilpatrick	Sanchez
Clayton	Kind (WI)	Sanders
Clement	Kleccka	Sandlin
Clyburn	Klink	Sawyer
Condit	Kucinich	Schumer
Conyers	LaFalce	Scott
Costello	Lampson	Serrano
Coyne	Lantos	Sherman
Cramer	Levin	Sisisky
Cummings	Lewis (GA)	Skaggs
Danner	Lipinski	Skelton
Davis (FL)	Lofgren	Slaughter
Davis (IL)	Lowey	Smith, Adam
DeFazio	Maloney (CT)	Snyder
DeGette	Maloney (NY)	Spratt
Delahunt	Manton	Stabenow
DeLauro	Markey	Stark
Dellums	Martinez	Stenholm
Deutsch	Mascara	Strickland
Dingell	Matsui	Stupak
Dixon	McCarthy (NY)	Tanner
Doggett	McDermott	Tauscher
Dooley	McGovern	Taylor (MS)
Doyle	McHale	Thompson
Edwards	McIntyre	Thurman
Engel	McKinney	Tierney
Etheridge	McNulty	Towns
Farr	Meehan	Velazquez
Fazio	Meek	Vento
Filner	Menendez	Visclosky
Ford	Millender-	Waters
Frank (MA)	McDonald	Watt (NC)
Frost	Miller (CA)	Waxman
Furse	Minge	Wexler
Gejdenson	Mink	Weygand
Gephardt	Moakley	Wise
Goode	Moran (VA)	Woolsey
Gordon	Murtha	Wynn
Green	Nadler	Yates
Gutierrez	Neal	

NOT VOTING—14

Becerra	Herger	Riggs
Eshoo	Luther	Schiff
Fattah	McCarthy (MO)	Stokes
Franks (NJ)	Mollohan	Torres
Gonzalez	Payne	

□ 1134

Mr. BONIOR, Mr. HEFNER, Ms. KILPATRICK and Ms. DEGETTE changed their vote from "yea" to "nay."

Mr. BILBRAY changed his 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. SUNUNU). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. MCCARTHY of Missouri. Mr. Speaker, on rollcall No. 3, moving the previous question, I was unavoidably detained at Washington National Airport.

Had I been present, I would have voted Nay.

The SPEAKER pro tempore. (Mr. SUNUNU). Pursuant to House Resolution 344 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2625.

□ 1136

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 consideration of the bill (H.R. 2625) to redesignate Washington National Airport as "Ronald Reagan Washington National Airport," with Mr. COMBEST in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. SHUSTER) for yielding. I rise in support of the redesignation of the Washington National Airport as the Ronald Reagan National Airport.

Mr. Chairman, I rise in support of H.R. 2625, the redesignation of the Washington National Airport as the "Ronald Reagan National Airport." I wish to thank our colleagues from Pennsylvania (Mr. SHUSTER) and from Georgia (Mr. BARR) for bringing this legislation to our attention.

President Reagan's dedication to a safe world, coupled with a strong and prosperous America, secured the status of our nation as an international leader, and led directly to the economic and political successes we have in recent years achieved. The roots of Communism's worldwide collapse can be found in the Reagan Administration's effective defense strategy, which has as its cornerstone the truism that negotiations can take place only from a position of strength.

It is appropriate that we honor former President Reagan in this manner because it was his Administration which transferred, in 1986, all Washington airports to a local authority. This ended 45 years of inefficient and expensive federal ownership, and opened the door for privatization. This, in turn, paved the way for much-needed airport modernization projects.

With Mr. Reagan's 87th birthday occurring on February 6, 1998, it is appropriate that we approve this legislation immediately, to make it a fitting tribute on a milestone occasion.

I ask that my colleagues join with me in supporting H.R. 2625 in an expeditious manner, as a fitting, appropriate tribute to one of the great Americans of all time.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

H.R. 2625 was introduced by the gentleman from Georgia (Mr. BARR) last October 7. This bill would change the name of the Washington National Airport to the Ronald Reagan National Airport.

Ronald Reagan was born on February 6, 1911, and in 1980 was elected the 40th President of the United States. This legislation would honor President Reagan for his leadership to and for the citizens of the United States and all freedom-loving people throughout the world.

In particular, this bill is designed to honor the President for the following accomplishments during his administration:

President Reagan established fiscal policies that invigorated the American economy. As a result of his efforts, growth and investment increased while Federal spending, inflation, interest rates, tax rates and unemployment decreased.

When confronted by the former Soviet Union, President Reagan's policy of peace through strength restored national security, ensured peace and paved the way for the successful end of the Cold War.

President Reagan's leadership encouraged the rediscovery of the values upon which our forefathers founded this Nation. And in 1986, President Reagan persuaded Congress to end the inefficiency and expense of Federal ownership of National Airport and to transfer the operating control to an independent authority, paving the way for long overdue airport modernization projects, including construction of the new terminal.

Mr. Chairman, I urge support of this bill.

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

□ 1145

Mr. OBERSTAR. Mr. Chairman, I yield myself 2 minutes.

It is clear that the fix is in, the tablet has been handed down from atop Mount Gingrich. Republicans are determined to erect a political billboard at the entrance to the Nation's capital in honor of their hero Ronald Reagan.

I have no objection to naming something for Ronald Reagan. In fact, I sup-

ported the naming of the billion-dollar international trade center in downtown Washington in honor of Ronald Reagan, just a stone's throw from the White House. I sympathize with his family and the condition that he finds himself in with Alzheimer's. My dearest aunt suffered from and succumbed to Alzheimer's. I know the pain that they are experiencing. But that does not justify doing something we have never done in the history of the Committee on Transportation and Infrastructure or its predecessor, the Public Works Committee, and that is take a name off a building and put another name on.

If this structure had no name, there would be no objection on this side. But you are taking a good name, the good name of Washington National Airport, and taking that off and substituting for it another name. That is not right. You are going to leave the word "national" in. I correct myself. But the title itself is defaced. That is not right.

You are interfering, interceding in the affairs of the airport authority itself. That is not right. When Congress created the Metropolitan Washington Airport Authority in 1986, the law said this airport should be treated like any other airport in the country. The transfer law leased the airport to the MWA for 50 years and gave it complete discretion and full power, those words in the lease, to run the airport. This takes away complete discretion and full power. It is wrong. It should not be done.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume. Just to make the record clear, I would like to point out to the body that in the last Congress, 63 Democrats sponsored legislation, H.R. 3247, to rename the Herbert Clark Hoover Department of Commerce building as the Ron Brown Commerce building and, indeed, my dear, dear friend from Minnesota as well as several of our other esteemed colleagues on our committee, on the Democratic side of the aisle, cosponsored that legislation. So it is a little mystifying to me to hear that this is something that has never been attempted before. Indeed the very Members who oppose this are Members who attempted to remove the name of President Hoover and replace it with the name of Mr. Brown.

Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN), chairman of the Subcommittee on Aviation.

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

Mr. DUNCAN. Mr. Chairman, I thank the gentleman from Pennsylvania for his leadership on this issue. I rise in support of H.R. 2625 and urge my colleagues to support it as well.

Obviously, as the gentleman from Pennsylvania (Mr. SHUSTER) and others have mentioned, President Reagan was one of the most popular and most well-respected leaders this Nation has ever

produced. As all of us know, he accomplished many great things during his Presidency.

Washington, D.C., is a city that symbolizes freedom and democracy for every American, for many people all over the world. Renaming the Washington National Airport as the Ronald Reagan National Airport is a fitting tribute to this great American, a man with a vision and a man who has done so much for this Nation and for the world.

In the 2 decades before President Reagan took office, Americans suffered oppressively increasing rates of taxation, inflation, unemployment and interest rates. It was Ronald Reagan who led this Nation out of its economic problems, reducing runaway inflation and interest rates to the lowest levels in many years and creating prosperity for millions of citizens across this country.

Mr. Chairman, President Reagan got this Nation back on track. His initiatives led to great improvements in all sectors of our economy, including the aviation industry. Air passenger traffic increased dramatically throughout the Reagan years, and airlines had some of their best years as well, both as a result of deregulation and the strong economy.

Finally, Mr. Speaker, this is a fitting tribute because flying, aviation, airports, flight in general in the final analysis are about freedom. They enable people to expand their horizons and accomplish things that otherwise would not have been possible. They give people the freedom and the ability to go places and do things that make all of our lives better.

In the same way Ronald Reagan's life, his philosophy, his beliefs, his actions, if they could be described in one word, that word would be freedom. He fought to protect and preserve freedom here at home and to expand freedom for people all over this world. In the great Battle Hymn of the Republic it says, in the beauty of the lilies Christ was born across the sea with a glory in his bosom that transfigures you and me. As he died to make men holy, let us live to make men free. Ronald Reagan did that. He lived for freedom. He did so much for so many, naming this airport after him is a small way to say thank you for all that he did.

I rise in support of H.R. 2625 and urge my colleagues to support it as well.

Obviously, as you and others have mentioned Mr. Chairman, President Reagan was one of the most popular and well respected leaders this Nation has ever seen.

As all of us know, he accomplished many great things during his presidency.

Washington, DC is a city that symbolizes freedom and democracy for every American and for many people all over the world.

Renaming the Washington National Airport as the Ronald Reagan National Airport is a fitting tribute to this great man—a man with vision and a man who has done so much for this Nation and for the world.

In the two decades before President Reagan took office, Americans suffered oppressively increased taxation, inflation, unemployment, and interest rates.

It was Ronald Reagan who led this Nation out of its economic problems; reducing runaway inflation and interest rates to the lowest levels in years and creating prosperity for many citizens across the Country.

Mr. Chairman, to be direct, President Reagan got this Nation back on track. His initiatives led to great improvements in all sectors of our economy, including the aviation industry.

Air passenger traffic increased dramatically throughout the Reagan years. And airlines had some of their best years as well. Both a result of deregulation and a strong economy.

Mr. OBERSTAR. Mr. Chairman, I yield 30 seconds to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding time to me. I wanted to be on record as saying that this makes no sense whatsoever. We have a President whose name of this city is very well known. It is well known that National Airport is the Washington National Airport, named after a President. There is no need to change it, spending the money to name it for another President. This is only done, only done for partisan reasons. We should have this as a bipartisan city, a bipartisan airport. Why is there a need for a change in the name? This is the wrong way to go. We should let it stay, by the way, bipartisan to object to this. Both Republicans and the Democrats on the National Airport said this is the wrong way to go. I will vote against this and urge my colleagues to vote against it.

Mr. Chairman, I rise in opposition to this well meaning, but ill-conceived legislation.

It is appropriate to honor past Presidents. And, we have done so with President Reagan.

We have named a federal courthouse in California after him—we have named the brand new building at the Federal Triangle in Washington, DC, after President Reagan—and, the newest aircraft carrier will be named the U.S.S. *Ronald Reagan*.

In addition, President Reagan has been honored in states and cities across America by hospitals, bridges, highways and other constructions that bear his name.

I would say to my friends on the other side of the aisle that this is a matter that should be left to local authorities.

Congress should not impose its will on the Airport Authority that manages National Airport.

Members from other states should not override the views of Congressman MORAN, in whose District the Airport is located, and Congresswoman NORTON, whose constituents are affected by this decision.

We either support the right of state and local governments or we don't.

And, while there is some debate over whether the Airport was named after our first President, George Washington, it would seem important to maintain that name because of its historical value.

I am aware also that a change in the name of the Airport will have an adverse economic impact on many merchants who will suffer great losses as a result.

It is for these reasons that I urge my colleagues to do the responsible thing on this Bill—vote for order, history and fairness and against chaos, confusion and disarray—vote against this Bill.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

I would like to set the facts of the record straight. If indeed this bill has been made partisan, it is only because our friends on the other side choose to make a naming bill partisan.

Let me share with the body the facts in the previous Congresses. In the 100th Congress, two-thirds of the naming bills were named by Democrats, and we Republicans supported it. In the 101st Congress, two-thirds of the naming bills were for Democrats, and we Republicans supported it. In the 102d Congress, 60 percent of the naming bills were for Democrats, and we Republicans supported it. In the 103d Congress, 66 were named for Democrats, and we Republicans supported it. And in the 104th Congress, a Congress controlled by Republicans, two-thirds of the naming bills were for Democrats, and we Republicans supported it. And in the 105th Congress, thus far, two-thirds, again, the 105th Congress, a Republican-controlled Congress, two-thirds of the naming bills were for Democrats. We Republicans supported it. And indeed, when Supreme Court Justice Thurgood Marshall died, we cooperated in a naming in his honor in 2 days. He was not even buried when we acted promptly to cooperate on a bipartisan basis.

So indeed if there is partisanship here, the record of the past several Congresses shows that in naming bills, we Republicans have cooperated. And if there is partisanship, it is because our friends on the other side choose to make it so.

Mr. Chairman, I yield 5 minutes to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Chairman, I would like to thank the chairman of the committee for his stewardship and leadership on moving this piece of legislation through the committee so that it comes before this great body today to vote on.

Mr. Chairman, it is somewhat disappointing that constantly there are those who find partisanship and rail against something on partisan reasons when in fact those things have nothing to do with partisanship. This is one of those bills. This bill is simply one of a number of efforts that Congress undertakes on a bipartisan basis year in and year out, as the chairman just indicated, to recognize great Americans for their role in shaping American history by naming public buildings and public facilities, and National Airport is a

public national facility, after those great Americans.

When we vote in the Congress, year after year to name Federal facilities and Federal buildings after Democrats, Republicans and Independents and those not affiliated necessarily with any political party, we do so because the people of this country want their heritage to be remembered and monumentalized on our public buildings. When we in the Congress have voted in the past to name a particular Federal facility or building after a particular person, I doubt that any of us vote in favor of those votes, for those votes because we agree with every single policy or every single pronouncement that those individuals have made during the course of their public career. They are recognized through legislation such as this, not for any one particular vote, not because every one of us agrees with everything that they did, but because they have contributed in some form or fashion in a significant way to the overall history and running of this great Nation.

I do not think that there are anybody but the most extreme partisans who could with a straight face fail to put Ronald Reagan in that category. I think it is entirely appropriate and clearly within the purview of this United States Congress to name a Federal facility which we, the people of this country, not of any particular State, own and have a stewardship relationship in running that facility.

It is not that there is anything sacrosanct about any name. The name of National Airport in Washington has been changed in the past. Other Federal facilities have had their name changed as new people, new American heroes have come on the scene and for which the order of the day is to recognize them.

I think it is entirely appropriate that we in this Nation's capital, we the Representatives of the people of this country today seek to honor on the eve of his birthday one of the great Presidents of this country's history. I would urge all of my colleagues to put aside any sort of partisanship that they may feel. We are not asking them today to vote for this resolution, for this piece of legislation because they agree with everything that President Reagan did, although I do think he was a great President. There are others who may not place him in that high category, but I do not think that that means that they have the right to simply vote against it because they may disagree with something that he said or did. The same as we on this side did not vote against naming Federal facilities after persons on the other side of the aisle simply because we may have disagreed with something that they said or did.

The history, the legacy, of Ronald Reagan will far outlive our great leader. It is a legacy that future generations can know and enjoy and bear the fruits of because of the work that he did in ending the Cold War, in bringing

pride back to these United States of America.

I think that all of us also feel a sense of pride as this name change goes forward and our national airport, which, again, I would like to stress, Mr. Chairman, is owned by the people of this country, it is not a State facility, it is run, leased to a local facility. That is something that Ronald Reagan believed in, but naming this national airport after Ronald Reagan does not take away from the ability of that airport authority to run the airport as it was intended to do.

Those that make that claim are simply making a specious claim in order to disguise the fact that they just do not want to name an airport after Ronald Reagan. If there are some folks that believe that in their heart, and their constituents want them to do that, that is one thing, but to come up with arguments that this airport is not a Federal facility, that the Federal Government through congressional mandate does not have every single right to name this airport, as we the people, through our representatives feel free and feel fit to do, is inappropriate.

I would prefer to see the debate stay exactly where it ought to be, and that is a legitimate exercise of limited congressional authority to name Federal facilities owned by the Federal Government on behalf of the people of this country, this entire country, not any particular State or region, on behalf of and in recognition of great national leaders, of which Ronald Reagan clearly is.

This legislation has the very clear support of his family, as he enters his twilight years. We know he is very ill, and I think there would be no more fitting tribute than to pass this legislation today and rename National Airport after Ronald Reagan.

Mr. OBERSTAR. Mr. Chairman, I yield 30 seconds to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, first of all, as a member of the Subcommittee on Aviation, let me say that it is inappropriate that we reported this bill out without a hearing or a markup in subcommittee. This is an important decision we are making today, and I urge my colleagues to consider all of the information. Naming National Airport after President Ronald Reagan is unnecessary government intervention and duplication, and, in addition, he is not known for being a champion of aviation policy. Quite the contrary, his aviation policies were often divisive and controversial. Although we differ on political views, I do respect him as the President.

First of all, as a member of the aviation subcommittee, let me say that it is inappropriate that we reported this bill without hearings or a markup in subcommittee. This is a very important decision we are making today, and I urge my colleagues to consider all the information.

I hate to be put in the position like this, when we are pressured to vote on an important issue that will be costly, involves wrongful

government intervention into local business, and renames a public facility—something we have never done before, when President Reagan is ill. This is not the time or place for this discussion.

I will not enter into a partisan debate on this issue. I think the simple facts speak for themselves. We have already honored President Reagan for his achievements. Many credit him for bringing an end to the Cold War, and I think it is fitting that there is an Aircraft Carrier to be named in his honor, as America's defense buildup helped bring an end to the Cold War.

Additionally, we have honored him again by naming the largest Federal building outside of the Pentagon after President Reagan. This building which completes the Federal Triangle project is just a few blocks from the White House, and in plain view to the millions of tourists that come to Washington every year.

And in President Reagan's home state of California, a Federal courthouse bears his name. This is an addition to countless other roads, bridges, and buildings that have been named after him across the country. Naming National Airport after President Reagan is unnecessary government intervention and duplication. And additionally he is not known for being a champion of aviation policy. Quite the contrary, his aviation policies were often divisive and controversial.

Although we differ in political views, I do respect him as a President; however, I truly feel he has been honored, and in many ways unlike any other President, in terms of the number of honors to him in the short period of time since he has left office.

Let us stop the politics and move on to real business. I urge my colleagues to vote "no" on this bill.

The CHAIRMAN. The gentleman from Illinois (Mr. LAHOOD), now controlling the time of the gentleman from Pennsylvania (Mr. SHUSTER), has 17 minutes remaining, and the gentleman from Minnesota (Mr. OBERSTAR) has 27 minutes remaining.

□ 1200

Mr. LAHOOD. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Chairman, as a co-sponsor of this bill, I rise today in strong support of this measure to honor President Ronald Reagan with this designation.

Much has been said about the redesignation of the airport which received the title Washington National, contrary to the insistence of the other side of the aisle, not directly because of George Washington's legacy but because of the name of our Nation's capital. We have always acted in a bipartisan manner on such bills, until now, when the Democrats, not the Republicans, have decided to be partisan on this matter.

I would like to address the importance of the Reagan years. I hope that all of us will remember the anxiety of the Cold War and pay homage to the man who put our fears to rest. Please support this bill.

President Reagan once stated that through his policies he hoped to "foster

the infrastructure of democracy". We foster and measure our Presidents by the fruition of their promises; and by that high standard, President Reagan has been proven a champion of foreign policy. He deserves this designation and he deserves our utmost respect.

Mr. OBERSTAR. Mr. Chairman, I yield 30 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, several things need to be clarified. This airport clearly was named in honor of George Washington, and anyone suggesting that it is only referring to Washington, D.C., should ask themselves who they think Washington, D.C. was named after; Bugs Bunny?

It is obvious that George Washington is honored here. In fact, the land was owned by George Washington's adopted son.

There is a lot of history. We are going to share that with Members. The main thing we need to emphasize here is this is directly contrary to Ronald Reagan's legacy. Ronald Reagan signed the legislation giving local control. Respect that local control.

Mr. LAHOOD. Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington (Ms. DUNN).

Ms. DUNN. Mr. Chairman, I thank the gentleman for yielding me this time.

I am proud to be here to talk in favor of naming Washington National Airport after Ronald Reagan. He was my President. I knew him, I admired him, I loved him. I worked with him as state party chairman in the State of Washington for all of those first years during the Reagan administration, the 8 years.

And I remember my fondest memory of Ronald Reagan was when he came to Seattle in 1989, after he had left the Presidency and his Vice President, George Bush, had become President and he did a little meeting with some of the folks that cared a lot about Ronald Reagan. There were people who had been with him over the years from when he was first a movie actor, from when he ran for governor of California, from when he ran for the Presidency in 1976 and then again in 1980. And it was my joy that day to introduce him and to have the opportunity to thank Ronald Reagan for everything that he did for us.

It was the last time I talked to him in private, but that was such an overwhelming sense of support in that room, all the personal connections in that room and the opportunity to say thank you, Mr. President, for getting rid of the potential threat from the Soviet Union, for standing strong for our Nation, for its principles, for everything that we believe in, and for leaving a legacy of decency in the White House, for setting us up to be able to compliment him now years later after he was the President.

I think this is the proper, the fair, the appropriate thing to do. And, Mr. Chairman, in my household, I have a

son named Reagan. He was 9 years old when the Reagan he was named after became President. So, indeed, he waited a long time to be named after a President, but I think compared to the naming of a son, an airport is very small indeed.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me this time.

History judges Presidents over time. People love Presidents in real time, and millions clearly love Ronald Reagan today. Monuments spring up all over America. They always spring from the ground up. That way we assure consensus and comity and dignity surrounding the process.

There is a pragmatic reason for this, as well and that is because we seek to honor the person, not to have a quarrel among ourselves. If we do, we overwhelm the honor with contention and embarrass the person and the family. That is why naming bills in this House are always done by consensus, first within State delegations and then always on a bipartisan basis.

H.R. 2625 breaks the time honored tradition of the House in moving forward a bill that does not have the necessary consensus.

The other value, besides consensus, that has always been honored in naming bills is local control. This is the second time that local control has been violated in the name of President Reagan. The first time was the Ronald Reagan Building located in my district. It was my project. I worked harder on it than any other Member. I was not consulted on the name. Out of respect for President Reagan, I did not raise an objection.

Now, we have the second instance of no respect, this time for the entire region. D.C. is one of three jurisdictions on the regional authority. So is the Federal Government on the regional authority. Congress has been glad to have the authority pay for the magnificent new terminal. Congress is glad, however, as well, to intervene at every whim.

There have been two Supreme Court lawsuits. Both of them Congress lost when Congress wanted to intervene whenever it wanted to do something. The lease says full power and dominion and complete discretion go to the regional authority.

What we are doing now is going to get us another lawsuit. President Reagan deserves much better than that.

There have been a number of great Presidents. History may one day say that Ronald Reagan is one of them, but only one President's name belongs on the airport that is the gateway to the Nation's capital. That is the President whom Congress named the capital itself for.

There is no partisanship, no division of the House surrounding George Wash-

ington's name. We would not remove his name from this city. I ask this House please do not remove George Washington's name from our airport.

Mr. LAHOOD. Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, may I inquire of the Chair the time remaining on both sides?

The CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) has 23½ minutes remaining, and the gentleman from Illinois (Mr. LAHOOD) has 14 minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Chairman, this is a most extraordinary event. We are, without any hearings whatsoever, naming an airport after a President in opposition to the wishes of the people in the area.

The most remarkable thing is that we are taking an airport named after the first President of the United States, one of the greatest of Americans living and dead in the entire history of the country, but who is apparently not appreciated sufficiently to allow that airport to be named after him.

As a young boy I knew the man who built that airport. He was a Virginian, a student of history, and he was a man who was determined that he would name that airport after one of the greatest Americans of our history, Clinton M. Hester. Franklin Delano Roosevelt, when he made the inaugural speech with regard to that particular airport's dedication, mentioned President Washington not once but twice. Washington lived just down the road and owned lands around that airport.

The extraordinary thing about the whole business is, however, that we are naming an airport which was given by the Federal Government on a long-term lease to an authority. We literally have no ability and no authority and no control over that land, because it was planned when we gave that land to the authority that they would have entire control over the function and operation of that airport in all its particulars.

We are removing the name of our greatest President from that airport. We are adding another President. I think it is fine that we should honor President Reagan. He is and was a great man. But I do not believe that this is a suitable honor for him. It raises a controversy which, very frankly, besmirches his name, which stands in the way of carrying out the intention of the original creators of that airport, and which leaves us in a situation where we are doing something that we really do not have the authority to do.

If something needs to be named after President Reagan, let us search for it and let us come about it in a bipartisan way. The Democrats stand ready to assist in that kind of undertaking.

Mr. LAHOOD. Mr. Chairman, I yield myself such time as I may consume to

address the issue of whether, in fact, the airport is named after George Washington.

The current official name of the airport is Washington National Airport, not George Washington National Airport. The Washington is in the name to indicate the market in the airport service. The name in the bill, Ronald Reagan National Airport, is consistent with the approach taken by other airports named after Presidents.

For example, there is the John F. Kennedy, JFK, International Airport in New York. I wonder what the public outcry was when that airport was renamed. It would be interesting to check that.

Also, there is the George Bush Intercontinental Airport in Houston. Nobody thinks that name change slighted Sam Houston. I wonder what the public outcry was when that airport was renamed.

Concerns that the name chosen for this airport would somehow denigrate the memory of George Washington are, quite frankly, without foundation. The term "Washington" was included in the 1940 name of the airport to indicate the market the airport served; that is, Washington, D.C. The term "Washington" included in the name of the other two local airports was not to honor the man but to indicate the market.

For example, Public Law 98-510 in 1984 named Dulles International Airport the Washington Dulles International Airport. I do not believe there was a big outcry when that airport was named, but it would be interesting to check the record. The purpose of this renaming was not to minimize the contribution of John Foster Dulles but to indicate to passengers that Dulles serves the Washington market.

And I know it is going to be hard to refute this, because I am sure my colleague does not have the evidence to go back and look at the record to see what kind of public outcry there was, but in any event the gentleman may use his time when I am finished.

Similarly Baltimore Washington International Airport, BWI, was given that name not to honor Lord Baltimore and George Washington but, rather, to indicate to passengers that that airport served both Baltimore and Washington, D.C.

The Reagan International Airport, with its close proximity to Washington, D.C., is now so closely associated with the Nation's capital that there is no real need to continue to include "Washington" in the title.

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

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

Would the gentleman from Illinois, with his very carefully researched and closely reasoned presentation acknowledge that the namings that he cited of airports, or renamings, were not done by the United States Congress except for Dulles?

Mr. LAHOOD. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Illinois.

Mr. LAHOOD. Dulles was.

Mr. OBERSTAR. They were not done by the United States Congress.

Mr. LAHOOD. Dulles was.

Mr. OBERSTAR. I made that exception. But the others were not done by the United States Congress.

The gentleman from Illinois would embrace, then, given this scenario he just presented, would embrace an act of Congress to rename O'Hare Airport? Would the gentleman embrace that idea?

Mr. LAHOOD. If we could name it after Mayor Daley or Governor Thompson or somebody like that, I certainly think the people of Illinois would—

Mr. OBERSTAR. Would the gentleman be happy to have the U.S. Congress do that?

Mr. LAHOOD. It is not a Federal facility.

□ 1215

Mr. OBERSTAR. That is the distinction. My colleague draws false distinctions when talking about naming an airport in Houston for former President Bush. That was done by local authority. That is the whole point. We gave authority to the Metropolitan Washington Airport Authority full power over the airport. We should not take over their authority and rename an airport.

Our Chairman referenced the legislation to name the Commerce Department building. Former Secretary of Commerce Ron Brown died in a tragedy in Bosnia in early April, 1996. Our colleague, the gentleman from Mississippi (Mr. THOMPSON), introduced on April 15 a bill to name the Commerce Department for Ron Brown. My name was listed as a cosponsor.

Later, I asked our staff to review this issue before it should come up in our committee. We found that the Commerce Department already had a name. I was not aware of it. I did not know that it was named for former President Herbert Hoover.

I ruled against bringing up that bill, against moving that bill in our committee. Instead, our colleague, the gentleman from New York (Mr. RANGEL), introduced on May 30, 1996, a bill to name a courthouse in New York for Ron Brown, which I felt was more appropriate. I did not want to initiate a procedure in our committee where we would rename a building. That is what this issue is all about, about renaming.

And the matter of Dulles renaming was done before we transferred authority to the Metropolitan Washington Airport Authority. It was still fully within the power of the Congress to rename that airport, which was done in order to avoid confusion of names for airports. And I do not need to go into it any further, but that was done before we created the Metropolitan Washington Airport Authority. So, again, it

was not a matter of intrusion into local affairs.

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

Mr. LAHOOD. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

Today, Mr. Chairman, we are seeing a little bitterness from people who should not be bitter, we are seeing partisanship and pettiness from people who should not exhibit partisanship and pettiness, and we certainly are seeing a lot of silliness and gamesmanship when people say that we are changing this name of the airport from George Washington.

I go to the National Airport every single week twice. I have never see any bust or any reference whatsoever to the great George Washington. Let us get away from that silliness. The real matter is partisan politics.

Mr. MORAN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I will be glad to yield on the gentleman's time.

We can talk about the Reagan record, reducing inflation. We can talk about unemployment going down, the creation of 18 million new jobs, economic turnaround, interest rates falling, the demise of the Soviet Union, the rise of the American military and international prestige.

We can talk about the Reagan spending programs, the fact that seven out of eight of his budgets that he submitted to the Democratic-controlled Congress were actually increased, that if we had kept as a Congress with the Reagan budgets, he would have left office with over \$100 billion in surplus. Now, we can talk about his strong economic legacy.

But I want to speak to you, Mr. Chairman, about Reagan the man. I am a baby-boomer. I was raised during the Watergate era and then Gerald Ford and Jimmy Carter and the Iran hostage situation. And do you know what? Speaking as a young American, we did not have that much to look up to, particularly out of Washington.

But when Ronald Reagan came to the scene, I can tell my colleagues that, as a youngster, younger than I am now, in my late 20s, we had somebody to look up to.

My wife said, "Isn't he wonderful? He is like a king, somebody you can really respect and follow." Then I said to her one day, I said, "Libby, you know what, you like Ronald Reagan" she kept on going on and on and on, "You like Ronald Reagan better than you like me." And she said, "Yes. But I like you better than I like George Bush." So I had to take it any way I could get it.

The man, as president, brought dignity, honor, respect and optimism to the White House and to the streets of America. He wrote my wife's grandfather, Basil Morris, while in his 80s, a birthday letter. And Mr. Morris wrote

him back and said, "You have restored the prestige of what it means to be the president of the United States." And I think that those words, coming from an octogenarian, means so much and speaks so loudly.

I will close with this line. There were a lot of difficulties. Was Reagan the perfect president? No, he was not the perfect president. Is Bill Clinton? No. Was George Bush? No. Jimmy Carter? No. Was George Washington? No. I do not know that we will ever have the perfect president. But one thing that Ronald Reagan taught us is that we can all be optimistic and look forward without fear of tomorrow because, and I quote, "After all, we are Americans."

Mr. OBERSTAR. Mr. Chairman, I yield 30 seconds to the gentleman from North Carolina (Mr. HEFNER).

Mr. HEFNER. Mr. Chairman, I would just like to remind my friend, the gentleman from Georgia (Mr. KINGSTON), that he is kind of rewriting history here.

All the years Ronald Reagan was here, he sent a budget up, he never offered but two of those budgets. He never offered them for a vote. And one of them got one vote, and one of them got, I believe, 37 votes. So he did not produce a balanced budget, and we ran up \$3 trillion of new debt. To me, the gentleman is rewriting history.

Those of us that served on the Defense Subcommittee had a little bit to do with the Cold War coming to an end and building up the Armed Forces in this country. So the gentleman should not rewrite history on the floor during this debate.

Mr. OBERSTAR. Mr. Chairman, what is the time split remaining?

The CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) has 17½ minutes remaining, and the gentleman from Pennsylvania (Mr. SHUSTER) has 8 minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, the first thing that needs to be made clear is that, just as Washington, D.C., is named after George Washington, Washington National Airport is named after George Washington.

I know that Ronald Reagan would not want us doing this. He would know that the main terminal at Washington National Airport is designed after Mount Vernon. He would know that. He would know that Washington National Airport is located on the very land that George Washington's adopted son owned. He would know the history behind this.

He would also know that it is unprecedented to rename a facility in a district of a Member that opposes it. He would know why that Member opposes it. Because he would respect the fact that the County of Arlington, the City of Alexandria both have informed the Congress that they are opposed to it. He would respect the fact that the Washington business community has

written to us their opposition to doing this. He would know that the local community does not want this name change because it respects George Washington. And our community, the community I represent, does not want to dishonor Ronald Reagan by doing this, and it certainly does not want to dishonor George Washington.

We know there are better ways, more appropriate ways, to honor Ronald Reagan. This is not an appropriate way to do it. There are many other ways.

But the irony of this, that it was Ronald Reagan that signed the very legislation in 1986 to seed over local control, is completely consistent with his philosophy of devolving power to local and State governments.

Ronald Reagan signed that legislation. That legislation epitomizes what he was all about. And what an irony, what a dishonor to then turn around and act so contrary to that legislation.

He would also recognize that the first Republican State-wide official in the Commonwealth of Virginia has written this body stating his opposition to this legislation. Governor Linwood Holton, who certainly respects Ronald Reagan but fully understands why this should not be done and not just for the financial cost. He understands the history of Virginia. He understands the background of Washington National Airport and of the local control. He understands what Ronald Reagan stood for.

I wish more Members of this body did understand that and respected it. Let us find a way to honor Ronald Reagan's memory that is consistent with Ronald Reagan's philosophy, that is consistent with the legislation establishing Washington National Airport, and is certainly consistent with the history behind its name.

Washington National Airport is a facility we can all be proud of. We will not be as proud of a facility that is renamed after another president against the wishes of the local community. It should not be done. It is an arrogant abuse of power.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Chairman, I thank the ranking Member.

Well, Mr. Chairman, there they go again. The Majority is again sacrificing commonly accepted rules, practices, traditions, and even their own sacred mantras to meet their own partisan needs of the moment.

The self-proclaimed party of family values now seeks to strip the name of America's founding father, George Washington, from the airport that serves the capital city, also named in his honor. The Congressional Majority that only 3 years ago legislated a prohibition on unfunded mandates now blindly ignores the unfunded costs imposed on the Metropolitan Washington Airport's Authority and other local jurisdictions.

The Majority that purports to favor low local control and coined the word

"devolution" now dismisses any notion of local control. They disregard the opinions and wishes of our colleagues who represent the airport, as well as the local airport authority, which itself was created by legislation that Mr. Reagan signed.

The mantra of a smaller, less intrusive government is conveniently forgotten again as the heavy arm of Congress reaches out to impose its big government will by edict. Forgotten too are the accepted practices of not renaming structures, of seeking bipartisan support for naming efforts and of not naming structures of people who are still living. It is all another case of "Do as I say, not as I do," Mr. Chairman. The rules do not suit the Majority, so the Majority is changing the rules.

Yes, I believe that we should have a suitable memorial to Mr. Reagan. We have it in the \$800 million Ronald Reagan Building in the International Trade Center. We have it in the future \$4.5 billion U.S.S. Ronald Reagan aircraft carrier, the Ronald Reagan Courthouse in Santa Ana, California, the Ronald Reagan Presidential Library, and a dozen other sites throughout the Nation.

We in California remember Governor Reagan's famous phrase, "If you've seen one redwood tree, you've seen them all." I say, in paraphrase, "If you've seen one Ronald Reagan memorial, you've seen them all."

We should not cut the redwoods. We should not cut Washington out of Washington National Airport. I will follow our accepted procedures, honor America's founding father, President George Washington, vote to keep his name on Washington National Airport.

Mr. SHUSTER. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Pennsylvania (Mr. SHUSTER) has 8 minutes remaining, and the gentleman from Minnesota (Mr. OBERSTAR) has 12½ minutes remaining.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. MCINTOSH).

Mr. MCINTOSH. Mr. Chairman, I thank the Chairman.

I had the privilege of working for Ronald Reagan in the last 2 years of his administration, first at the Justice Department and then in the White House as a special assistant to the President. Ronald Reagan is, in my estimation, the greatest president in our times. He came in fighting big government. In fact, he noticed that the government in Washington had the notion that, if it moves, tax it. If it keeps moving, regulate it. If it stops moving, subsidize it.

But things would be quite different under Ronald Reagan. His administration was an administration of ideas and one idea in particular, that freedom should be the watchword of our policies at home and abroad. He believed that the explosive growth of government in the 20th century was depriving Americans of the freedom to keep more of

their hard-earned money and to make decisions for them and their family, and he believed that abroad the rise of communism was the biggest threat to freedom that we have seen in the history of the world.

He set about correcting both of those problems. He reined in big government in Washington; and he marshalled the coalition that had won the Second World War to win the Cold War and defeat communism in our lifetime, something that people did not believe could be done when he came to Washington in 1980; and we were all celebrating at the end of that decade after his presidency brought about the collapse of the Berlin Wall and the resurrection of freedom throughout eastern Europe and the former Soviet Union.

□ 1230

Well, today we see a world that is free of communism, but we still have the vestiges of big government in Washington. Many of us would like to see this airport named after Ronald Reagan so that those passengers traveling to our Nation's capital would be reminded of his call to freedom at home and abroad, and that that reminder would greet us every time we entered into this city.

I support the chairman's resolution. I think it is the best thing we can do to remind America that Ronald Reagan stood for freedom, that freedom is a battle we must always engage to preserve, and that we will not let that flame die here in Washington after his departure.

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it has been referenced by several Members on the other side that opposition on our side is partisan-based, partisan-motivated, we are upset because this airport is to be named for Ronald Reagan.

It is not the Democrats who initiated the partisanship. In the "This Week" show on ABC television, conservative columnist and commentator George Will was the one who said if the renaming proposal is adopted, Washington passengers "would fly out of two airports; one named for John Foster Dulles and the other after Ronald Reagan, and that is an ideologically perfect choice."

On the same program, his fellow conservative, Bill Kristol, remarked that naming the airport after Ronald Reagan is "especially worth it, because it will so annoy people like George Stephanopoulos."

Those are partisan remarks. We did not initiate them. Opposition on our side is not to naming something for Ronald Reagan, but it is to taking a name off an already-named structure and renaming it.

As I said earlier, my good friend from Pennsylvania (Mr. SHUSTER) was out of the room, I vigorously directed our staff not to ask for movement on the Ron Brown Commerce Department

naming when I learned that the building had already been named for Herbert Hoover. I did not know that at the time my name was added to the bill that was introduced in rush after Ronald Brown's death, and instead we sought another building to be named for Ron Brown. The chairman very graciously and with great skill moved that legislation through our committee and through the House, and we greatly appreciate that. But I want to emphasize, once we learned that the Commerce Department building had a name, said we should not be in the business of renaming. That applies today to this bill, and to this airport.

Mr. Chairman, again, no other airport in the country would we dare to name or rename since other airports are already under the authority of local governments.

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

Mr. SHUSTER. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. ARMEY), the distinguished majority leader.

Mr. ARMEY. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, in 1978 or 1979, I was driving home late one evening from a course I was teaching, and I listened to the President of the United States talk about America in malaise. The Nation was baffled with stagflation. It seemed as though the Soviet empire was a threat to every corner of the world. It seemed as though we were not able to cope, not only with our own domestic problems, but with the world situation. It seemed, in fact, that maybe we were destined to be a Nation in despair.

Then, all of a sudden, we saw a new shining voice of optimism emerge on the American scene, a person who had so much confidence, so much hope for this country, so much appreciation for the quality of the American people and so much dedication to the fundamental principles of personal freedom and responsibility, that he reached out and he lifted us up. That person was Ronald Reagan.

I must say that during the 1970s, I even thought maybe I would move to another country just to find more freedom, and when Ronald Reagan came on the scene, I drew hope, I drew from him encouragement.

I dared again to believe in America and the greatness of this great land, and when he came to Washington, D.C., as the President of this land, he stood and delivered. In the first 2 years he whipped inflation, a problem of economics that had baffled seven Presidents before him. He got this Nation on a new standing of prosperity and growth, price stability, that in fact it stands unto this day, and he broke down the Soviet empire and tore down that wall.

He has been and he is today a shining example of goodness, a reflection of the fundamental goodness of the American people. We want to honor that. We want to appreciate that. We think it is little enough to ask.

It is a confusing thing in Washington, D.C. The question is, is something that is named after George Washington the President or Washington the city, but not so confusing. We talk about the George Washington monument. We talk about the George Washington Parkway. We make the distinction. Washington National was not understood to be George Washington National, it was Washington National after the city.

I get on a plane at what is today Washington National and I drive to Dallas, and on my way home I drive on the LBJ Freeway. Now, I could probably take some umbrage at that, but to many people in America, LBJ was a great President; not to me, but they have the right to honor a man who served as President of this great land. I go to Fort Worth and I drive on the Jim Wright Freeway. Again, they have the right to honor him. It would seem to me the fundamental standards of decency and respect should accommodate that we have a right to honor Ronald Reagan.

I will tell you, Mr. Chairman, I travel a lot in this country. I have to tell you, I do not believe that you can find in America today a more loved American than Ronald Reagan. I want to honor Ronald Reagan for the example of goodness, faith, confidence in this Nation, appreciation for and confidence of this Nation's people that he has always been. I want to get on an airplane at Ronald Reagan Airport. I want to be reminded of his greatness, and by so being reminded of the greatness of these people of this great land.

And when I get off the airplane on the other end, having had the 3 hours to reminisce in my mind about the greatness of Ronald Reagan, I will be content to drive home on LBJ Freeway, with an understanding that we are able to get beyond politics, we are able to be decent and respectful, and we are willing to accept that everybody in America has a right, I believe a duty, certainly should have the opportunity, with honor, dignity and respect, to honor those people we believe to have been great people that served this Nation well.

Mr. Chairman, I would encourage everybody, show that standard of decency, respect, appreciation and good sportsmanship, and vote yes on this measure.

Mr. OBERSTAR. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, speaker after speaker on the other side has come to the floor and said this airport was not named after George Washington. Goodness gracious me, that is splitting hairs with the finest theological, philosophical razor that you can find.

For whom is the City of Washington named? Joe Washington, who played football for the Washington Redskins? Or for Harold Washington, the former mayor of Chicago?

It was named the City of Washington, was named for our first President.

When the name "Washington" was added to this airport, it was obviously done with the name of our great first President, Father of the Country in mind. Good heavens, stop denying your patrimony. That is just silliness.

Mr. Chairman, I yield 2½ minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding me time.

It is extraordinary to me that we are engaged in a debate here today where the majority party is going to break a sacred lease with local government and violate one of the principles of Ronald Reagan's tenure in office, which is local control, to remove things from the awesome bureaucracy of Washington, D.C. and get them back down to the local level.

It was Ronald Reagan who signed the agreement which gave the compact to the District of Columbia and the State of Virginia, and it is an extraordinary document. It is one of the most comprehensive lease agreements you have ever seen. And actually he was right, because they have done things that I am sure the Federal Government and Congress never could have done in terms of developing that beautiful terminal at Washington National Airport. The investment that has gone in there would not have gone forward had it remained totally under Federal control, given the lack of interest in this Congress, which is also a scandal, in the infrastructure of this country.

But back to the issue at hand: This legislation would preempt, probably illegally and probably actually is doomed to lose in court should it be challenged, the authority, the full authority, the full control, the dominion, for the use, the development of this airport, extraordinary terms in a 50-year lease. Fifty-year leases are akin to ownership. In the courts they are interpreted that way. And yet Congress now is going to wade back in, the Republican majority, in order to rush through something for Ronald Reagan's birthday. They cannot wait for the *Nimitz* class aircraft carrier. They can't be happy with the largest Federal building in the world outside of the Pentagon. And we could rename the Pentagon, if they so chose, and I would probably support that.

Mr. Chairman, to preempt the name of George Washington, the Father of the Country, the first President, from this airport, it is extraordinary to not only violate the principles set down by Ronald Reagan, that is local control, local authority, a legal and binding contract and lease agreement signed by Ronald Reagan, endorsed by the Congress, which now Congress is attempting to usurp, and to remove the name from the airport of the Father of our Country, the first President of our country. It is extraordinary, and it is no way to honor Ronald Reagan or his principles, despite our many disagreements. I think this is a disservice to your greatest living President.

Mr. OBERSTAR. Mr. Chairman, I yield 2½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, my route to Congress was from State and local government. One of the legacies that I think is indisputable for President Reagan is that he focused more perhaps than any American President the attention of governance on the State and local level, his assertion that big government at the Federal level is not necessarily the best approach to solving our problems.

I think history will note that this will be one of his most important and lasting legacies, refashioning partnerships with local governments.

I can think of no more bizarre way to recognize President Reagan than to undercut that important part of his legacy when we have a designation of an airport, over the objection of the local business community, over the objection of the local airport authority, and where the Congress itself has no ability to go out and change the signs, to say Ronald Reagan Airport.

We had our distinguished committee counsel explain that what we could do is simply withhold passenger landing fees and other Federal funds. We could basically force the local authority to bend to the will of the United States Congress, and in the alternative force them to put at risk the safe and orderly administration of that airport.

Think about that extraordinary response.

□ 1245

I have no doubt in my mind that if Ronald Reagan were President and a Congress came forward with a proposal like this that would thwart the will of the local community, establish a precedent that would allow the renaming of any airport in America; for instance, the John Wayne Airport, this principle could allow the John Wayne Airport to be renamed the Jane Fonda Airport by withholding the same revenue stream, force them to comply with the will.

I think this is an embarrassment to our former President. I think it is actually the wrong way to go, and I hope that the Congress will not follow this path in a way that I think has a very dangerous precedent in the long term.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the chairman for yielding me this time.

I rise in support of naming the airport after Ronald Reagan. I was a medical student in the late 1970s and early 1980s, and I remember 20 percent inflation rates, I remember no job creation, I remember my wife and I wondering what kind of future we were going to have. Then I remember Ronald Reagan getting elected and things really beginning to turn around, and I also remem-

ber the defense bill that he wanted to pursue which ultimately led to the end of the Cold War, and every step of the way there was opposition, opposition, how his policies were wrong.

He created prosperity in this country, and in my opinion, he is one of the greatest Presidents that this country has ever seen. It is fitting and proper for us to name this airport after him, and considering all of the opposition he got during his career, it is not surprising to me at all that this simple act is indeed opposed as well. It is because the people who oppose it will never recognize the fact that his policies were good for this country and the people loved him, and we are living today in the prosperity and the benefits still, created by Ronald Reagan.

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just wanted to come back to the point about the name that the airport of our Nation's Capital bears. I said earlier, it is splitting hairs to try to say it is not named after our first President. It bears the name of the city that bears his name. It is clear that George Washington was in the mind of those who built and named this airport.

I have a copy of the brochure that was printed at the occasion of the opening of National Airport in 1941. It is replete with references to our first President. Let me just quote:

From the highest point within the airport, George Washington might well have chosen the site for the Capitol to be amidst the meadows and low hills at his feet across the river.

Again and again, throughout this brochure, there are references to our first President.

Another stratum of American history is about to be laid along the banks of the Potomac. The powerful figures in history will land here on land that knew the tread of Washington's horse as he campaigned for freedom, governed his country and managed his farms.

It is splitting hairs.

Look, this debate is not about the greatness of Ronald Reagan or his place in history. That will be secured by future historians. That will be secured by the value of his deeds, his actions as President, the legislation that he championed.

This airport has a good name. Let us find something else. Let us build a monument to Ronald Reagan in our Nation's capital, build it on ground at the National Airport, but let us not take a name, let us not be like the Evil Empire that Ronald Reagan so despised and so opposed and take names off and put other names on, depending on who is in favor or who is out of favor.

That is not the American way. That is not the way of this Congress. That is not appropriate. Go out into greater America, as I have been just recently in my district and hear what average folks say. They say, this is silly. This is trivial. There are better things to do in the Congress than to go about changing names and renaming.

I am sorry we are here to do this. It does not serve Ronald Reagan's name well, his place in history well, to take a name off and replace it with his. I wish the majority were pursuing a different course.

As in the case of the Ronald Reagan International Trade Building, I was glad to support it, and if there is some other structure they want to name or build in his honor, I would support it. But not this, not this action, not at this time in history, not this airport.

Mr. Chairman, I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield myself the balance of my time.

I would like to make several closing points. It is a fact that the Federal Government owns this airport, which makes it quite different from other airports around the country. So to suggest that we could rename the John Wayne Airport is something entirely different, since we do not own the John Wayne Airport.

Secondly, with regard to the fact, and I think it is very clear, that the name Washington represents a market area. If it does not represent a market area, then I suppose The Washington Post should change their name to the George Washington Post, or the Washington Times to the George Washington Times, or the Washington Redskins to the George Washington Redskins.

Beyond that, in Houston the airport was not named for Sam Houston; it was named for the market area, and it has changed from the Houston Airport to the George Bush Airport.

Indeed, we have taken names off buildings. When our friends were in control of this House, they chose, and we supported it, to take the Lincoln Federal Building and change it to the Robert V. Denney Federal Building in Nebraska, and likewise, to take the Quincy Post Office in Massachusetts and change it to the James A. Burke Post Office in Massachusetts. These are minor points, but they have been brought up by our friends, and so I think they need to be addressed.

Perhaps the most crucial point, however, is that in the past several Congresses, when our friends were in control of the Congress, two-thirds of all of the naming bills were for Democrats, and we Republicans supported them. Even more significantly, in the 104th Congress, which the Republicans controlled, and in the 105th Congress, which the Republicans controlled, two-thirds of the naming bills continued to be for Democrats, and we Republicans supported it.

So we believe that it is quite proper for us to honor a President in this fashion who happens to be a Republican President, and just as we have supported our Democrat colleagues in the past on a bipartisan basis, we are disappointed that our colleagues have chosen not to support us on this matter and to make it a partisan issue. Nevertheless, so be it.

Mr. Chairman, I urge my colleagues to vote in favor of honoring a great President, Ronald Reagan.

Ms. MCCARTHY of Missouri. Mr. Chairman, today I rise to voice my concern about an issue of fiscal responsibility. The proposal to rename Washington National Airport for former President Reagan, while an attempt to honor a revered leader of this country, is an unfunded mandate on the state and local governments of Virginia as well as the businesses of this region. Public Law #104-4, enacted by the 104th Congress, which I cosponsored, prohibits the federal government from imposing requirements on state and local governments without adequate funds to carry out the order. The enactment of this legislation without a guarantee of federal funds to pay for it violates the intent of the law.

The cost of this mandate will effect the federal government as well as state and local governments and the regional airport authority. It is estimated to run in the millions of dollar when one considers all of the revisions which will have to be made to our air traffic control system, airline schedules, computer programs, baggage tags and other preprinted items, and the cost of changing the road signs leading to and around the airport and numerous other related activities. The State of Virginia estimates that changing the road signs alone will cost \$60,000.

In addition to the costs, the action of revising a previously named facility is without precedent and the general practice of the House to consult with the Members who represent the affected facility before moving forward is being ignored. Mr. MORAN and other members from the Washington area are opposed to this renaming and support the decision-making authority that a previous Congress gave to the Washington Metropolitan Airports Authority. We should reject this measure as it is an action that may set us on a course for a number of name changes to existing buildings across the country to honor various icons of either party. We should respect the precedent of consultation with Members of affected areas and maintain the practice of honoring distinguished Americans without partisan debate.

The Federal Aviation Administration has stated that such a change needs "strong and documented justification, primarily concerning air safety," because of its recognition of the costs to the system of making such a change. Mr. Chairman, today we need to ask ourselves if the benefits of changing the name of an airport from one former President to another outweigh the costs, and whether this is the best way to honor the principal of federalism for which former President Reagan stood firmly. I believe that it is important to remember as we enter into this era of intergovernmental cooperation and budget balance the restraint which brought us to this point of fiscal responsibility.

Mr. SANDLIN. Mr. Chairman, I rise today in opposition to H.R. 2625, a bill to rename Washington National Airport as "Ronald Reagan National Airport." I have no problem naming a government building after President Reagan. I believe we should honor him for the many things he accomplished as our President. I have a problem with renaming an airport that was built as a monument to our first President, George Washington.

The Congress has a long-standing policy against renaming buildings. Washington National Airport was named when it opened in 1941. It is named "National" because it serves the capital of our nation and "Washington" in honor of our first President.

In addition, I believe it is an insult to the Reagan legacy of local control for this body to impose this legislation on a local government body that has made it quite clear that they oppose this legislation. This bill is an unfunded mandate—both on the local government, and on the local businesses who will be forced to spend hundreds of thousands of dollars to make the changes necessary to accommodate a new name for this airport.

My final—and perhaps most important—objection to this legislation is the fact that none of our constituents will benefit from it. Yet, in the Transportation and Infrastructure Committee on which I sit, we debated this issue for three hours. Prior to that meeting, the Democratic Caucus spent an hour and the Republican Caucus probably spent a comparable amount of time debating the legislation. My constituents did not send me to Congress to spend this much time working on an issue that is of no consequence to the great majority of Americans.

I believe it is appropriate for the Congress to name federal buildings in honor of great American leaders. I have no problem with naming an unnamed federal building after President Reagan. I have no problem with naming an unnamed federal building after any great American leader. Building namings are typically routine matters that pass through our committee without discussion and pass the House under suspension of the rules. When any building-naming legislation is debated for this long and with this much objection, we must think twice about whether that legislation is really worthwhile. My colleagues, I submit to you that this particular proposal is not worthwhile.

Mr. Speaker, we should honor the Reagan legacy. We should name buildings in his honor. But we should not insult that legacy by imposing our will upon a local government that has made it quite clear that they do not want this name change.

Mr. DIAZ-BALART, Mr. Chairman, I rise today in support of H.R. 2625, a bill to redesignate Washington National Airport as the "Ronald Reagan National Airport".

What is the standard we use to judge our Presidents? How do we appropriately honor

those men who have served our great nation and the office of the Presidency with great distinction, courage, honor, and vision? In this city, which is already graced with so many memorials of marble, granite, and bronze, to men and women who have loved freedom more than life and their country more than self—how can we best remember and celebrate the service rendered to these United States and to those dedicated to the cause of freedom throughout the world by President Ronald W. Reagan?

President Reagan represents the spirit that has made America strong. He began his eight years in office at a time when America appeared to be on the ebb—economically and militarily demoralized. But for President Reagan—it was morning in America. America during the Reagan years was an America of hopes fulfilled and a place where dreams came true. Reagan's America was to be a Shining City on a Hill—shining the light of freedom for all peoples throughout the world. This was his vision, a vision from which he never wavered.

In a speech given in 1964, President Reagan responded to his detractors, to those who said that only bigger and more powerful governments could provide security despite the price of freedom. He said:

They say the world has become too complex for simple answers. They are wrong. There are no easy answers, but there are simple answers. We must have the courage to do what we know is morally right. . . . You and I have a rendezvous with destiny. We will preserve for our children the last best hope of man on earth or we will sentence them to take the first step into a thousand years of darkness.

Throughout his life, President Reagan has fought against tyranny and oppression—against that thousand years of darkness. He did not shy back from calling the Communist Soviet Union an Evil Empire; He did not hesitate to support those freedom-fighters who were engaged in battle against tyranny; He fought back relentlessly against every attack against America's people and her interests.

His moral courage and his conviction that America should be the example for all who would desire freedom to pursue life, liberty and happiness never failed and he is an example to all Americans. Around the world today, we are harvesting the benefits of that vision and hard labor as more and more nations around the world are turning from tyranny and oppression to democracy and justice.

I still share President Reagan's vision of America as a Shining City on a Hill shining its light of freedom around the world. It is only fitting that we honor the lifetime and legacy of this great American hero by reminding all that travel through our National Airport, a major gateway into this Capitol city, of his unwavering service and strength of vision. As long as freedom is our watchword and liberty our call to arms, America will continue to so shine its light into the world for all to see.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I must reluctantly oppose HR 2625, the renaming of Washington National Airport for one of our former Presidents of the United States Ronald Reagan. I find it inappropriate that the forces of self interest are using public sympathy of an ailing President as a justification for their own efforts which are misguided and mystifying to me. Washington

National Airport already has an appropriate name, which was given to the airport when it opened in 1941. The word "National" is appropriate considering we live in the Capital of this Nation. The airport does not belong to the memory and ideology of one man or political party but it belongs to all citizens of the United States, regardless of party affiliation. We also need to remember that Washington Dulles International is already named after a Republican official. We have enough names in this city to pay homage to both Democrats and Republicans.

Some say that during the era of President Reagan, safety took a back seat to economics. After all, one of President Reagan's most controversial decisions was to fire air traffic controllers in 1981 and he prevented them from reapplying for their jobs. We also need to realize that as a Congress, it would be disrespectful to go against the wishes of the Member who represents that airport and who is opposed to this renaming bill.

Finally Mr. Chairman, I would like my colleagues to know that I am not here to undermine the Reagan Era, for after all he was the leader of this country at one time. But as a Congress we need to take a stand on renaming buildings, airports and monuments in order to fulfill political favors.

Mr. PAYNE. Mr. Chairman, I rise today to express my opposition to House Resolution 2625, a bill that would change the name of Washington National Airport to "Ronald Reagan National Airport." With all due respect to the former President, it is no secret that there was no love lost between President Reagan and this city. Over and over again, he stated emphatically that he did not hold this city in high regard. He was proud to call himself anti-Washington.

Clearly, when visitors arrive in their Nation's Capital, it is only appropriate the airport don the name of our Nation's first President. It would be inappropriate to name this airport after the man who in 1981, fired over 11,000 air traffic controllers and deprived the aviation industry of years of expertise and experience. The negative effects of President Reagan's actions are still visible today.

Evidently, I am not the only one who has these sentiments. My colleague, Mr. MORGAN, the Greater Washington Board of Trade, and both Arlington County and the city of Alexandria are officially opposed to H.R. 2625. Generally speaking, naming bills are enacted with the consent of the Member or community in which the building is located. I would support an amendment that requires the approval of local officials before an official name change takes effect. This partisan attempt to force a federally unfunded mandate onto a local community, as well as the city as a whole, contradicts President Reagan's own philosophies.

In addition, President Reagan has already been honored by having his name on a bridge in Illinois, a boulevard in New York, a beltway in Ohio, and a nuclear-powered aircraft carrier which is to be christened in 2000. Not to be forgotten is the 3.1 million square foot, \$818 million Ronald Reagan Building and International Trade Center which is located here in Washington, DC, only a few miles from the airport.

For better or for worse, I will concede that President Reagan was an influential President in our Nation's history, but there are many alternatives that could be considered to honor

his accomplishments, as well as his name. Unfortunately, these alternatives are not being considered by the proponents of this bill. Therefore, I urge you to join me in opposition of H.R. 2625.

Mr. SKAGGS. Mr. Chairman, today's debate is not about whether there will be a monument to Ronald Reagan's Presidency; there are several, and there will likely be more. The largest Federal building in Washington bears his name, as does the newest *Nimitz*-class carrier in the Navy's fleet.

Mr. Reagan was committed to, and perhaps best remembered for, keeping the Federal Government out of local affairs. That's what makes the renaming of this airport, over vociferous local opposition, so inappropriate.

Mr. Reagan signed the bill in 1986 that put Washington National Airport under local control. Today, the Federal Government no more controls Washington National Airport than it does the airports in Denver or Los Angeles.

Denver International Airport, like most major airports, was built with substantial help from the Federal Government but is operated by a local authority, accountable to the people it serves. If Congress were to attempt to rename Denver's DIA after former President Eisenhower, or LAX after John Denver, I suspect most here would adamantly oppose overriding local control. And the most devoted supporters of former President Reagan's belief in local control would lead the charge.

Yet that's the precedent we would set today by passing this bill. It stands for the absurd proposition that any airport can be renamed, without regard to local opinion.

Congress make a commitment to local control of Washington National Airport in 1986 under the Ronald Reagan administration. It would do no justice to his legacy to go back on that commitment now.

Mr. COSTELLO. Mr. Chairman, while I have a great respect for Ronald Reagan and what he was able to accomplish during his tenure in the White House, I strongly disagree with the proposal to rename Washington National Airport the Ronald Reagan National Airport.

Over the years, this body has named many buildings and public facilities for past presidents, including the new Ronald Reagan Trade Center in Washington, DC. However, to my knowledge we have never renamed a building, let alone an airport. To replace the name given to Washington National Airport—clearly named after the first president and founding father of our country, George Washington—with another president sets a terrible precedent.

There is overwhelming local opposition to renaming Washington National Airport. To do so is contradictory to the Republican philosophy that the Federal Government should stay out of local matters. The Airport Authority, which was granted control of Washington's two airports in 1986, does not support this name change. Representative JIM MORAN, who represents the district in which Washington National is located, opposes the redesignation as do many of his constituents in the airport's community. Further, the County of Arlington and the Greater Washington Board of Trade both oppose changing the name.

This attempt to rename Washington National Airport does not serve Ronald Reagan well. I cannot support this bill and I urge my colleagues to join me in voting against it.

Ms. KILPATRICK. Mr. Chairman, I rise today in opposition to the legislation before us

today, H.R. 2625, a bill that would rename Washington National Airport to the Ronald Reagan National Airport. This legislation usurps local authority, betrays the legacy of President Reagan, and would be an unfunded mandate to the hundreds of businesses located in Arlington, VA.

As a former State Representative for the State of Michigan and a current Member of Congress, I respect the position and office of the President. I also sympathize with the struggle that former President Reagan and his wife, Nancy, have shown with former President Reagan's challenge with Alzheimer's Disease. President Reagan and his family have my personal prayers and hope in battling this debilitating and destructive disease. I want to make it unequivocally clear that my opposition to this legislation is regarding its impact upon our tax payers, not because of any ill will toward the former President or his family.

I oppose this bill for many of the same reasons delineated in the committee report that accompanies H.R. 2625:

I. Renaming Washington National Airport would be against the wishes of the locality in which it is located, and is directly opposite the emphasis upon local control that was the fulcrum of President Reagan's philosophy. Congressman JIM MORAN (D-VA), the Member of Congress in whose district National Airport resides, Arlington County, VA, the City of Arlington, the Greater Washington Board of Trade, and former Virginia Governor Linwood Holton, the former Chairman of the Washington Airport Authority and the first Republican elected to statewide office in Virginia since the Reconstruction, opposes this legislation.

II. Renaming Washington National Airport would be against Federal precedents. Congress has never changed the name of a facility which already has a name. This policy has been followed by Democrats and Republicans alike. For example, the Department of Commerce building was not renamed when the late Secretary Ronald H. Brown died in the line of duty to his country. If this bill is adopted, all of our national monuments: the Washington Monument, Mount Rushmore, and numerous other buildings and edifices—might be renamed as well. To rename a building or edifice that has already been designated is a disgrace to the former honoree and the current honoree.

III. Renaming Washington National Airport is particularly puzzling because of his aviation policies. It is particularly ironic that an airport would be selected to be named after former President Reagan, as it was President Reagan who fired over 11,000 air traffic controllers after they went on strike in 1981, and then went on to prevent them from reapplying for their jobs far beyond any reasonable period of punishment. This overt union-busting tactic did little to improve the safety or security of our Nation's airways, and destroyed the financial well-being and livelihood of thousands of families across the Nation.

IV. Renaming Washington National Airport is not necessary to honor former President Reagan. President Reagan has been honored with the \$800 million International Trade Center in Washington, DC, the largest Federal building other than the Pentagon; by a Federal court house in California; and the newest *Nimitz*-class carrier in the Navy's fleet. It should be noted that construction on George Washington's monument did not begin until 49

years after his death; President Lincoln was not honored with a memorial until 44 years after his assassination, and the Jefferson and Roosevelt memorials were not complete until 134 and 52 years after their respective deaths.

President Reagan has already been honored. President Reagan will continue to be honored—but, he should be honored in a manner that is appropriate with his legacy of less Federal intervention in local affairs and no unfunded mandates on municipalities. The cost of this legislation could perhaps be better used to improve Michigan's roads and bridges, provide safer and affordable home health care to our seniors, or provide more before- and after-school programs for our youth. While I sincerely respect the position of the Presidency, I must oppose this legislation and will vote against it on final passage.

Mr. NADLER. Mr. Chairman, I rise today to oppose the removal of the name of the father of our country from Washington National Airport. While there are many people in American history deserving of recognition in their role in the development of our country, I do not believe that any of them made a larger contribution than our first President, a great patriot, George Washington.

Let us forget for just a moment that Washington National Airport is named for the father of our country, but instead for someone who won the "what are we going to name our airport lottery." Even in that situation, do we really want to follow the old Soviet Union model where we change the names of our cities and landmarks depending on the whims of whomever is in power? St. Petersburg which became Volgograd which became Leningrad and then became once more St. Petersburg. I don't think anyone on the other side of the aisle would appreciate it if, when Democrats regain control of the Congress we change the name of the Ronald Reagan Federal Building downtown to the Franklin Delano Roosevelt Federal building.

I would like to ask my colleague on the other side of the aisle why they would deny George Washington an airport? No one on this side of the aisle denied Ronald Reagan his landmark by naming the largest federal building in Washington, DC, after our former President. No one objected. The building did not yet have a name. Why is it that you want to deny George Washington his due?

Again, forgetting for a moment who this airport is named after, the name "Washington National Airport" is easily recognizable to shoppers and tourists alike. When people come to our nation's capitol they see the name of the City they have come to visit. They see Washington and know they are in our nation's capital. Changing the name would cost the Airport Authority millions of dollars to change signs and pamphlets. Additionally, it would go against the wishes of the people of the region who provided the main support for Washington National Airport. These people are proud of the name of their airport, they are proud to be the gateway to our nation's capital.

Ronald Reagan's legacy will be decided by history, and monuments to that legacy should not come at the expense of the wishes and desires of the local community and especially not at the expense of our first President, George Washington.

Mr. SHUSTER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule for 2 hours. The amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2625

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

SECTION 1. REDESIGNATION.

The airport described in the Act entitled "An Act to provide for the administration of the Washington National Airport, and for other purposes", approved June 29, 1940 (Chapter 444; 54 Stat. 686), and known as the Washington National Airport, shall hereafter be known and designated as the "Ronald Reagan National Airport".

SEC. 2. REFERENCES.

(a) *IN GENERAL.*—(1) *The following provisions of law are amended by striking "Washington National Airport" each place it appears and inserting "Ronald Reagan National Airport":*

(A) *Section 1(b) of the Act of June 29, 1940 (Chapter 444; 54 Stat. 686).*

(B) *Sections 106 and 107 of the Act of October 31, 1945 (Chapter 443; 59 Stat. 553).*

(C) *Section 41714 of title 49, United States Code.*

(D) *Chapter 491 of title 49, United States Code.*

(2) *Section 41714(d) of title 49, United States Code, is amended in the subsection heading by striking "WASHINGTON NATIONAL AIRPORT" and inserting "RONALD REAGAN NATIONAL AIRPORT".*

(b) *OTHER REFERENCES.*—*Any reference in a law, map, regulation, document, paper, or other record of the United States to the Washington National Airport shall be deemed to be a reference to the "Ronald Reagan National Airport".*

The CHAIRMAN. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments shall be considered as read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there amendments to the bill?

AMENDMENT NO. 1 OFFERED BY MR. DAVIS OF VIRGINIA

Mr. DAVIS of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. DAVIS of Virginia:

Page 3, after line 23, insert the following:

SEC. 3. EFFECTIVE DATE.

This Act shall take effect on the date that the Secretary of Transportation secures the consent of the Metropolitan Washington Airports Authority for the redesignation made by section 1.

Mr. DAVIS of Virginia. Mr. Chairman, this amendment is offered by myself, the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Virginia (Mr. MORAN), and the gentlewoman from Maryland (Mrs. MORELLA). It is bipartisan.

This amendment simply says that the act will take effect on the date that the Secretary of Transportation secures the consent of the Washington Metropolitan Airport Authority for the redesignation. Congress would go ahead and redesignate it, but we would ask the authority to share in that decision-making.

Let me explain to this body, I am a great fan of President Reagan's. I was his cochairman in Fairfax County, my county, in 1976, when he opposed the sitting Republican President, and in 1980. I was a delegate to various State and county conventions for Ronald Reagan in 1976, 1980 and 1984. His picture adorns the wall in my office. I believe he was a great President. I think he is worthy of great recognition.

But the good news and the bad news in this debate reminds me of a story of a man coming up for a dinner and saying, the good news is we have voted to make you man of the year; the bad news is it was a 5-to-4 vote. Ronald Reagan deserves more than a 5-to-4 vote. He deserves a mandate. We are not getting that here, we are not getting that in Congress the way this has developed, unfortunately.

Ronald Reagan stood for and warranted and recognized that localities should have control of this airport. Look at what Ronald Reagan's vision of a Metropolitan Washington Airport Authority, the legislation he signed in 1986, has done. If my colleagues have been out to Dulles and looked at the terminals out there and looked at the renovations that have been done, that would not have been completed if the Federal Government still owned and operated this airport. But under the leadership of the airport authority, under their bonding capacity, those renovations have been made and Dulles is now an international airport, and a model for international airports across the world.

Look at the new terminal at National. If there is one indicia of the legacy of Ronald Reagan, it is that terminal there at National Airport, which is new, it is modern, and it is a result of Ronald Reagan's work and legacy when he signed that legislation and gave control of the airport to the airport authority. That work would not have been done had it gone through the Federal appropriation process with the controls and the conflicts in terms of where the dollars are spent. So there is a Ronald Reagan legacy at National Airport.

This amendment simply allows the local airport authority, created by Ronald Reagan, signed into law by the President in 1986, to share in the renaming of this airport. This is not a partisan Republican, such as former

Governor Linwood Holton, the first Republican governor of the Commonwealth of Virginia, supported this amendment. A number of Reagan members of his administration serve on that authority and advisory and support this amendment and believe that Ronald Reagan would want local control honored in the renaming of any airport that he was involved in in creating that authority.

The airport authority has had 2 lawsuits against this Congress when we tried to intervene our mandate onto their authority. As the gentlewoman from the District of Columbia (Ms. NORTON) noted earlier, we lost both of them. What a terrible tragedy it would be if we were to pass this, if we were to be sued and lose this and have it overturned in court because of some judicial interpretation, and both of those earlier suits went to the U.S. Supreme Court. They were not just lower level cases.

Ronald Reagan deserves better than this. He was a great man. He deserves a mandate, not a sharply partisan debate, which is the way this has unfolded, unfortunately.

This amendment is not about the history of the airport. This region was originally the Washington Hoover Airport, where the Pentagon is, and it was the Gravely Point project; it developed from there into the National Airport and then later the Washington National Airport. It has a long history. This is not about Ronald Reagan's legacy, which is a legacy I think historians will treat very kindly: A President who presided over the demise of the Cold War, the falling of the Iron Curtain; a time of great prosperity, and who signed the Airport Authority Act into law in 1986, a landmark decision that helped make this the airport it is.

This amendment is about a principle that he stood for and believed in, and that I believe is local control. I think we not only violate local control, we violate the principles he stood for if we try to impose from Congress, without consultation and the approval of that local airport authority, which is chaired by a Republican, I might add, to have them participate in the process.

I would ask for approval of this amendment, Mr. Chairman. I think that this is the way to go. A lot of Members over here are wondering if this is the appropriate legacy, but no one here wants to vote against somebody who we consider to be a great President, and this I think allows the localities to share in this decision-making, as it should be, and I think as he would want it if he were here speaking. So I ask for approval of this amendment.

□ 1300

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I must rise in reluctant but very strong opposition to this amendment, because we believe it is

simply a circuitous way to kill this bill. It is very clear that when we passed the legislation creating the Metropolitan Washington Airports Authority, it was careful to transfer only operating, I repeat operating, responsibility to the new authority, not ownership. The Federal Government owns the airport and, therefore, the Federal Government can rename the airport.

A change in the name does not affect the airport authority's operational abilities. They can still safely and efficiently operate the airport whether it is called the Washington National Airport or the Ronald Reagan National Airport.

If it is a concern about financing, the rather insignificant costs of changing signs at the airport, the Ronald Reagan Legacy Foundation has volunteered to help finance those changes. But, in reality, this is really a roundabout way to kill the name change.

Proponents are well aware that the Washington Post reported that the airport board, which has a majority of Democratic appointments on it, would vote 6-to-4, a partisan vote, to kill the name change. So that is what this amendment really is all about. It is unnecessary and it would, in effect, kill the bill.

The naming of federally owned facilities is uniquely a Federal prerogative. That privilege and responsibility should not be abrogated by this facility or any other federally owned facility, and I strongly oppose the amendment.

Mr. DEFAZIO. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we are a country with a rule of law; and few things are more sacred under a rule of law than contracts. I always hate and hesitate to disagree with the gentleman from Pennsylvania (Mr. SHUSTER), my esteemed chairman, but I have got to disagree in this matter of how the airport was delegated and what authority the Federal Government retained.

It is quite clear. We gave them a 50-year minimum term lease, interpreted by most courts as being akin to ownership. We give them full power and dominion over and complete discretion in operation and development, development, of the airport. Not just operation, but development. And they shall have the same proprietary powers and be subject to the same restrictions with respect to Federal law as any other airport, which goes to some of the earlier arguments.

We did say this will be treated as any other airport in the United States. That is, we are not recognizing nor continuing the Federal authority to wade in and change the name or something else that we do not like, unless they violate the term of the lease.

The agreement went on to say that it would not be subject to the requirements of any law solely by reason of the retention of the United States Government of the fee simple title.

In paragraph after paragraph, principle after principle, we gave control to

a local authority, a local authority that is doing an admirable job in improving a facility which was outdated and undersized for current demands. They have created a beautiful new gateway to the Nation's capital at Washington National.

But now we are saying, well, we are all for local control, except when we disagree with the conclusions reached by majorities of local boards. I mean, we are either for it or we are against it. We stand on, I believe, no legal ground here.

If Congress does make this empty gesture today in passing this legislation and it becomes law, surely, as Congress has twice before in recent history, Congress will lose in the courts. Like it or not, we signed a 50-year contract. Contracts are sacred under the Constitution in this country. And, as I said earlier, we are also violating the spirit of one of the principles with which, and I think Ronald Reagan made some good changes in this country, and that is some of the movement back from a huge centralized Federal bureaucracy to local governments.

Mr. Chairman, I was a county commissioner at the time; and I agreed with the principle that he set forward. I disagreed with the fact that he took away all of our revenue-sharing money to carry out some of those duties. But I felt the principle was good, that the solutions that work in New York do not necessarily work in Springfield and Eugene, Oregon; and the Federal Government did not necessarily have the best handle on how to solve the problems of Eugene, Oregon, nor the people of New York.

We need here just to rein it in a little bit. Yes, his birthday is coming up Friday. But, just think, my colleagues on the other side of the aisle have already honored the President by naming the largest, newest, most expensive Federal building in the United States of America in terms of square feet outside of the Pentagon for Ronald Reagan. There is an aircraft carrier which will be launched in the year 2000 which will be named for Ronald Reagan. There are many other things which do not have names which could be named for Ronald Reagan, the B-1 bomber which he was a great champion of and Star Wars, for instance.

So I believe that rather than removing the name of the first President of our country, usurping the control which we granted by sacred contract to a local board, that Congress would be better served today to approve this amendment and say if the local board agrees and the local communities agree, we will go forward. But if they do not, this renaming will not go forward; and Congress will choose, in its full authority in cases that are fully clear, fully within our dominion, to name other things as the majority so wishes.

Mr. Chairman, I really want to thank the gentleman from Virginia (Mr. DAVIS) for offering this amendment,

which I offered in committee; and I particularly want to thank the other gentleman from Virginia (Mr. MORAN), who actually first brought this issue to my attention and the attention of my staff several weeks ago in saying that this was causing a local fire storm.

I mean, this is against the desires of local communities, local business, and the duly appointed local authority to whom Congress has given local control and dominion. This is not an appropriate tribute. This amendment should be adopted; then it becomes an appropriate tribute.

Mrs. MORELLA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Davis-DeFazio-Moran-Morella amendment to H.R. 2625, which would redesignate Washington National Airport as the Ronald Reagan Washington National Airport.

This amendment would leave the decision to rename Washington National Airport with the local Metropolitan Washington Airports Authority where it belongs.

When the Republicans became the majority party during the 104th Congress, we came into power on the theme of greater fiscal responsibility and more local control. This theme was consistent with former President Reagan's philosophy that the Federal Government should not carry out responsibilities that could be handled by State and local governments.

In keeping with this philosophy, President Reagan signed the legislation that in 1986 transferred control of Washington National Airport from the Federal Government to a local authority, the Metropolitan Washington Airports Authority, called MWAA.

During the first 45 years of National Airport's existence, it was owned by the Federal Government and operated by the Federal Aviation Administration. There were several attempts to transfer National to local control, but none was successful until President Ronald Reagan and Transportation Secretary Elizabeth Dole established an advisory commission to review the matter.

It was this advisory commission's report that brought about the transfer legislation that created the local authority, made up of members appointed by the governors of Maryland and Virginia and the Mayor of the District of Columbia.

Under the auspices of the Federal Government, National Airport was deteriorating and losing money. Under the auspices of MWAA, National has a new terminal and has undergone major renovation. These have been funded without any Federal contributions but with bonds and fund-raising efforts of the local authority. MWAA has been doing an outstanding job, and the airport indeed is the proud gateway to the Nation's capital.

Now, contrary to Mr. Reagan's philosophy, Congress is reaching into the affairs of National Airport, instead of

leaving the major decisions to the local authority.

I have been very involved in issues regarding National Airport during my tenure in Congress. It is our local airport. I pushed for policies that would ensure that the airport is safe and a good neighbor to the surrounding communities.

Mr. Chairman, no one ever contacted the local congressional delegation about the issue of renaming National Airport. No hearings were held. H.R. 2625 has come to the House floor without local input, and I think this betrays former President Reagan's legacy.

Mr. Chairman, I can tell my colleagues, from the phone calls and letters to my office, that the local governments oppose renaming National Airport. MWAA, the Greater Washington Board of Trade, and the Federation of Citizens Associations of the District of Columbia all oppose the name change.

In addition, renaming National would be costly and would hurt small businesses in and around the airport. These businesses would have to change signs, stationery, and other promotional materials at a significant cost. We should not impose this unfunded mandate on local businesses and on our local authority. Of course, there would be resulting confusion.

Let me add that there was one flaw in the legislation that transferred control of National Airport to a local authority. That flaw was the creation of the Congressional Review Board that had oversight over all the decisions made by MWAA. The constitutionality of this congressional oversight was challenged on two occasions by the local community, and the case went all the way to the Supreme Court. Twice, the Supreme Court decided that Congress exercised too much power over National Airport. In essence, the Supreme Court told Congress to stay out of the affairs of the airport and leave the daily operations and major decisions to MWAA, the Metropolitan Washington Airports Authority.

So I urge my colleagues to vote "yes" on the Davis-DeFazio-Moran-Morella amendment.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, with all due deference to lawyers and lawyer wannabees, a lease is not quite the same as ownership, no matter what the term of the lease; and I think that we need to recognize that fact.

Mr. Chairman, if there are those that simply politically disagree or personally disagree with renaming National Airport for President Reagan, then fine. But let us do away with some of these arguments that are cluttering up what is really going on here. The Federal Government owns National Airport. The fact that they have leased it to a local authority does not change the fact that the Federal Government owns that airport.

Some have suggested that President Reagan's name be affixed to Dulles International Airport. It is not quite the same. Mr. Chairman, Washington National Airport, the national airport at Washington, D.C., is the only airport in our country that is a national airport. It is the national airport. It is the only national airport. It is America's airport.

And as the airport for all of America, not for any locality, it is not Virginia's airport. It is not Maryland's airport. It is not Pennsylvania's airport. It is not Georgia's airport. It is America's airport. It is the airport that serves our Nation's capital. It is the only airport that directly serves our Nation's capital, and I believe that it is entirely within the prerogative of the United States Congress to name that airport as the people of this country through their representatives wish it to be named.

Mr. Chairman, make no mistake about it. This amendment is a killer amendment. It would gut and remove what we are trying to do here as representatives of the people, for the people, and by the people.

I urge my colleagues to vote this amendment down, recognizing it for what it is, and that is a killer amendment designed to kill this legislation and the intent of the legislation. I urge a "no" vote on this amendment, Mr. Chairman.

Mr. MENENDEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there are those who would like to make this debate and passage of this bill a referendum on whether or not we honor and respect President Reagan's service to the Nation. So let me say up front, while I may not agree with many of President Reagan's policies, I honor and respect his committed and dedicated service to his fellow citizens. I believe most us here today do feel that way.

But, unfortunately, this legislation is not about honoring his service. It is about honoring his politics. And there is a difference.

The gentleman from Georgia (Mr. BARR), the sponsor of this legislation, supported the bill by saying, quote, "It is only fit that this gateway to the city that still enjoys the Reagan legacy of smaller government and lower taxes be named after this American hero."

Former Governor Allen of Virginia was quoted in *The Washington Post* as saying, quote, "He noted with relish that, with the new name, generations of lawmakers would be greeted by a memorial to a famous opponent of Federal spending."

Honoring service is not a controversial matter. Honoring politics is. We need look no further than how this legislation is being viewed to tell how this effort is perceived.

□ 1315

It is the proponents of this bill who are doing a disservice to President

Reagan by using him as a political pawn to forward a contemporary agenda. But to be consistent, if the goal is to honor President Reagan's politics, then we could at least be presented with a bill in keeping with the spirit of his work. This bill does not even do that. In fact, it does just the opposite. It would place an unfunded mandate on the local airport authority. It takes power and decisionmaking away from the local officials who run the airport to name it as they see fit. It could add costs to private sector operations ranging from airlines to travel agents, but we did not even bother to hold a single hearing to find out what these costs might be. This bill does not honor the spirit of President Reagan's work. It flies in the face of it. It defies everything he stood for, and that is why we should adopt this amendment.

Worse yet, of all the times and of all the places we could choose to inject this politics over service rhetoric, using it to rename Washington National Airport is the most inappropriate of all. As its name says, Washington National Airport belongs to the Nation, to everyone, Democrat, Republican, Independent and alike, young and old, black and white, rich and poor. It welcomes visitors from around the Nation and around the world to our capital, where everyone has a say, where all views can be debated, where the majority may govern but the minority have rights, too.

We have already named various institutions for President Reagan. We think that those are appropriate. But in this case, we in the minority are exercising those rights not to deny President Reagan's honorable service, but to affirm that service, not politics, is the criteria and the way an entire Nation comes together to honor a leader. This is not the way to do it. The amendment should be passed, and in its absence, in its failure, the legislation should be defeated.

Ms. NORTON. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, this is a bipartisan amendment, and it is in that spirit that we usually change names or put names on buildings or monuments. It is an amendment that will be supported by some who are for the name change and some who are against the name change. This amendment is one that Members should rush to the floor to support because it simply says that local control should apply here as it does everywhere else. In this case local control would mean regional control.

This was the only airport under the control of the U.S. Congress for a very long time. The result was that an airport that was a state-of-the-art airport when it was opened became almost dysfunctional and unworthy of being the airport for the Nation's capital. What Congress wisely did was to create the Washington Regional Airport Authority, and what has emerged, is a beautiful new airport to show for it.

My colleagues, we simply cannot have it both ways, not under the law. This cannot be a regional or local airport when you pay for it and when you run it, but a national airport whenever the Congress feels like intervening into local affairs. Indeed, to have that kind of back and forth, even if it were legally permissible, would be the antithesis of local control. It would be arbitrary and capricious, and the courts have so found.

We wrote a lease which gave absolute, total control and discretion to the Washington Airports Authority. I assure my colleagues, we did not do that out of our great generosity. It was very controversial. Congress did not want to give up control of this airport because it regarded this as its airport with all of the perks attending that status. But Congress was forced to write a lease that gave full responsibility to the Washington Regional Airports Authority. And the reason it was forced to do so was that the legal status and the financial status of the new airport required it. We were simply not going to be able to float bonds, for example, at a reasonable rate if in fact the marketplace was not sure who was in control and who was not. So the words are simply unmistakable; words like "full authority," "complete discretion." There are simply no exceptions in the law or in the lease.

My colleagues do not have to believe me. Simply go to two Supreme Court decisions which have interpreted this language. The Supreme Court has interpreted this language twice. This language is designed to protect bondholders. And what will happen if the courts were to allow even a name change, intervention to change a name, to rename, is that it would send a message in the marketplace that you cannot tell when Congress may come in, and, therefore, we would destabilize the legal and the financial position of the Washington Regional Airports Authority. That is why, Mr. Chairman, this name change is not going to withstand another legal attack. What do we need—three Supreme Court decisions in order to get it? Congress has already lost twice.

This is no way to honor a President of the United States who is beloved by millions upon millions of Americans. But we are on our way not to a name change, we are on our way to a court suit unless this amendment passes. This amendment is a common-sense amendment, the kind of amendment that those who want this name will support, and the kind of amendment that I think could get them this name if they do it the right way, the way we have always done it in this House, the way we always do it in other locations.

This amendment leaves us with the only way to honor a President who lived for and by local control. I ask Members to support this common-sense amendment.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the Speaker of this body is in receipt of a letter from the chairman of the Metropolitan Washington Airports Authority that indicates that the action that we are about to take is likely illegal. I would urge the Speaker to release that letter to the body before we do act in an illegal manner. The letter addresses the legal authority that the gentlewoman representing the District of Columbia just referred to.

There is substantial cause to uphold the control that was ceded in 1986 to the Metropolitan Washington Airport Authority and compelling reason not to take away some part of that controlling authority. It does send the signal that not only jeopardizes its bonding authority and the ability to implement its other subsequent decisions, but it would have precedent in other situations where this Congress has ceded authority.

Speaking of Speaker GINGRICH, I would like to quote Speaker GINGRICH from the Congressional RECORD of 1986, when the authority was being granted to this Metropolitan Washington Airport Authority. The Speaker said, "Tonight we have the chance to get the Federal Government out of the business it has no business being in. The very scale and complexity of this resolution should remind all of us that managing legitimately Federal activities is a big enough job. It is time to allow a regional authority to do a regional job, that of managing airports."

"The fact is very simple." He goes on to say, "The Federal Government ought not be involved in dictating what regional airports ought to be doing." He says, "Do we allow the regional authority to both run the airport, getting it away from our attention and not cluttering us, or do we allow the regional authority to borrow the money, thus not having ourselves burdened?"

I am not going to take up the body's time, but it is clear from the Speaker's quotes as well as the language in the Senate debate, and Senator Dole was most explicit, that complete authority was given to the Metropolitan Washington Airport Authority. We did not retain authority to do what is being suggested be done today.

This has substantial adverse implications. That is why the business community is opposed to it. The business community's opposition has no political partisan basis. One rental car company told me that if the Congress does this, it is going to cost him \$200,000. It means that they have to change all their promotional materials. It means that the airport location is not going to be readily identifiable. Who knows where Ronald Reagan Airport is? It is going to take a time for the public to figure it out.

We made the arguments against doing this on the basis of history. I think those are compelling arguments. The airport stands on the very road that leads to George Washington's

home, Mount Vernon. The land was owned by George Washington's adopted son. We have a long historical relationship, and we can show that. Apparently that does not matter.

But I think it should matter to the Members when the chairman of the committee cites precedent. It is unprecedented to rename a facility or to name a facility in the jurisdiction of a Member of this Congress when that Member opposes that naming. This Member opposes the action that this body is considering. It is unprecedented to do this over the wishes of the Member, whether they be Republican or Democrat. In the past Democratic Congresses have always respected that custom.

I have good reason to be opposed to this because my constituency is opposed to this. The local governments have opposed this. We have made those letters available. They have good reason to be opposed to this. Respect the wishes of those local governments. Respect the constituencies that I am bound to represent.

Our opposition is not partisan. In fact, it is wholly consistent with President Reagan's philosophy of devolving power to local government. If we do this, it will be an arrogant abuse of power. It will be partisan. It will be wrong. We should not do this.

There are plenty of ways to recognize Ronald Reagan appropriately. We are going to be doing that very soon when we dedicate the International Trade Center, an \$800 million Federal building, in his honor. We are going to dedicate the next *Nimitz* class aircraft carrier in Ronald Reagan's honor. Those things are appropriate. This is inappropriate.

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I know, as I said at the outset, how the vote is going to come out on this. This is Republican dogma. And the Republican side is going to vote because some order has been passed from on high to vote for this name change. But I do want to make the reasoned argument; at least reason will be on our side, if not the votes.

When the compact was entered into pursuant to act of Congress in 1986 to create the Metropolitan Washington Airport Authority, there was very clear and specific language in the lease. It is broad. It is comprehensive in its scope.

"The Airports Authority is authorized to occupy, operate, control and use for the term of this lease all land, improvements, buildings, fixtures, easements, rights of interest, egress and appurtenances thereto belonging, owned by, used or controlled by or assigned to the United States of America."

□ 1330

Subject to the provisions of this lease, the airport's authority shall

have, consistent with the 50-year minimum term of this lease, full power and dominion over and shall have the same proprietary powers and be subject to the same restrictions with respect to Federal law as any other airport, except as provided herein.

The lease also contains what lawyers call a quiet enjoyment clause; that the airport's authority shall fully, peaceably and quietly occupy in joyful possession of the leased premises without hindrance or interference by the Secretary or any other person or entity. That is us, the United States Congress.

The United States, in the grant of authority to MWAA, did not reserve the right to change the airport's name, and any such action, in my judgment, is patently inconsistent with the broad scope of the lease rights that conferred control and full power and dominion over the airport.

In fact, the Congress did attempt to establish authority to interfere with or override actions of MWAA that it considered not in the broad public interest by creating a control board or an oversight board. On two occasions that oversight board was ruled unconstitutional by the U.S. Supreme Court. In my service then as chair of the Subcommittee on Aviation, I vigorously opposed reestablishing the authority of this oversight board. I felt we ought to get rid of it and, indeed, the Supreme Court twice ruled that this was an unconstitutional interference in executive branch authority.

So now the question comes up, well, supposing we do pass this legislation, it does become law, and the authority chooses not to change the name as directed by Congress. In the course of our committee markup I asked counsel, well, what authority do we then have? What action could we take if the airport authority would not put up new signs to reflect the change or other actions to reflect the change?

It was rather calmly and coolly suggested that Congress could compel the authority to change signs by taking away their Federal grants and their ability to levy local passenger facility charges to make safety and efficiency improvements. Pretty heavy-handed. An astonishing ruling. An astonishing arrogance to ourselves of power.

If carried out to its logical conclusion, that gives this Congress, gives our committee, authority to interfere in any airport anywhere in America under control of any local government by simply shaking our finger at them and saying, change your name, make some other change that we want done by an act of Congress or we will take away your airport improvement grant money; we will cancel your passenger facility charge authority.

That is an enormous arrogance of power and it opens a dangerous door through which none of us would want to tread. This is a dangerous precedent.

The amendment should be adopted; if not, the bill defeated.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, evidently the Congress is into the business of naming things after people who have nothing whatsoever to do with the facilities that are being named after them. I would say that while I had great personal affection for President Reagan and served with him, I would say that he had about as much to do with Washington National Airport as I have to do with an airport in Tibet. I am old-fashioned enough to believe that if we are going to name something after somebody, we ought to give the name to something with which that person is intimately associated.

So I would simply have a question. Would it not be more appropriate, for instance, to name the Bureau of Public Debt the Ronald Reagan Bureau of Public Debt? The act of this Congress that has made me more angry than any act since I have been here is the action that this Congress supinely took in 1981 when it whooped through here, with people in both parties voting for it, the Reagan budgets, which took the deficit, which had never been higher than \$74 billion, up to well over \$200 billion. It has taken us almost 20 years to dig out from under that, with strong efforts on the part of people in both parties to accomplish that fact.

And so I simply make that point to note that there ought to be a certain degree of appropriateness, and a certain connection between the name of the person and the act, and I think that would be at least as appropriate as the action being contemplated both by this amendment and by this bill in general.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. DAVIS].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. OBERSTAR. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 344, further proceedings on the amendment offered by the gentleman from Virginia [Mr. DAVIS] will be postponed.

Are there further amendments?

AMENDMENT OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. NORTON: Page 3, after line 23, add the following new section:

SEC. 3. EFFECTIVE DATE

This Act shall take effect on the date that the Metropolitan Washington Airports Authority secures funds other than funds from the operating budget of the Authority for all costs of carrying out the redesignation made by section 1.

Mr. SHUSTER. Mr. Chairman, I reserve a point of order.

Ms. NORTON. Mr. Chairman, my amendment simply keeps the promise of the House that there shall be no unfunded mandates. I do not believe that there is any Member of this House who would take exception to this amendment.

The bill itself represents a broken promise: No congressional mandates on Federal buildings without local consent. All I am asking is that we do not add cost to injury by adding cost to the operating budget of the Washington Regional Airport Authority.

The authority that runs the airport consists of four jurisdictions. This authority has not given its consent to this renaming or to accepting the cost. Two of the Members are from Maryland, five are from Virginia, three are from the District of Columbia, and three are Federal appointees. My amendment simply requires that funds outside the operating budget be obtained to carry out any renaming.

Now, those who are for the renaming ought to be the first to vote for this amendment; that is, if they have read the Supreme Court decisions which have interpreted the language to mean that the Congress cannot, in fact, impose its will on any issue at this time. At the very least, when this matter goes to court, and I predict that it will, Congress will be able to say that it did not add to the operating costs.

And that is important also to protect the financial position of the regional authority. The whole reason for the absolute language in the lease is to protect the financial position and the legal posture, and also to protect the Congress so that it is clear that the full faith and credit of the United States of America is not behind this airport at this time; that only bonds floated by this airport stand behind this airport.

My amendment simply says, that is right, we are not imposing on you any costs from Federal legislation, nor is there any Federal mandated cost, nor would any Federal costs be allowed for my bill. And we do not need any Federal costs to be imposed as well. If in fact Ronald Reagan's name is to be imposed on the airport from the top down, rather than the way it is always done in our country, from the bottom up, then certainly no costs should devolve to the local area.

But, Mr. Chairman, nobody has a shred of evidence of what the costs are because we were not given the courtesy of hearings. There is no information and no data. We do not know what the cost to government would be, governments around the world, the country, and regional. We do not know what the cost to the private sector would be. Essentially, what the Congress would be saying by passing this bill is, "It is not our cost, so why care?" Well, I tell my colleagues who does care. The business community and the public in this region who will bear those costs care.

There is very substantial injury to this region well beyond cost. What is in a name? Well, billions of dollars in real money and in good will are in a name. That we must all surely recognize from the fact that establishments now sell naming rights and earn millions of dollars simply by selling the right to put one's name on a building or on an es-

tablishment. We in the District of Columbia have just sold the naming rights to the wonderful new arena, which I invite Members to partake of, downtown. It is called the MCI Arena, not because we like it that way but because we got millions of dollars for getting it that way.

Over time billions of dollars are tied up in the name of the Washington National Airport. This is a major tourist region. This is the gateway to official Washington, named for the first President of the United States.

My amendment is surely one that the entire House can support. It is very short. All it does is to say to the regional folks that the money from this is going to come from elsewhere; it is not going to come from you. We are sure that those who want the airport renamed, many of them from the private sector, if there are costs, would in fact be able to raise those costs. There is no partisan content here. I ask for a bipartisan vote.

And, Mr. Chairman, I insert for the RECORD a letter from the Board of Trade opposing this change.

GREATER WASHINGTON BOARD OF TRADE,
Washington, DC., January 26, 1998.

Hon. BUD SHUSTER,

Chairman, Transportation and Infrastructure Committee, House of Representatives, Washington, DC.

DEAR CHAIRMAN SHUSTER: On behalf of the Greater Washington Board of Trade, I am writing to express our opposition to H.R. 2625 designed to change the name of Washington National Airport to the "Ronald Reagan Washington National Airport." With all due respect to President Reagan, we believe that renaming the airport would be very confusing to air travelers, visitors, and local residents alike.

If there is a compelling desire to memorialize President Reagan at Washington National Airport, we believe that a more appropriate recognition would be in renaming the new terminal in his honor. The revitalization of the terminal and other improvements can, after all, be traced to activities initiated during his term in office.

The Greater Washington Board of Trade is the chamber of commerce for the greater Washington region covering Northern Virginia, suburban Maryland, and the District of Columbia. Through the Transportation and Environment Committee, the Board of Trade addresses the needs of our region's transportation infrastructure and the environment.

Thank you for your consideration in this important matter.

Sincerely,

CHARLES A. DUKES, JR.,
Chairman, Transportation and Environment Committee.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is just a last ditch back-door effort to delay and, hopefully, kill this legislation. There are several important points I think that can be made in response.

First of all, there is no reason to delay because the cost of making this change is insignificant. Now, those are not my words, this is the Congressional Budget Office, which estimates that the costs "would not be significant." Further, the chairman of the airport

authority stated last year that the cost would be small. Third, it only cost the Houston Airport \$10,000 to change the name to the George Bush Intercontinental Airport. And with National Airport having a budget of \$259 million, this indeed is significant.

Beyond that, the Reagan Legacy Project has said that they would be willing to help in expenses, if it were necessary. So there is no reason to delay this.

And let me further deal with the issue of no hearings and moving quickly. In the 104th Congress we had five naming bills pass that did not go through the committee and had no hearings. In the 103rd Congress, six did not go through the committee hearings; 102nd Congress, three; the 101st Congress, four; the 100th Congress, six.

In fact, when we named the Thurgood Marshall building, that did not even come to committee. That was done directly here on the floor two days after Justice Marshall died, before he was even buried. So there is enormous evidence to suggest that we are not doing anything here unusual at all.

For all those reasons, I would urge that we defeat this amendment.

□ 1345

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am sure that the chairman of the full committee recognizes that the CBO estimate of cost only refers to the direct costs incurred by the airports authority. It does not include the very substantial cost that the small businesses in the private sector would incur.

I got a letter and subsequent phone calls from several companies. But one such company, an airport rental firm, estimated that it would cost them \$200,000 to make this name change. All of their National promotional materials have to be changed. And that is not one of the largest rental car companies. There are any number of businesses, hundreds of businesses, that refer to their location that serve Washington National Airport. All of that has to be changed.

This, in fact, is an unfunded Federal mandate, more so on private businesses than on the public entity, the airports authority. But it is on both. It is contrary to the legislation that we passed that we would not continue to do these unfunded Federal mandates.

But here we are again. When it suits our purposes, what difference does it make what we do to these local businesses? We want our will imposed. It is more important to us. They do not live in the area. They do not represent the area. So what is it to them?

Their people, if they care anything, they know about Ronald Reagan. They do not know anything about Arlington or Alexandria or the Greater Washington Board of Trade's concerns. But that is what Ronald Reagan told us. That was part of his philosophy: Respect the

wishes of local government; respect the wishes of small businesses. And they are going to incur very substantial costs.

I had an amendment that said, well, if we are going to do this, maybe we ought to start paying for parking at the airport and put those funds in a fund that would reimburse the small businesses for the costs that they are going to incur because we chose to impose our will on them.

Talk about rubbing salt into wounds. They thought they got the authority. They have to pay the expense. They issue the bonds. It is not Federal money. We get free parking, and then we decide how the airport should be named, despite the wishes of the local government.

Arlington has voted against it, Alexandria, the Greater Washington Board of Trade, any number of businesses that expect me to represent them and that would expect that this body would have some respect for them.

This is a good amendment. It should pass. It is completely consistent with what this Congress is supposed to be all about.

Certainly, the Republican side of the aisle ought to have some respect for small businesses, even if those small businesses do not happen to be in their own congressional district. It might even be nice if they showed a little respect for the Member who represents that district, because that Member would respect the wishes of them if it was going to be done in their district. But, no, this has too many national political implications, so the heck with it.

This came about because of a national solicitation for funds by a man by the name of Grover Norquist. He set part of this Reagan legacy project and then everybody goes along with it.

It is not right. It is not right to trample on the wishes of local government. It is not right to impose these fees on small businesses. My colleagues do not know whether they can afford that cost.

One of these rental car companies said, "This could drive me out of business if I have to change all my promotional materials. I just updated them all." But what do we care? It is nothing to us. We have the power of the purse. We have the power. We can exercise it at will. Well, this is an arrogant abuse of power. It should not be done. It is wrong, and it creates a precedent that is going to come back to haunt us.

I urge support for the amendment.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

Mr. MORAN of Virginia. Mr. Chairman, I object unless the gentleman is willing to yield so I can respond.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Pennsylvania (Mr. SHUSTER), distinguished member of the committee.

Mr. SHUSTER. Mr. Chairman, I thank my friend for yielding.

I simply wanted to make the point that there is nothing in the law that requires small businesses to change the signs. If I had a small business, I would use my signs and stationery that I had; and when it was appropriate and when it ran out, I would then change it. So I would expect over time this would occur and, therefore, would not be a financial burden on the small businesses.

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

I do want to say that I think it would have been appropriate for the gentleman's unanimous consent request to be concurred in so that he could speak, and I think there was simply a misunderstanding over here on our side.

So far, the costs that this bill will impose on the local airports authority are not known. It is conceivable that they will not be inconsequential or unsubstantial. The local authority should not be required to bear these costs when they have been given no voice in change of name.

Under the amendment pending, the costs do not have to be met by the Federal Government since a good deal of the motivation for the name change has come from private sources who want to name airports all over the country. In fact, it was suggested there ought to be a Ronald Reagan Airport named in every State, which raises the possibility we could take off from one State and land in another and not know where we are, we would always be landing in a Ronald Reagan Airport. But it is reasonable to expect that those who are advocating this name change should pay for it.

The CBO statement, which appears in our committee report on the bill, suggests its costs are likely to be minimal. It says that if the State of Virginia chose to change signs, costs would not exceed \$500,000. Well, that is \$500,000. If they have got a tight budget, that \$500,000 makes it all the more tight.

I certainly think that someone other than the Washington Metropolitan Airports Authority should bear the responsibility and the cost for any changes or any costs that may be incurred.

One that occurs to me is that, as one approaches the old terminal now as it is known, across the front of the terminal is the name Washington National Airport. It is engraved in stone, has been there since 1941. I have heard no discussion of whether it is the intent of this legislation to change that name, if we are going to have stonemasons come and replace those blocks of stone with others on which Ronald Reagan's name is carved, or whether there is the intention to lay another block of stone atop what is already there, put the name Ronald Reagan on it, and somehow the idea is to have a political billboard greeting people as they arrive at our Nation's capital.

So I am just wondering if there are stonemasons perhaps in the State of

Pennsylvania. My good friend, the gentleman from Pennsylvania (Mr. SHUSTER), might have some stonemasons there that might want to engage in this trade. Or whether the Majority has given any thought to the fact that this structure, the terminal building, is on the National Register of Historic Places and that to rename it, to change its facade, would require great exceptions under the National Historic Preservation Act. I do not think any thought has been given to that possibility.

So, as the gentlewoman from the District of Columbia (Ms. NORTON) proposes, there are costs. We have not thought a great deal about them in this rush to name the airport before President Reagan's birthday. We certainly, at least, ought to pause to give thought to the costs and let those who are proposing this name change bear those costs.

It is quite a responsibility on small businesses that depend upon the airport to have to go and change all of their materials to accommodate this name change that we have been hoisting upon the public here for very narrow partisan purposes.

The amendment is a good one. It raises the issue of costs which have not been carefully thought through, and it is one that ought to be adopted, and I urge support.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The amendment was rejected.

Mr. OBERSTAR. I move to strike out the last word. Mr. Chairman, within the 2 hours allotted for consideration of the bill, how much time remains?

The CHAIRMAN. There is 1 hour remaining.

Mr. OBERSTAR. Mr. Chairman, I intended to ask for a recorded vote on the Norton amendment.

The CHAIRMAN. That request comes too late.

AMENDMENT NO. 3 OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. MORAN of Virginia:

Page 3, line 2, strike "Ronald Reagan" and insert "George Washington".

Page 3, line 6, strike "Ronald Reagan" and insert "George Washington".

Page 3, lines 17 and 18, strike "RONALD REAGAN" and insert "GEORGE WASHINGTON".

Page 3, line 22, strike "Ronald Reagan" and insert "George Washington".

Mr. SHUSTER. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The point of order is reserved.

The gentleman from Virginia (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Virginia. Mr. Chairman, this amendment would clarify the name of Washington National Airport

since, apparently, there is a great deal of misunderstanding. It needs to be recognized, for example, that Franklin Roosevelt, in the commissioning of Washington National Airport, told the architects that the main terminal was to be designed to look like Mt. Vernon, the home of George Washington.

We can see it from perspective, which is difficult because most of us see it when we are right up on top of it and getting out of an automobile. If we look at it from the proper perspective, though, we can see that that is what the architects did.

I think it also is important to recognize that this land on which Washington National Airport is located was owned by John Park Custis, who was George Washington's adopted son, the only surviving son of Martha Custis Washington. He owned the property, lived there until his death at the battle of Yorktown. He was named to George Washington, who, after marrying Martha, treated John P. Custis as his own son.

Dr. David Stewart, who was then President Washington's physician, married J.P. Custis' widow and moved into the Abingdon estate, which is where Washington National Airport is located. Dr. Stewart was one of the three commissioners supervising the development of the Nation's new capital and personally named the city across the river the city of Washington and the territory of Columbia. It was clear that it was being named after George Washington, that Washington National Airport is named after George Washington.

□ 1400

J.P. Custis' son, George Washington Park Custis, who lived at both Abingdon and Mount Vernon, who was adopted by George Washington following the death of J.P. Custis, built Arlington House, better known as the Custis-Lee Mansion, which later became Arlington Cemetery. He was Robert E. Lee's father-in-law. All of this occurred on this land. That is why my constituents care so much about retaining the identification of Washington National Airport with George Washington.

There is a lot of history here. Washington National Airport is built on the very foundation of Abingdon Plantation. This is where these people lived.

In the promotional material for Washington National Airport, as the gentleman from Minnesota (Mr. OBERSTAR) has referred to, time and again they talk about George Washington treading on this land. His family owned this land. This was very important to him. That is why it is so important to us. He lived on the same road, at the very end of it, at Mount Vernon.

What this amendment would do is to make it clear that this airport is named after George Washington, as George Washington National Airport. That is the way it should continue to be named.

Mr. Chairman, I can understand people's respect for Ronald Reagan, but, I have to say, this dishonors Ronald Reagan's legacy. This is not right, and I know that neither President Reagan nor Mr. Reagan's family would want his name to be involved in such a contentious issue.

My constituents, who want to retain George Washington's name, do not want to be involved in any way in dishonoring Mr. Reagan's legacy. They do not want this to be such a contentious issue. But they jealously guard the name that this airport now has.

Not only does it honor George Washington, it also identifies where the airport is. It is helpful to the people who use the airport. It is going to be very confusing if it is renamed. People are not going to know where Ronald Reagan Airport is, because it could be anywhere in the country. Why would anyone figure it is going to be in Arlington, Virginia?

I think this is the kind of amendment that we should do, to make it clear that we will not get into this kind of partisan, contentious debate, ever again.

Mr. Chairman, I urge support for my amendment.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Pennsylvania (Mr. SHUSTER) insist upon his point of order?

Mr. SHUSTER. Mr. Chairman, I insist upon my point of order.

Mr. Chairman, as a preface to making it, I note my good friends on the other side, by making this amendment, have totally destroyed their argument about cost and lack of hearings, because this is going to cost money and this is going to cause hearings.

My point of order is this: My point of order against the amendment is on the ground it violates clause 7 of rule XVI of the rules of the House because it is not germane.

Clause 7 of rule XVI provides that no motion or proposition on a subject different from that under consideration shall be considered under color of amendment.

The amendment adds an additional proposition. It is not germane because it substitutes a new name. It substitutes George Washington for Ronald Reagan. The bill is narrowly limited to a certain name, and the substitution of another violates the House rules.

Also, interestingly, the law establishing the boundary between Virginia and D.C. names the airport as the Washington National Airport while referring to the adjacent parkway as the George Washington Memorial Parkway. This is further proof that the airport is named for the metropolitan area and not for the person, and I insist upon my point of order.

The CHAIRMAN. Does the gentleman from Virginia (Mr. MORAN) wish to be heard on the point of order?

Mr. MORAN of Virginia. Mr. Chairman, I do.

Mr. Chairman, in the other body they have named this airport Ronald

Reagan Washington National Airport. The point that I want to make is that no one knows, including our very respected, knowledgeable parliamentarians, whether the people who named the airport Washington National Airport were identifying with the geographical location or with the personal identification. That is my point.

The constituents who use it, in whose district it is located, feel that it is named after George Washington, rather than the geographical location. But who is to say? I do not know for sure.

I am sharing my point of view, and this goes directly to the point of order. I feel that it is named after George Washington, and so I do not see that it would be subject to a point of order simply to clarify that. Certainly you do not need to change any signs, when people already assume Washington National Airport means George Washington National Airport.

So I do not agree it should be subject to a point of order. I think it is entirely in order. I think this clarification is appropriate for this body to pass.

The CHAIRMAN. Do other members seek to be heard on the point of order?

The Chair would rule on the point of order. The gentleman from Pennsylvania (Mr. SHUSTER) makes a point of order that the amendment offered by the gentleman from Virginia (Mr. MORAN) is not germane to the bill.

The bill, H.R. 2625, seeks to redesignate the Washington National Airport as the Ronald Reagan National Airport. The bill consists of a single individual proposition. It proposes to redesignate a specific airport in honor of a specific person.

The amendment offered by the gentleman from Virginia (Mr. MORAN) seeks to substitute the name "George Washington" for the name "Ronald Reagan" in the bill. Clause 7 of rule XVI of the rules of the House requires that amendments be germane to the proposition to which offered. A general principle of germaneness rule is that one individual proposition may not be amended by another individual proposition, even though they may be of the same class. This principle is recorded on page 619 of the House Rules and Manual. The chair notes a relevant ruling on this principle. On February 9, 1910, the House was considering a bill providing for the erection of a statue to honor General Von Steuben. An amendment was offered to strike the word "Von Steuben" and insert "George Washington." Speaker Clark ruled that the proposition before the House was confined to a statue honoring General Von Steuben and that an amendment offering a proposition for the erection of a statue of George Washington was not germane. This ruling is codified in *Cannons Precedents*, Volume 8, Section 2955.

Because the pending text propose proposes a narrow individual proposition, the naming of a specific airport for a specific person, and the amend-

ment proposes to substitute a separate individual proposition, to wit, the naming of that airport for a different person, the amendment is not germane.

While the Chair acknowledges the difference of opinion expressed regarding the derivative nature of the current name of the airport, nothing in the committee report on the history of the naming of the airport, or as a matter of law of which the Chair is aware, indicates that the airport is now explicitly named in honor of George Washington. In addition, the Chair would note that a relevant statute, the Act of October 31, 1945, printed in part on page 10 of the committee report, illuminates a distinction between the George Washington Memorial Parkway and the Washington National Airport.

Accordingly, the point of order is sustained.

Are there further amendments?

Mr. DAVIS of Virginia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am disappointed to know George Washington has been overruled by the House Parliamentarian before today. I appreciate my friend offering that amendment, and it is not in order.

Mr. Chairman, I had an amendment that I was going to call up that would have at least clarified the Ronald Reagan National Airport, that is currently contained in the legislation, and would have made it the Ronald Reagan Washington National Airport. That would have stopped some of the confusion we hear. It would have kept Washington's name in it. Whether it demarks the location or a great President and Virginian, I am not certain. But as I understand it, there will be opposition on the other side to this amendment, so I will not bring it up at this point.

Am I correct there is to be opposition to that amendment to change it from Ronald Reagan National Airport to the Ronald Reagan Washington National Airport?

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Virginia. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I would find objection to the gentleman's amendment, along the same lines that had been offered by the majority to other amendments on this side, that that would be a killer amendment. I would also question whether it would be germane in light of the erudite ruling just elicited from the Chair.

Mr. DAVIS of Virginia. Mr. Chairman, reclaiming my time, it is not a killer amendment from this side of the aisle's point of view. If you do not consider it a killer, we do not consider it a killer amendment. I think it does bring some clarification. I have not had a parliamentary ruling.

I would hope, since there is opposition from the other side, and I am disappointed to hear that, at least in the conference, we could clarify that. If

this legislation is going to go through, I think it is very important that we keep the name Washington National Airport as a part of it. To many it is always going to be known as that. You have the DCA designation as it moves through customs and it moves through the baggage checks, and to change those, I think, creates a whole series of problems that were not contemplated by the bill's authors.

I would ask the chairman of the committee if he could assure me in conference if this is an accommodation that could be reached?

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Virginia. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I would say to my good friend that after conferring with our leadership, we indeed were prepared to accept the gentleman's amendment. I understand it is precisely the same language that is in the Senate. Therefore, it would be my hope and intention to accept the Senate's version of the language, which would then conform with what the gentleman are attempting to do.

I regret that our colleagues on the other side have indicated their opposition to including the name "Washington" in the name of the airport.

Mr. DAVIS of Virginia. Mr. Chairman, I thank my friend, and, with that, I will not call up the amendment.

Mr. OBERSTAR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do so to simply explain that I think in opposing the proposed but not offered amendment of the gentleman from Virginia (Mr. DAVIS), it would be appropriate to keep faith with the bill that emerged from committee, since the chairman in committee had offered a substitute for the introduced bill, which substitute struck the name "Washington" from the proposed name of the airport to call it Ronald Reagan National Airport instead of Ronald Reagan Washington National Airport. If that was the original purpose of the committee in reporting this bill, we ought to keep faith with it on the floor and let it go its merry way further.

Mr. DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Virginia.

Mr. DAVIS of Virginia. Mr. Chairman, I am certain that the chairman of the committee appreciates that kind of loyalty to his amendment.

Mr. OBERSTAR. Mr. Chairman, reclaiming my time, it is loyalty of the greatest and deepest felt sort.

Mr. DAVIS of Virginia. With that kind of bipartisan camaraderie, I look forward to working with the gentleman on other issues.

Mr. OBERSTAR. On other issues, indeed, that do not take over local control of airport naming.

Mr. HYDE. Mr. Chairman, I move to strike the last word.

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

Mr. HYDE. Mr. Chairman, I hate to prolong this debate, it has been prolonged too long, but there are some things that need to be said about the situation we find ourselves in.

Mr. Chairman, I really feel badly about the fact that this bill is going to be voted on and there will be a lot of red lights up there. I think the purpose of this bill is to honor a great American President, a great American President who is in the evening of his life, and of whom can be said more people are walking free in the world today because he was our leader for two terms. The very phrase "free world" owes much to this man whom we seek to honor, but whom we are trivializing, and whom this great honor for him has become a victim of what really is raw and petty politics.

"Mr. Gorbachev, tear down that wall"; the democratizations of central Europe, the unification of Germany, the dissolution of the Soviet Union, these are cosmic occurrences in our time and in our century that are worthy of recognition.

And, yes, I think the gentleman in whose district the airport belongs has an important role to play, but the airport is a national airport, and Ronald Reagan was a national figure, and I think there is something beyond the parochialism of a district. I say that with respect, but that is how I feel.

This man, Ronald Reagan, gave this country dignity, he gave it hope, he gave it optimism. It was his fervent desire to make this country a city on a hill, and he did it. He did it. He made us proud of our chief executive, proud of our government, proud of America, and he gave us something to look forward to.

This is simply a small effort to recognize that, and it ought not fall victim to petty politics. If Members deny there are petty politics involved here, I can only say they are fooling themselves, because everybody knows what is the problem here.

But here is a man deserving of the fullest recognition, especially as he is still living, and might in some way learn of what we are doing.

□ 1415

But to put red lights up there is to me demeaning and sad and unfortunate. Let us recognize the man who made America proud.

Mr. OBERSTAR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have enormous respect and deep affection for my good friend from Illinois, the Chairman of the Committee on the Judiciary. We have agreed on so many issues over the years. I just want to make it clear that this is not raw and petty politics. We are not trivializing Ronald Reagan's name or his legacy when we oppose the action proposed.

There was no such suggestion when the Democrats wholeheartedly supported the naming, without a murmur of dissent, of the Ronald Reagan Inter-

national Trade building in Washington, D.C. That was quite a monument, quite a monument for the President. When it is just a stone's throw from the White House, when it is in the heart of what is known as Federal Triangle, that is quite a monument. People from all nations will come there to discuss trade issues. Significant Federal Government agencies will be housed there. Remembering his legacy as workers and constituents from around the country come into that building. It is quite appropriate.

The issue is not do we honor Ronald Reagan, but do we take a good name off this airport and replace it with another albeit good name, I do not think that is appropriate.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, the gentleman had an opportunity not to take the Washington name off of the Washington National Airport, but simply to add to it Ronald Reagan, and the gentleman did not like to do that.

Also, just let me say, the gentleman is quite right. The Reagan building such as it is ought to satisfy people. But we have the George Washington Parkway, we have the Washington Monument, we have the City of Washington, D.C. It would seem to me in the Washington National Airport there would be room for a few more letters acknowledging and honoring President Reagan.

Mr. OBERSTAR. Mr. Chairman, reclaiming my time, I would argue also that the person who had most to do with National Airport was Franklin Delano Roosevelt, who was present at the groundbreaking, who was the driving force behind the construction of that airport, who laid the cornerstone for this building; who proposed a big ceremony to dedicate the newly completed airport, but who, on recommendation of his Secretary of Commerce and on his own gut instincts, said, as the darkening clouds of war are gathering, it is not a time, an appropriate time to have a celebration, and chose not to.

He was the first President, Franklin Roosevelt, to fly across the Atlantic. He convened the international conference that guides aviation trade agreements today, the Chicago conference in 1944, in which we negotiate trade rights in aviation among all nations of the world. He had more to do with aviation, I submit, than President Reagan did, and more to do with this airport, but never have we suggested, in the words of my good friend, adding a name, which is really changing a name, of an airport to add Franklin D. Roosevelt.

In fact, Franklin Roosevelt wanted for himself only the smallest monument, not larger than the size of a desk, a piece of stone some place in Washington. That is all he ever asked for. He did not ask to have a political

billboard greeting people in his name as they came to the Nation's capital. That is what is at stake here.

This name change was not fueled by a popular citizen movement, it springs from the Ronald Reagan Legacy Project, a movement begun by Americans for Tax Reform. It does not spring from the heart of America.

Why do we not designate a piece of ground in the Nation's capital to be a place where an appropriate memorial to the memory and legacy of Ronald Reagan will be erected? I will support that, as we have legacies for other Presidents. We waited 50 years to begin construction of the Washington Monument. We waited 130-some years to begin construction of the Jefferson Memorial. We waited well over 50 years before a memorial was built to Franklin Roosevelt's name. I am not sure that he would have liked that, frankly. As I said already, he wanted something very modest, very, very simple to be remembered by.

So this is not the appropriate way to honor the legacy of Ronald Reagan, and I urge defeat of the bill.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT NO. 6 OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I offer an amendment, Amendment No. 6.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. MORAN of Virginia:

Page 3, after line 23, add the following new section:

SEC. 3. EFFECTIVE DATE.

This Act shall take effect on the date that the Secretary of Transportation determines that a referendum proposing the redesignation made by section 1 has been approved by the voters of Arlington County, Virginia.

Mr. SHUSTER. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Mr. SHUSTER. Mr. Chairman, may we have a copy of the amendment?

Mr. MORAN of Virginia. Mr. Chairman, it is at the desk, and it has been printed. It was printed last night. It is Amendment No. 6, requiring a referendum.

The CHAIRMAN. The Clerk is endeavoring to distribute copies of the amendment.

Mr. MORAN of Virginia. Mr. Chairman, it is interesting that a point of order was raised before the chairman knew which amendment it was, but I assure the gentleman it was printed.

Mr. SHUSTER. Mr. Chairman, I would say to my friend, I believe that is the procedure.

Mr. MORAN of Virginia. Mr. Chairman, I assume that this is not taken off my time.

The CHAIRMAN. The gentleman is correct.

The gentleman from Virginia (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Virginia. Mr. Chairman, I guess I should wait for the Chairman to determine whether he wants to continue to raise a point of order against it, or reserve a point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania (Mr. SHUSTER) reserve a point of order?

Mr. SHUSTER. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman may wish to exercise that at the appropriate time.

Mr. SHUSTER. I make a point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) may continue.

Mr. MORAN of Virginia. Mr. Chairman, as I was saying, I have 2 amendments left that were filed last night. One of them I will not submit. That amendment would have required that the Members of Congress and the Senate and the judiciary would have to pay for their own parking at Washington National Airport and the receipts would then be used to offset the costs of changing this name. I will not do that.

However, I would like for the Members to consider how my constituents feel when they see Members of Congress getting parking for which they have to pay, for which Members of Congress do not have to pay, getting it closer to the airport than they are able to park. They resent that. However, I do not think that this is the way to address that, and I am perfectly willing to let that go.

I do think that Members of this body should give those constituents who live in the area where this airport is located, in Arlington County, Virginia, the opportunity to be heard on this issue that does affect them directly, and in fact, does cost the small businesses that work at Washington National Airport a substantial amount of money.

So what this amendment would do is to simply allow for a referendum; it would hold in abeyance our decision with regard to the renaming until there is a referendum conducted in Arlington County, Virginia. It would be conducted in November so there would be no additional expense, and we would hear from the local residents. This is consistent with hearing from local people as to how they feel about Federal Government directives. That is all this would do. There would be a public referendum, as there are already a number of referendums in many states, California particularly, and certainly a procedure that the other party has embraced in any number of other cases. That would give us a real sense of how the people most directly affected by this decision feel about it.

Do not take my word for it. Take the word of the majority. I am certainly willing to accept the democratic process. Let us see what the Democratic majority feel about it. Certainly both

parties are well represented in this community. Both parties would have every opportunity to make the case. After full consideration, because there was not a public hearing on this issue, after full consideration, they could then vote through the democratic process, but at least let the majority of citizens render a determination whether this is the right thing to do, whether this is the way that they choose to honor Ronald Reagan. I think this is an appropriate amendment. It is the kind of thing that we should do in any number of cases. Before we decide to impose our will from on top, let us listen to the local community. Let us see what the majority want to do, and let us take that into consideration before we make decisions that affect their daily lives.

So, Mr. Chairman, I would offer this amendment, and I would hope it would be accepted by the party in the majority. I would hope that maybe this could even set a precedent for this type of thing where it clearly is contentious, but where I am purporting to represent the majority. Perhaps I do not, and if I do not, then the majority's will is to be respected by this body. It is certainly consistent with President Reagan's philosophy of devolving power down to local government. That is where the rubber should hit the road, that is where the people are most directly affected, and that is where they should have the most influence over the conduct of our decision-making.

So I offer the amendment, and I hope it would be made in order. I hope that there will not be an objection to this common sense amendment that respects local government, respects local communities, respects the democratic process.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Pennsylvania (Mr. SHUSTER) insist upon his point of order?

Mr. SHUSTER. I insist upon my point of order, Mr. Chairman.

I make the point that indeed, this is an airport owned by the national government, not owned by Arlington County. The amendment violates clause 7 of rule XVI of the rules of the House because it is not germane. Clause 7 of rule XVI provides that no motion or proposition on a subject different from that under consideration shall be considered under color of amendment. The amendment adds an additional proposition.

It is not germane because it adds an unrelated condition. The amendment conditions the name change on a referendum by Arlington County voters. We would be imposing a new duty on Arlington County, which does not own the airport. It currently has no such responsibility.

Mr. Chairman, I insist upon my point of order.

The CHAIRMAN. Does the gentleman from Virginia (Mr. MORAN) wish to be heard on the point of order?

Mr. MORAN of Virginia. Mr. Chairman, I do not want to delay this any

longer out of respect for my colleagues. I think the point has been made. The point has been made on any number of these amendments. I would just hope that we would show respect, both for Ronald Reagan's legacy to respect the wishes of local governments and local communities, whether we agree with them or not, and to respect the democratic process of governance. But I will not say any more than that. I know Members want to get on and vote and dispatch this bill. I obviously object to what it does, both to Ronald Reagan's legacy, what it does to a local community and the way that it tramples upon the democratic process. I think it is an arrogant abuse of power.

The CHAIRMAN. If no other Members seek to be heard on the point of order, the Chair is prepared to rule.

The amendment provides that the effective date of the redesignation would be delayed pending the approval of a referendum by the voters of Arlington County, Virginia.

Clause 7 of rule XVI of the rules of the House requires that an amendment be germane to the proposition to which offered. The germaneness rule allows that an amendment delaying the effectiveness of proposed legislation can be made to depend on a related contingency. The Chair notes a relevant ruling on this principle in the 93rd Congress, an amendment proposing to delay the effectiveness of a bill pending the enactment of other legislation and requiring actions by entities not involved in the administration of the program affected by the bill was held not germane. This precedent is recorded in Deschler's Precedents, volume 11, chapter 28, section 31.7. In addition, the Chair has ruled on at least 2 other occasions that an amendment delaying the effectiveness of a bill pending the enactment of State legislation is not germane. These precedents are recorded on page 628 of the rules of the House Rules and Manual.

The condition the amendment seeks to impose on the redesignation is the approval of a referendum by the voters of Arlington County, Virginia, a local entity not responsible for the administration of the airport. Requiring the approval of an entity not charged with the administration of the airport is not a related condition under existing law. As such, an amendment imposing approval by the voters of Arlington County, Virginia as a contingency on the redesignation of the airport is not germane.

Accordingly, the point of order is sustained.

Are there further amendments to the bill?

□ 1430

Ms. JACKSON-LEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I did not engage in a discussion of the point of order that was made on the last amendment, but I do want to rise and acknowledge two points that have been made on this floor, and there are many others.

One, that a President of the United States deserves high honor. The gentleman from Illinois (Mr. HYDE), chairman of the Committee on the Judiciary, made that very plain in an all-so-eloquent statement; and I agree with that. The President of this Nation, whoever it might be, deserves high honor. That includes former President Ronald Reagan, and particularly the honor is appropriate at the time of the celebration of his birthday.

At the same time, I raise the other perspective; and this is a bipartisan perspective. Members who represent the community in which the entity that is sought to be named, both Democrats and Republicans, in this instance, have raised some concerns that I think we in the United States Congress need to consider. One, the involvement, if you will, of the community, so that it is one that is embraced by the community.

It seems that the presentation of this legislation, and maybe the lobbyists or the advocates that have pushed this legislation have gone somewhat far afield. In fact, they may have gone further than President Ronald Reagan may have even encouraged.

I do recognize that Republicans backing this legislation want to pay tribute to someone they honor. It is like trees wanting to celebrate sunshine. They view Ronald Reagan as their source of enlightenment. It is not my place to debate that.

However, I think the gentleman from Minnesota (Mr. OBERSTAR), our Ranking Member, and other Members are making valid points. Does this Congress change the names of buildings that are already named? Does Congress name a building in a congressional district against the wishes of the Congressperson of that district? These are questions that I think are extremely important.

Do we want to engage in partisan politics and do we not say to the American people that, in fact, we have a wonderful and beautiful new testament to President Reagan in the new Federal building that is for international trade? He was one who stood tall in international politics, and this building is an appropriate vehicle by which to honor him.

Mr. Chairman, then there is a more salient issue. I believe this debate started some time early afternoon, and my clock tells me it is 2:30, and we may still be continuing.

It is my point, Mr. Chairman, that there are other issues, such as reforming managed care and getting both better health facilities and service for Americans; the Patient Bill of Rights where we can reinforce the opportunities of choice between patient and physician; the availability of accountability for managed care entities; the need for better health in this country. These are issues, I believe, that the American people would much rather see us debate than have us debate something where we really do not even know what the

supporters across the country in America might even think of it that support President Reagan or anybody around him. We do not even know those facts.

Here we are raising up something that seems to be divisive that may cause, as the gentleman from Illinois (Mr. HYDE) said, a red light on the board.

I would only offer that it is extremely important that we focus on the business of making America a better place. We need reform in health care. In managed care, in particular, we need reform. The Patient Bill of Rights is extremely important. I am someone who has suffered through that with the loss and passing of my father. I know firsthand what happens when managed care entities do not properly function and serve those who are utilizing its services.

So, Mr. Chairman, I would certainly say, in closing, that we should honor our presidents. We should honor the office. We should honor the responsibility. In this instance, however, I think we do a disservice by not reflecting upon the desires of the community. Bipartisan concerns.

Republicans and Democrats have risen to this floor for local involvement. And, yes, we do not honor the name by bringing forward legislation that does not have a clear point in honoring someone who has served this country as President Reagan has served.

Mr. Chairman, I would ask that we find and respect his name by honoring him with this wonderful Federal building and saying to the American people that we thank him for his leadership and we want to do it in the right way, in a way that can be befitting of this Congress and the American people.

Mr. LIPINSKI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise because several speakers have talked about this being a very partisan issue. I do not really think it is that partisan of an issue, and what I am going to say here is what I said not too long ago at the Committee on Transportation and Infrastructure markup of this legislation.

That is that certainly, from my perspective, I am opposed to the renaming of Washington National Airport for Ronald Reagan. Not because I oppose Ronald Reagan. In fact, there are a few people on this side of the aisle, if any, that supported Ronald Reagan more than I did in the 6 years that I was here while he was President of the United States. In fact, there are some people on the other side of the aisle who were here, and still are here, who probably supported Ronald Reagan less than I did.

I remember back when we were debating the situation on Nicaragua and the President had a piece of legislation in to give military aid to the Contras, and that passed this floor by one vote. Poor Tip O'Neill was the Speaker of the House at that time, and he came very close to having a heart attack

when I voted on behalf of President Reagan and the military aid to the Contras. There were numerous other things that I supported the President on.

So I come to this floor today to express to everyone listening that I am not opposed to Ronald Reagan. Ronald Reagan is the only President that I served under that I have asked to have a picture taken of, my wife and I, Rose Marie, in the Oval Office of the White House. That is how enthusiastic I was of Ronald Reagan. I have been a fan of his since I first saw him play George Gipp in "The Knute Rockne Story."

But Ronald Reagan's greatest memorial is not an airport or a building here in Washington or in other States throughout the Union. His real memorial is in, as the gentleman from Illinois (Mr. HYDE) said, in Central Europe, in Eastern Europe, through the former Soviet Union where democracy is starting to grow or in some cases democracy has already bloomed, where the free markets, where capitalism are taking hold.

Someone said earlier that, because of Ronald Reagan, more people on this planet are freer than ever before in the history of the world; and I believe that to be absolutely true. I, myself, would have no problem seeing Ronald Reagan put up on Mount Rushmore. But I do not believe that it is appropriate to rename Washington National Airport after Ronald Reagan, simply because it has a name and there are many other monuments that we can name for former President Reagan.

Mr. GINGRICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have thought a good bit about the debate that has occurred both in the committee and in the Committee on Rules and on the floor and also in the Senate about naming the Ronald Reagan National Airport. I have partly reflected, as a former member of the Committee on Transportation and Infrastructure, on how often over the past years when I have been here Republicans, in a good spirit, voted yes to name buildings, to name airports. Because we felt that if there was somebody who was a national leader who had worked hard, even if they had been a partisan figure, that there comes a moment when we band together as Americans and we express it.

I just flew back from a meeting and landed at Kennedy Airport in New York. I did not think anything of it. I happen to serve on the board of the Kennedy Center, and it is totally appropriate.

Yet there has been more noise, more heat. I do not think a single Republican who has served in the House, who is currently serving, can remember the level of opposition, the level of explanation. People who are for it, but. They like President Reagan, but. They think there ought to be something named for him, but.

Yet I have to confess, as I was reading Dinesh D'Souza's brilliant new

book on Ronald Reagan which he called "How An Ordinary Man Became An Extraordinary Leader," that it is a real tribute to President Reagan that even today that there is so much passion about who he is. That, in fact, he was such a decisive agent of change that some Members on the other side still cannot quite accept that he might have something important named for him.

He arrived at a time when we had malaise. We were told there were limits to growth. We were told we had to accept high inflation, high unemployment. It was the American's people's fault that the system was failing. We had price controls on gasoline. People waiting in line routinely to buy gasoline. The Soviet empire was occupying Afghanistan. Taxes were high, take-home pay was low, and the American people felt miserable.

The man who was elected with the highest negatives of any person ever elected president walked into the Oval Office and in his very first act eliminated price controls for gasoline and ended all government bureaucratic controls of gasoline, and within 6 months the price had collapsed because the free market had worked and the gasoline shortage was over.

He announced proudly that we stood for freedom. He described the Soviet Empire as an Evil Empire to the great shock of political elites, and we were told later by Gorbachev it was quite helpful because they always thought it was evil, but it was useful to have somebody verify it.

He said the Berlin Wall should come down, and people thought he was fantasizing. He built up the American military on the grounds that, in the end, the Soviet Empire would account not compete with us. And within 8 years, the Berlin Wall had fallen, the Soviet Empire could not compete with us and, in fact, it is today gone.

It is politically incorrect to say we had won the Cold War, but let us me say unequivocally, Ronald Wilson Reagan led the United States to the cause of freedom and we won the Cold War and there is today no Soviet Empire. And, for that alone, he deserves a historic role.

But he did more. He said lower marginal tax rates, encourage entrepreneurs, create economic growth. We are today in a continuation of the entrepreneurial boom that began with Ronald Reagan and which, with the exception of one brief recession brought about by a tax increase, in fact has been continuous since late 1982.

He said we should be proud about being Americans. He was the proudest of Americans; and, under him, we revived American culture. People came back once again to have the sense not that there were limits to growth, not that there was malaise, not that poverty was inevitable, but instead that our only limits were those of the spirit and the mind, that every American had the right to pursue happiness. And, as President Reagan said so often, "You

ain't seen nothing yet." That is the spirit he rekindled.

So a man who in one brief appearance on the world stage defeated the Soviet Empire, reestablished American strength, rekindled the American spirit, revalidated American culture, and launched a 20-year economic boom of entrepreneurial invention I think deserves to be remembered.

Let me say there has been some confusion. Nancy Reagan did not ask for this. She sought, and the President sought, no personal aggrandizement. On the other hand, I think she would be very gratified if the Congress on its own decided this was an appropriate thing. The family has not been out seeking anything. But, on the other hand, they know that their father did great things and they would be, I think, humbly grateful if we were willing to recognize him for that.

□ 1445

Finally, more than any President in my lifetime, President Reagan came close to taming Washington, D.C. It will somehow be very fitting that as people come from overseas to the capital of freedom they will be landing at the Ronald Reagan airport. It will be even more fitting as taxpayers fly in from all over America to demand that we reform the IRS, to demand that we keep a balanced budget, to demand that we lower taxes, to demand that we get government out of their lives that they land at the Ronald Reagan airport.

This is a good proposal. It is a sound proposal. It is one which reflects President Reagan's commitment to history. I hope every Member will put aside partisanship and every Member will put aside pettiness and decide to honor a very great man on this week of his birthday.

AMENDMENT NO. 1 OFFERED BY MR. DAVIS OF VIRGINIA

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from Virginia (Mr. DAVIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 206, noes 215, not voting 10, as follows:

[Roll No. 4]

AYES—206

Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (NE)
Barrett (WI)
Bentsen

Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell

Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Carson
Clay

Clayton
Clement
Clyburn
Collins
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Etheridge
Evans
Farr
Fazio
Filner
Forbes
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gilchrest
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John

Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-
McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul

Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Wolf
Woolsey
Wynn
Yates

NOES—215

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth

Christensen
Coble
Coburn
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske

Gekas
Gibbons
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich

Kelly	Packard	Shimkus
Kim	Pappas	Shuster
King (NY)	Parker	Skeen
Kingston	Paxon	Smith (MI)
Klug	Pease	Smith (NJ)
Knollenberg	Peterson (PA)	Smith (OR)
Kolbe	Petri	Smith (TX)
LaHood	Pickering	Smith, Linda
Largent	Pitts	Snowbarger
Latham	Pombo	Solomon
LaTourette	Porter	Souder
Lazio	Portman	Spence
Lewis (CA)	Pryce (OH)	Stearns
Lewis (KY)	Quinn	Stump
Linder	Radanovich	Sununu
Livingston	Ramstad	Talent
LoBiondo	Redmond	Tauzin
Lucas	Regula	Taylor (NC)
Manzullo	Riggs	Thomas
McCollum	Riley	Thornberry
McCrary	Rogan	Thune
McDade	Rogers	Tiahrt
McHugh	Rohrabacher	Traficant
McInnis	Ros-Lehtinen	Upton
McIntosh	Roukema	Walsh
McKeon	Royce	Wamp
Metcalf	Ryun	Watkins
Mica	Salmon	Watts (OK)
Miller (FL)	Saxton	Weldon (FL)
Moran (KS)	Scarborough	Weldon (PA)
Myrick	Schaefer, Dan	Weller
Nethercutt	Schaffer, Bob	White
Neumann	Sensenbrenner	Whitfield
Ney	Sessions	Wicker
Northup	Shadegg	Young (AK)
Norwood	Shaw	Young (FL)
Oxley	Shays	

NOT VOTING—10

Abercrombie	Fattah	Schiff
Barcia	Gonzalez	Torres
Becerra	Hergert	
Eshoo	Leach	

□ 1508

Messrs. QUINN, RADANOVICH and TALENT changed their vote from "aye" to "no."

Ms. KILPATRICK, Mr. PASCRELL, Mr. BAESLER, Ms. PELOSI, and Messrs. MCDERMOTT, RAHALL, WEYGAND and HALL of Texas changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HANSEN) having assumed the chair, Mr. COMBEST, Chairman 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. 2625) to redesignate Washington National Airport as "Ronald Reagan Washington National Airport," pursuant to House Resolution 344, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBERSTAR

Mr. OBERSTAR. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman from Minnesota opposed to the bill?

Mr. OBERSTAR. I am opposed to the bill, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBERSTAR moves to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. FINDING.

Congress finds that Ronald Wilson Reagan was the forty-second President of the United States and is deserving of have a structure that will be seen by many visitors to the Nation's capital named in his honor.

SEC. 2. NAMING OF TERMINAL BUILDING AT WASHINGTON NATIONAL AIRPORT.

The Metropolitan Washington Airports Authority is urged to use its existing authority to name the terminal building that opened in 1997 at Washington National Airport as the "Ronald Wilson Reagan Terminal Building" and that signs and other appropriate designations should be erected to reflect the name of the terminal building.

Amend the title so as to read as follows: "A bill to urge the Metropolitan Washington Airports Authority to name the terminal building that opened in 1997 at Washington National Airport as the 'Ronald Wilson Reagan Terminal Building', and for other purposes."

□ 1515

Mr. OBERSTAR. Mr. Speaker, I offer my colleagues an opportunity to designate an appropriate memorial to President Ronald Reagan without a single dissenting vote.

As was indicated by the previous vote, there is not complete bipartisan support. There are many on the other side of the aisle who voted crossing their fingers with a little check in their throat. This is not the right way to go about designating an appropriate memorial to the memory of Ronald Reagan.

The motion to recommit that I have offered has precedent. The precedent for the motion I offer is that offered by no less than the Senate Minority Leader in 1990, almost 8 years to the week, Senator Dole, who offered a joint resolution to urge the Washington Metropolitan Airports Authority to use its existing authority to change the name of Washington-Dulles International Airport to Eisenhower International Airport.

Note, Senator Dole rose to urge the Washington Metropolitan Airports Authority to use its authority to change the name of Washington-Dulles to Eisenhower International. He was in the Senate when the legislation was introduced and enacted to create the Metro-

politan Washington Airports Authority to rebuild both Dulles and Washington National.

His great wife was the Secretary of Transportation at the time. Senator Dole understood fully the importance of the transfer of authority from the Federal Government to the Airports Authority created by that legislation. He did not presume to rush in and rename National Airport on the sole fiat and power of the United States Congress but rather, as I propose here modestly, to urge the Metropolitan Washington Airports Authority to use its authority to change the name of this airport.

I propose to name the terminal, which does not now bear a name. I am opposed to renaming, I am opposed to taking a good name, anyone's good name, off a building and renaming it. But I do not oppose naming that which does not now bear a name or a title. There is no name. There is no title for the new terminal. That is the greatest contribution of the legislation submitted to the Congress by President Reagan, building of the new terminal and reconstructing Dulles Airport.

I think it is entirely appropriate that we should name the terminal for Ronald Reagan. It does not now bear a name. We will not be doing a disservice to anyone. We will not be creating a precedent for this Congress to come in and name any other airport in the country simply because we have given that airport Federal grant funds from the airport improvement program and thereby arrogate to ourselves the power to rename any airport in America. That is not right.

Naming the terminal would be appropriate. I think that would be a fitting memorial; and if there are other memorials that my colleagues on the Republican side propose to offer and to construct in the name of President Reagan, I will support those. But do not take a good name. My colleagues would not want their good name taken off any structure, any building, or off their own door. Do not take Washington National's good name off that airport.

Mr. Speaker, I yield to my colleague the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the gentleman from Minnesota (Mr. OBERSTAR) for the arguments that have been made today; and I would say, if it matters to any of my colleagues, that I am the Member who represents the area where Washington National Airport is located.

Mr. Speaker, if we were to agree to this recommittal, I daresay it would probably be unanimous. What a fitting tribute for President Reagan to have a unanimous vote of this body. It would be fully accepted by all the people and the businesses that are located in Northern Virginia. This is a beautiful terminal, millions of dollars. It is state-of-the-art. It has no name now, so there is no need to strip George Washington's name from it.

Mr. OBERSTAR. Mr. Speaker, reclaiming my time, because there is only a second left, this is not a killer amendment. We will support and advocate the Airports Authority to name the terminal.

The SPEAKER pro tempore (Mr. HANSEN). Is the gentleman from Pennsylvania opposed to the motion to recommit?

Mr. SHUSTER. I am, Mr. Speaker; and I yield to my good friend the gentleman from Texas (Mr. DELAY), the distinguished Majority Whip.

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. SHUSTER) is recognized for 5 minutes, and he yields to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Speaker, this motion to recommit is one of the saddest motions I have ever seen. This is, to me, a personal insult to Ronald Reagan. I can understand voting against the bill if my colleagues do not want the airport named after Ronald Reagan. But to say that it is okay to name a terminal after Ronald Reagan is an insult to the name of one of the greatest presidents that has ever served this country, and I hope the Members will understand it that way.

If they want to vote against the bill, vote against it. Or if they want to name this terminal after a congressman, go right ahead.

In Houston, Texas, we named a terminal after Mickey Leland; and he deserved the naming of that terminal. But we named the entire airport after George Bush. And to name it after a terminal is just an insult. I hope our Members will vote no against this motion to recommit.

Mr. SHUSTER. Mr. Speaker, make no mistake about it, this does kill the naming of the airport for Ronald Reagan. President Reagan deserves more than simply to have a terminal bearing his name. Other important people, including presidents of the United States, have airports named after them. The Kennedy Airport is named after President John F. Kennedy, not simply a terminal at the airport.

Mr. Speaker, the airport in Houston, the airport, is named after President Bush, not simply a terminal. Washington-Dulles International Airport, the airport, is named after a former Secretary of State, not simply a terminal. The John Wayne Airport is named after an actor, not simply a terminal. In all of these cases, the entire airport is named for the individual, named after an important person.

President Reagan's legacy is worthy of similar treatment, indeed even greater treatment. I strongly oppose this motion to recommit and urge its rejection.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. 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 passage of the bill.

The vote was taken by electronic device, and there were—yeas 186, nays 237, not voting 8, as follows:

[Roll No. 5]

YEAS—186

Ackerman	Hamilton	Oberstar
Allen	Harman	Obey
Andrews	Hastings (FL)	Olver
Baldacci	Hefner	Ortiz
Barcia	Hilliard	Owens
Barrett (WI)	Hinchey	Pallone
Bentsen	Hinojosa	Pascrell
Berman	Holden	Pastor
Berry	Hooley	Payne
Bishop	Jackson (IL)	Pelosi
Blagojevich	Jackson-Lee	Peterson (MN)
Blumenauer	(TX)	Pickett
Bonior	Jefferson	Pomeroy
Borski	John	Poshard
Boswell	Johnson (WI)	Price (NC)
Boucher	Johnson, E. B.	Rahall
Boyd	Kanjorski	Rangel
Brown (CA)	Kaptur	Reyes
Brown (FL)	Kennedy (MA)	Rivers
Brown (OH)	Kennedy (RI)	Rodriguez
Cardin	Kennelly	Roemer
Carson	Kildee	Rothman
Clay	Kilpatrick	Roybal-Allard
Clayton	Kind (WI)	Rush
Clement	Klecza	Sabo
Clyburn	Klink	Sanchez
Condit	Kucinich	Sanders
Conyers	LaFalce	Sandlin
Costello	Lampson	Sawyer
Coyne	Lantos	Schumer
Cramer	Levin	Scott
Cummings	Lewis (GA)	Serrano
Danner	Lipinski	Sherman
Davis (FL)	Lowe	Sisisky
Davis (IL)	Luther	Skaggs
DeFazio	Maloney (CT)	Skelton
DeGette	Maloney (NY)	Slaughter
Delahunt	Manton	Smith, Adam
DeLauro	Markey	Snyder
Dellums	Martinez	Spratt
Deutsch	Mascara	Stenholm
Dicks	Matsui	Stokes
Dingell	McCarthy (MO)	Strickland
Dixon	McCarthy (NY)	Stupak
Doggett	McDermott	Tanner
Dooley	McGovern	Tauscher
Doyle	McIntyre	Thompson
Edwards	McKinney	Tierney
Engel	McNulty	Torres
Etheridge	Meehan	Towns
Farr	Meek	Velazquez
Fattah	Menendez	Vento
Fazio	Millender	Visclosky
Ford	McDonald	Waters
Frank (MA)	Miller (CA)	Watt (NC)
Frost	Minge	Waxman
Furse	Mink	Wexler
Gephardt	Moakley	Weygand
Goode	Mollohan	Wise
Gordon	Moran (VA)	Woolsey
Green	Murtha	Wynn
Gutierrez	Nadler	Yates
Hall (OH)	Neal	

NAYS—237

Abercrombie	Bartlett	Boehner
Aderholt	Barton	Bonilla
Archer	Bass	Brady
Armey	Bateman	Bryant
Bachus	Bereuter	Bunning
Baessler	Billbray	Burr
Baker	Bilirakis	Burton
Ballenger	Bliley	Buyer
Barr	Blunt	Callahan
Barrett (NE)	Boehlert	Calvert

Camp	Hobson	Portman
Campbell	Hoekstra	Pryce (OH)
Canady	Horn	Quinn
Cannon	Hostettler	Radanovich
Castle	Houghton	Ramstad
Chabot	Hulshof	Redmond
Chambliss	Hunter	Regula
Chenoweth	Hutchinson	Riggs
Christensen	Hyde	Riley
Coble	Inglis	Rogan
Coburn	Istook	Rogers
Collins	Jenkins	Rohrabacher
Combest	Johnson (CT)	Ros-Lehtinen
Cook	Johnson, Sam	Roukema
Cooksey	Jones	Royce
Cox	Kasich	Ryun
Crane	Kelly	Salmon
Crapo	Kim	Sanford
Cubin	King (NY)	Saxton
Cunningham	Kingston	Scarborough
Davis (VA)	Klug	Schaefer, Dan
Deal	Knollenberg	Schaffer, Bob
DeLay	Kolbe	Sensenbrenner
Diaz-Balart	LaHood	Sessions
Dickey	Largent	Shadegg
Doolittle	Latham	Shaw
Dreier	LaTourette	Shays
Duncan	Lazio	Shimkus
Dunn	Leach	Shuster
Ehrlich	Lewis (CA)	Skeen
Emerson	Lewis (KY)	Smith (MI)
English	Linder	Smith (NJ)
Ensign	Livingston	Smith (OR)
Evans	LoBiondo	Smith (TX)
Everett	Lofgren	Smith, Linda
Ewing	Lucas	Snowbarger
Fawell	Manzullo	Solomon
Filner	McCollum	Souder
Foley	McCrery	Spence
Forbes	McDade	Stabenow
Fossella	McHale	Stark
Fowler	McHugh	Stearns
Fox	McInnis	Stump
Franks (NJ)	McIntosh	Sununu
Frelinghuysen	McKeon	Talent
Gallely	Metcalf	Tauzin
Ganske	Mica	Taylor (MS)
Gejdenson	Miller (FL)	Taylor (NC)
Gekas	Moran (KS)	Thomas
Gibbons	Morella	Thornberry
Gilchrest	Myrick	Thune
Gillmor	Nethercutt	Thurman
Gilman	Neumann	Tiahrt
Gingrich	Northup	Trafficant
Goodlatte	Norwood	Turner
Goodling	Nussle	Upton
Goss	Oxley	Walsh
Graham	Packard	Wamp
Granger	Pappas	Watkins
Greenwood	Parker	Watts (OK)
Gutknecht	Paul	Weldon (FL)
Hall (TX)	Paxon	Weldon (PA)
Hansen	Pease	Weller
Hastert	Peterson (PA)	White
Hastings (WA)	Petri	Whitfield
Hayworth	Pickering	Wicker
Hefley	Pitts	Wolf
Hill	Pombo	Young (AK)
Hilleary	Porter	Young (FL)

NOT VOTING—8

□ 1543

Mr. STARK and Mr. HORN changed their vote from "yea" to "nay."

Mr. BARCIA changed his vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HANSEN). The question is on the passage of the bill.

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

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5 minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 186, not voting 5, as follows:

[Roll No. 6]

YEAS—240

Aderholt	Gilcrest	Norwood
Archer	Gillmor	Nussle
Army	Gilman	Oxley
Bachus	Gingrich	Packard
Baesler	Goodlatte	Pappas
Baker	Goodling	Parker
Ballenger	Goss	Paxon
Barr	Graham	Pease
Barrett (NE)	Granger	Peterson (PA)
Bartlett	Greenwood	Petri
Barton	Gutknecht	Pickering
Bass	Hall (TX)	Pitts
Bateman	Hansen	Pombo
Bereuter	Harman	Porter
Bilbray	Hastert	Portman
Bilirakis	Hastings (WA)	Pryce (OH)
Blagojevich	Hayworth	Quinn
Bliley	Hefley	Radanovich
Blunt	Hill	Ramstad
Boehlert	Hilleary	Redmond
Boehner	Hobson	Regula
Bonilla	Hoekstra	Riggs
Brady	Holden	Riley
Bryant	Horn	Rogan
Bunning	Hostettler	Rogers
Burr	Houghton	Rohrabacher
Burton	Hulshof	Ros-Lehtinen
Buyer	Hunter	Roukema
Callahan	Hutchinson	Royce
Calvert	Hyde	Ryun
Camp	Inglis	Salmon
Campbell	Istook	Saxton
Canady	Jenkins	Scarborough
Cannon	Johnson (CT)	Schaefer, Dan
Castle	Johnson, Sam	Schaffer, Bob
Chabot	Jones	Sensenbrenner
Chambliss	Kasich	Sessions
Chenoweth	Kelly	Shadegg
Christensen	Kennedy (MA)	Shaw
Coble	Kennedy (RI)	Shays
Coburn	Kennelly	Shimkus
Collins	Kim	Shuster
Combest	King (NY)	Skeen
Cook	Kingston	Smith (MI)
Cooksey	Klug	Smith (NJ)
Cox	Knollenberg	Smith (OR)
Crane	Kolbe	Smith (TX)
Crapo	Kucinich	Smith, Linda
Cubin	LaHood	Snowbarger
Cunningham	Largent	Solomon
Davis (VA)	Latham	Souder
Deal	LaTourette	Spence
DeLay	Lazio	Stearns
Diaz-Balart	Leach	Stump
Dickey	Lewis (CA)	Sununu
Doolittle	Lewis (KY)	Talent
Doyle	Linder	Tauzin
Dreier	Livingston	Taylor (MS)
Duncan	LoBiondo	Taylor (NC)
Dunn	Lucas	Thomas
Ehlers	Manzullo	Thornberry
Ehrlich	Martinez	Thune
Emerson	McCarthy (NY)	Tiahrt
English	McCollum	Traficant
Ensign	McCrery	Turner
Evans	McDade	Upton
Everett	McHugh	Vento
Ewing	McInnis	Walsh
Fawell	McIntosh	Wamp
Foley	McKeon	Watkins
Forbes	Meehan	Watts (OK)
Fossella	Metcalfe	Weldon (FL)
Fowler	Mica	Weldon (PA)
Fox	Miller (FL)	Weller
Franks (NJ)	Moran (KS)	White
Frelinghuysen	Myrick	Whitfield
Gallely	Nethercutt	Wicker
Ganske	Neumann	Wolf
Gekas	Ney	Young (AK)
Gibbons	Northup	Young (FL)

NAYS—186

Abercrombie	Bishop	Cardin
Ackerman	Blumenauer	Carson
Allen	Bonior	Clay
Andrews	Borski	Clayton
Baldacci	Boswell	Clement
Barcia	Boucher	Clyburn
Barrett (WI)	Boyd	Condit
Bentsen	Brown (CA)	Conyers
Berman	Brown (FL)	Costello
Berry	Brown (OH)	Coyne

Cramer	Kind (WI)	Poshard
Cummings	Klecza	Price (NC)
Danner	Klink	Rahall
Davis (FL)	LaFalce	Rangel
Davis (IL)	Lampson	Reyes
DeFazio	Lantos	Rivers
DeGette	Levin	Rodriguez
Delahunt	Lewis (GA)	Roemer
DeLauro	Lipinski	Rothman
Dellums	Lofgren	Roybal-Allard
Deutsch	Lowey	Rush
Dicks	Luther	Sabo
Dingell	Maloney (CT)	Sanchez
Dixon	Maloney (NY)	Sanders
Doggett	Manton	Sandlin
Dooley	Markey	Sanford
Edwards	Mascara	Sawyer
Egel	Matsui	Schumer
Etheridge	McCarthy (MO)	Scott
Farr	McDermott	Serrano
Fattah	McGovern	Sherman
Fazio	McHale	Sisisky
Filner	McIntyre	Skaggs
Ford	McKinney	Skelton
Frank (MA)	McNulty	Slaughter
Frost	Meek	Smith, Adam
Furse	Menendez	Snyder
Gejdenson	Millender-	Spratt
Gephardt	McDonald	Stabenow
Goode	Miller (CA)	Stark
Gordon	Minge	Stenholm
Green	Mink	Stokes
Gutierrez	Moakley	Strickland
Hall (OH)	Mollohan	Stupak
Hamilton	Moran (VA)	Tanner
Hastings (FL)	Morella	Tauscher
Hefner	Murtha	Thompson
Hilliard	Nadler	Thurman
Hinchey	Neal	Tierney
Hinojosa	Oberstar	Torres
Hooley	Obey	Towns
Hoyer	Olver	Velazquez
Jackson (IL)	Ortiz	Visclosky
Jackson-Lee	Owens	Waters
(TX)	Pallone	Watt (NC)
Jefferson	Pascrell	Waxman
John	Pastor	Wexler
Johnson (WI)	Paul	Weygand
Johnson, E. B.	Payne	Wise
Kanjorski	Pelosi	Woolsey
Kaptur	Peterson (MN)	Wynn
Kildee	Pickett	Yates
Kilpatrick	Pomeroy	

NOT VOTING—5

Becerra	Gonzalez	Schiff
Eshoo	Herger	

□ 1554

Mr. DEUTSCH changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to rename the Washington National Airport located in the District of Columbia and Virginia as the 'Ronald Reagan National Airport'."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2625, the bill just passed.

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

There was no objection.

REQUEST FOR IMMEDIATE CONSIDERATION OF S. 1575, RONALD REAGAN WASHINGTON NATIONAL AIRPORT

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1575) to rename the Washington National Airport located in the District of Columbia and Virginia as the "Ronald Reagan Washington National Airport," and ask for its immediate consideration in the House.

The SPEAKER pro tempore (Mr. HANSEN). As indicated in the House Rules and in the Manual in section 757, the Chair is constrained by the Speaker's announced guidelines not to entertain such a request in the absence of bipartisan clearance.

Mr. SHUSTER. Mr. Speaker, this has been cleared by the majority on this side. Do I understand the Speaker to say that it has been objected to by the minority?

Mr. MOAKLEY. Mr. Speaker, reserving the right to object.

The SPEAKER pro tempore. The Chair has been advised that the minority will object.

Mr. SHUSTER. I understand the Speaker to announce that the minority will object to this, and I therefore understand and withdraw.

ANNOUNCEMENT OF EMERGENCY MEETING OF COMMITTEE ON RULES

Mr. SOLOMON. Mr. Speaker, because of the objection that was just heard, I would like to make an announcement.

Mr. MOAKLEY. Mr. Speaker, it was not an objection, it was just reserving my right to object. I did not object.

Mr. SOLOMON. Mr. Speaker, if I might continue, I would just like to announce an emergency meeting of the Committee on Rules to consider the Ronald Reagan Washington National Airport bill that just arrived from the Senate, S. 1575. The Committee on Rules will meet at 4:30, or right after the finish of this rule that is going to be debated in a few minutes. So 4:30, or at the end of the debate on the rule.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2846, PROHIBITION ON FEDERALLY SPONSORED NATIONAL TESTING

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-143) on the resolution (H. Res. 348) providing for consideration of the bill (H.R. 2846) to prohibit spending Federal education funds on national testing without explicit and specific legislation, which was referred to the House Calendar and ordered to be printed.

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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1575. An act to rename the Washington National Airport located in the District of Columbia and Virginia as the "Ronald Reagan Washington National Airport".

□ 1600

CONCERNING ATTORNEYS' FEES, COSTS, AND SANCTIONS PAYABLE BY THE WHITE HOUSE HEALTH CARE TASK FORCE

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 345, and I ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 345

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the joint resolution (H.J. Res. 107) expressing the sense of the Congress that the award of attorneys' fees, costs, and sanctions of \$285,864.78 ordered by United States District Judge Royce C. Lamberth on December 18, 1997, should not be paid with taxpayer funds. The first reading of the joint resolution shall be dispensed with. General debate shall be confined to the joint resolution and shall not exceed one hour equally divided and controlled by Representative Hayworth of Arizona or his designee and Representative Stark of California or his designee. After general debate the joint resolution shall be considered for amendment under the five-minute rule. The joint resolution shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the joint resolution for amendment the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the distinguished gentleman from Massachusetts (Mr. MOAKLEY), ranking member of the

Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of germane debate only.

(Mr. GOSS asked and was given permission to revise and extend his remarks, and to include extraneous material.)

Mr. GOSS. Mr. Speaker, this is as straightforward as it gets when it comes to rules. This is a wide open rule that was voted out of the Committee on Rules last night without dissent or, in fact, really without debate.

The rule provides for 1 hour of general debate, as we have heard, equally divided between the gentleman from Arizona (Mr. HAYWORTH) or his designee and the gentleman from California (Mr. STARK) or his designee.

The rule provides that the Joint Resolution be considered as read and provides for one motion to recommit, with or without instructions, which is of course the guarantee we always provide for the Minority.

It is truly a bipartisan product that should elicit universal support, in my view. I cannot understand that this could in any way be a controversial rule. The only point that could have been of controversy was overcome last night by a brilliant suggestion by the gentleman from Massachusetts (Mr. MOAKLEY), which was accepted unanimously by the full committee to make this as fair and as bipartisan and as open as has ever been done in the recorded history of the Committee on Rules.

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

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman from Florida (Mr. GOSS), my colleague, my dear friend, for yielding me the customary half-hour; and I yield myself such time as I may consume.

Mr. Speaker, Congress has just returned from a 3-month recess; and, after all that time, the American people expect something substantive from their representatives. Today, they are not going to get it.

There are a lot of issues that need addressing in this country. As President Clinton said in his State of the Union: This is an opportunity for action. We need to protect Social Security, reduce the size of classrooms, expand Medicare, increase the minimum wage, Mr. Speaker, and a lot more. The list of issues that are important to the American people is very long, it is very diverse, but it does not include the attorneys' fees for the White House Health Care Task Force.

I bet if we walked down the street today, we would not find a single person that would say that the utmost concern on their mind was the fees of the White House task force on health. They would probably say they were more concerned with making a decent living, sending their children to college or affording decent health care.

But this Congress will waste time debating the issue of these fees. It is

nearly the first issue we have taken up on this the second day back in session; and I, for one, Mr. Speaker, think there are a lot more important things that we should be doing.

This is a politically driven, partisan resolution which, even if it passes, will do absolutely nothing.

Mr. Speaker, the issue we are debating today is a sense of the Congress resolution. It cannot even become law. In other words, if the House passes it, we will have said, in effect, here is what we think, for what it is worth, and that is it.

Other than expressing an opinion, this bill does nothing. It does not make anyone do anything. It is a politically motivated, partisan attack; and, frankly, as I said, it is a total waste of time.

Instead of this resolution, we should save Social Security. We should help working families afford child care. We should protect people's pensions. We should reform managed care.

So I urge my colleagues to let us get to work on something just a little bit more important than this.

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

Mr. GOSS. Mr. Speaker, I was hoping the distinguished gentleman from Massachusetts (Mr. MOAKLEY) would say that this was a great rule also.

Mr. MOAKLEY. Mr. Speaker, this is a great rule also.

Mr. GOSS. Mr. Speaker, I am pleased to say that we got the rule out with the gentleman's help.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Arizona (Mr. HAYWORTH), author of the resolution.

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

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

Mr. HAYWORTH. I yield to the gentleman from California.

Mr. STARK. Mr. Speaker, I thank the gentleman for yielding to me for a colloquy. Prior to this rule resolution, the gentleman and I had discussed the following scenario for the advice of Members.

It is this gentleman's hope on this side of the aisle that there would be no amendments for which a recorded vote would be requested. And that if there are no amendments that come to a vote, final passage, not necessarily the rule, which may or may not call for a vote, but after the rule, it would not be our intention to ask for a recorded vote.

I think the gentleman from Arizona (Mr. HAYWORTH) would concur in that, with the understanding that we obviously cannot control our colleagues' actions. But I ask the gentleman if that is his understanding.

Mr. HAYWORTH. Mr. Speaker, reclaiming my time, I thank the gentleman from California for his comments. No doubt there will be some contentious debate here in the well, but in an effort to maintain the civility and comity of the House and indeed

to echo to a certain degree the outlook of the distinguished gentleman from Massachusetts (Mr. MOAKLEY), Ranking Member on the Committee on Rules, I do believe it is important to move forward in this debate in a fairly brief manner to make the points necessary and then move on to others of business and the business of this House.

So, accordingly, recognizing the fact that neither the gentleman from California nor I can control the rights of any other Member of the institution, it would be my intention not to call for a recorded vote, providing that there are no amendments that are insisted upon and that the straightforward nature of this resolution can, indeed, be reflected by a straightforward voice vote of this institution. That would be my view.

Mr. STARK. Mr. Speaker, if the gentleman would continue to yield, I thank the gentleman; and I hope we can conclude. We will have a strenuous debate, and I have a hunch that the gentleman will win on a voice vote. So, anticipating that, I hope Members can make their plans accordingly.

Mr. HAYWORTH. Mr. Speaker, again reclaiming my time, just to clarify for a second to my colleagues in this hall and in this Chamber and to the American people, I would agree with the gentleman from Massachusetts to this degree: We do have many pressing issues.

But where I would part, and indeed I think an important case to make in this rule is the fact that \$285,000, while in the Washington scheme of things, certainly as it relates to a proposed \$1.7 trillion budget, might not mean much in Washington numbers, but, Mr. Speaker, to the American people and to the taxpayers of this country, it is very important that this House go on record as saying we are here to protect the taxpayers, even for this sum.

Because the very same working families that my colleague from Massachusetts mentions have a right to be protected on this issue. Especially when, in the wake of a district court ruling, it was found that this Health Care Task Force met in secret, devising plans that in the words of the court were reprehensible and fundamentally dishonest, and we should protect the public purse.

That is why I think this is a fair rule and why I welcome the debate on the floor and am happy to reach an accommodation with the Minority to have this House go on record that it is the sense of this Congress that no taxpayer funds should be used.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. FRANK), my great colleague.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding, and I hope I do not violate the rules and appear to be addressing others when I welcome everyone to the session of the Model U.N. My col-

leagues remember the Model U.N. That is when all the students with nothing else to do come together and pass resolutions that have no visible effect, or invisible effect, on anybody, anything, anytime, anywhere, anyplace.

Here is what we have got. This is a resolution which is intended to have absolutely no effects whatsoever on anyone. That is because, if it were to have any effect, it would be illegal and unconstitutional.

So what we have here is a Majority with apparently nothing that they feel they want to do and get caught doing. There are things they would like to do, but they understand that the public would not like many of those things. So having been reluctantly forced to end what was the longest recess in a very long time, we have come back to do nothing. The difference between the recess we were on and the sessions that we are now having is not visible to the naked eye.

Thus, we get this resolution, and it is the Model U.N. It is a resolution, we should stress, which has absolutely nothing to do with anything.

The gentleman from Arizona said \$285,000 is real money. Well, it is real money, but this is play money. This is Monopoly money. Because whether we pass this resolution, defeat this resolution, burn this resolution, make it into 11 paper airplanes and fly it around the room, it has nothing to do with the \$285,000. It is not intended to. They did not try to. They know how to draft a binding resolution when they want to, and they did not.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, I just simply want to ask my colleague from Massachusetts, and always am very interested in his observations, has he ever in the past voted for a sense of Congress resolution?

Mr. FRANK of Massachusetts. Mr. Speaker, reclaiming my time, have I? I do not remember. I do not remember whether or not I have voted for a sense of Congress resolution.

Mr. HAYWORTH. That is an interesting response.

Mr. FRANK of Massachusetts. Mr. Speaker, the gentleman asked a question, and I am telling him that I do not remember, because they are often of such little significance that they do not register.

I will say this, though. I will say to the gentleman that I now recollect I have in the past voted for senses of Congress' resolutions, but I have never claimed that any of them saved anybody any money. I have never said that, having expressed my opinion, I saved anybody \$285,000.

And, by the way, if we wanted to save money, and I agree \$285,000 is a lot of money for lawyers, I do not know how many hundreds of thousands of dollars we paid the lawyers for the House Oversight Committee to tell us today

that the gentlewoman from California (Ms. SANCHEZ) won the election that we knew she won in November 1996. I dare say that the amount of legal fees that will have been paid to lawyers over the past year-plus that people have been harassing the gentlewoman from California—

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

Mr. FRANK of Massachusetts. Mr. Speaker, not yet. I think the gentleman from Arizona needs time to assimilate the first answer. It does not seem to me that he has gotten it yet. But I will get back to him when he has more time.

Mr. Speaker, I want to point out that \$285,000 is a very small amount of money compared to the much larger sum that the Majority has spent; and they are now going to come forward with a resolution telling us that the gentlewoman from California (Ms. SANCHEZ) can be a Member of Congress. Some of us knew that hundreds of thousands of dollars ago.

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

Mr. HAYWORTH. Mr. Speaker, I thank my colleague for yielding.

Actually, I believe I understood what he said a little bit earlier. I just want to make sure.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FRANK of Massachusetts. I would ask the gentleman if I could have a couple more minutes, because they are not doing anything with it.

Mr. MOAKLEY. Mr. Speaker, I yield the gentleman 4 more days.

Mr. FRANK of Massachusetts. Excuse me, I would say that is not a yield, that is a sentence.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, I thank the gracious gentleman for yielding to me.

Basically, essentially what the gentleman is telling us is that, when it comes to this, in the words of another prominent member of the gentleman's party, there is no controlling legal authority? Is what the gentleman is trying to get across?

Mr. FRANK of Massachusetts. Mr. Speaker, reclaiming my time, what I am trying to say is that not being able to think of anything to say himself, borrowing a wholly irrelevant comment from the Vice President does not seem to me to advance the gentleman's argument.

Because the argument is one, the gentleman from Arizona is simply wrong when he claims that this has anything to do with saving \$285,000. It does not. It does not save a nickel.

A judge ordered that the money be paid. Now, the Majority wants to make some political hay. They know better

than to actually defy the judge's order. They have not offered a resolution to defy the judge's order. So what they tell us is a resolution which it is the sense of Congress that the judge's order ought to be defied, knowing full well that no one is going to defy it.

□ 1615

They claim in this that they are going to be saving some money. In fact the only impact this debate will have on the Treasury is the extra few thousand dollars it will cost us to print this silly debate.

I thank the gentleman from Massachusetts for yielding me the time.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Speaker, is the gentleman for or against the rule?

Mr. FRANK of Massachusetts. I am against the rule because if we defeated the rule, we would save time, not vote on the useless resolution, and be a few thousand bucks ahead.

Mr. GOSS. If the gentleman would perhaps like to get rid of the Committee on Rules, if saving time is the final goal.

Mr. FRANK of Massachusetts. Mr. Speaker, would it be in order to get unanimous consent to abolish the Committee on Rules?

Mr. GOSS. Mr. Speaker, I think we have established the gentleman's views.

Mr. FRANK of Massachusetts. Let me say to Members who may think that this is not at a high level, that is where we started. This is about nothing. This is a political game. This is the Model U.N., about nothing. It is wasting time and money.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Speaker, do I understand, is this kind of like the vote that we had after we voted for the pay raise that went into effect and we had another vote disallowing the pay raise? Is that something on the same order that we did then?

Mr. FRANK of Massachusetts. Mr. Speaker, is there any coincidence to the fact that the gentleman is not running again that he brings up the pay raise?

Mr. HEFNER. Mr. Speaker, if the gentleman will continue to yield, I do not know the procedures too well. I have only been here 20 some years. I am a slow learner. In the case this did pass, would it to go conference with the Senate, and would the President sign this, or is this just about making us feel good?

Mr. FRANK of Massachusetts. Mr. Speaker, I would say to my friend, the beauty of this resolution from this standpoint is none of this makes any sense. This is pure for show.

The reference to \$285,000 baffles me. If it was intended to suggest that this

is going to save the \$285,000, it is not written to. It is simply written to try and take some political shots and let the gentleman from Arizona mention a comment from the Vice President, although he could have done that in 1-minute. I guess he used up his 1-minute today and wanted to have a second 1-minute. So we may have more of this political activity, but it is all a total waste of time.

I thank the gentleman from Massachusetts for yielding me the time.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Speaker, I rise in support of this resolution. The debate, as indicated by the gentleman from Massachusetts earlier, has been very lively and very engaging here. One only has to read the decision of the Federal judge in this, the scathing comments that the judge made, not just about the White House and Mr. Magaziner, but also about the Justice Department and the way this was handled, to know that there was a complete failure on the part of all parties in this to handle this appropriately. And so it is quite appropriate, I think, that we have a resolution expressing the sense of Congress that taxpayers should not be footing the bill for the legal fees here and that the individuals involved should be doing so.

But I rise for another reason; that is that I, in my responsibility as the chairman of the subcommittee of appropriations that funds the Executive Office of the President, I can assure my colleagues that we intend to take a very close look at this issue; that indeed if there is an intention of the White House to pay for this out of the Justice Department funds that is reserved for this, there should be, I think, an appropriate reduction in the amount of funding that goes to the White House, to the Executive Office. And we will look for the appropriate account to make sure it is as closely related to the specific thing, to this issue that is involved, to see that we should say that no, if indeed you are going to pay for it that way and not pay for it as it should be, out of your funds, that indeed there would be a concomitant reduction in spending for the White House for this kind of thing.

I think it is very clear that what we heard in the judge's comments, and again I would urge all my colleagues to read the judge's decision in this case, it is absolutely unremittingly scathing in the comments that it makes about the conduct, the conduct of the White House, the conduct of the Justice Department in the handling of this. There is no excuse for the way this was done. There is no excuse essentially for the dissembling that was done on the part of the White House, that was told to people, to the judge. The judge points out that there is no excuse for this. There could be no other explanation for it except that there was dissembling going on. There was an attempt by the

Justice Department not to look into that and to allow this to happen.

I think it is quite appropriate that at the appropriations level that we should take action that would assure that in the future this kind of conduct does not occur. And so I can only say to my colleagues that indeed this may be about nothing, that indeed this resolution cannot assure that it will be paid from private sources as it should be, but I can tell my colleagues that this will help send a signal to the Committee on Appropriations and to the subcommittee that we should look for ways in which to make sure that there is a reduction in the spending elsewhere by the White House to offset this, if indeed they pay it out of what has been the normal standard, through the Justice Department fund that is set aside for this.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. STARK].

Mr. STARK. Mr. Speaker, I ask the gentleman from Arizona, who is on the Committee on Appropriations, while this may not come before his subcommittee, is he aware of other times when we have appropriated money to pay legal fees for officers or employees of the executive branch of the government in cases like this?

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

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

Mr. KOLBE. Mr. Speaker, in this case there is a specific fund that is set aside when there are legal fees for this. But never have I experienced a judge that has written such a scathing remark.

Mr. STARK. But has the Committee on Appropriations ever appropriated any money?

There is a case where the Committee on Appropriations appropriated \$430,000 to pay for the White House travel office. How does that differ in a sense technically from the money the gentleman is talking about spending?

Mr. KOLBE. Mr. Speaker, if the gentleman will continue to yield, I would say that it differs like night and day. In the first case, that of Travelgate, you are talking about individuals who were victimized by the White House, who were fired and victimized and had to try to recover their good names. And I think it was appropriate that the government pay for their being victimized. We are talking here about an individual who victimized the American public and the judge said so.

Mr. STARK. Mr. Speaker, what about the two Secret Service agents? There were two Secret Service agents who were investigated for the accuracy of their testimony over White House FBI files. They were not victimized, I do not think. And the Committee on Appropriations voted to pay their legal defense fees. How does that differ?

Mr. KOLBE. Mr. Speaker, I would say that each of these cases so far that the gentleman has raised substantiate

what I am suggesting. Yes, the two Secret Service agents, and I am very aware of that because the subcommittee funds both the White House and the Secret Service, were indeed victimized in this case. They were unfairly called to task by the inspector general of the Treasury Department who is no longer there, and of course they were completely cleared by this.

Again, the good employees of the Federal Government should not be held responsible for when they are made victims of the bureaucracy or victims of political appointees. But we are not talking about that in the case of Mr. Magaziner.

Mr. STARK. Mr. Speaker, one of the people who was sued was investigated by the U.S. Attorney and had to spend some money to defend himself against the U.S. Attorney's investigation, and the U.S. Attorney subsequently decided that the case was not prosecutable or was not worth prosecuting. This was Mr. Magaziner. So the U.S. Attorney investigated him and said they were not going to prosecute him. Would that not be the same?

As the gentleman well knows, Mr. Magaziner and I have had vast differences over the years, and I would hate to have this turned around that I am here defending him, but I wonder if perhaps there is someone that feels more strongly about Mr. Magaziner than they might have about Mr. Dale of the travel office and whether we are kind of picking and choosing. That is my concern.

Mr. KOLBE. Mr. Speaker, I think the thread that runs through all of these is consistent and the same in that I think in this case we are saying that the people who committed what I think is the wrong in this case of the dissembling that was going on should indeed pay the legal costs for those who tried to bring this case to light, I think appropriately so.

Mr. STARK. Mr. Speaker, I thank the gentleman.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I really believe that this again is wrong-headed and wrong-directed, and frankly this is a silly rule.

Let me applaud the White House health task force and applaud it for several reasons. One, that task force raised to a national debate the question of the right kind of health care for Americans. If there is anything that we hear our constituents talk about, it is lack of access to health care and good health care.

Just coming in from the Rayburn Room discussing with constituents who work with home health care agencies, the type of agencies that I have been familiar with or had familiarity with through the illness of my father, to come to find out that these agencies

are being required to get \$50,000 bonds, which they do not disagree with but they cannot get the bonds, and so people who are home-bound are not getting health care; that individuals who require home visits once a month to take blood tests are now cutting those services.

These are the kinds of issues that we should be discussing: greater accessibility to patient care with respect to choice of physicians, making sure that individuals can be enrolled under these managed care programs, separating out the dollar from the care, making sure that the dollar is not the only thing that is considered when we have to take care of people in their times of illness.

This is a silly, silly rule and we should really be applauding the fact that the White House health care task force under the leadership of Hillary Clinton allowed us to think about what kind of health services we want, what kind of health system, whether we wanted to have a system that was similar to the one in Canada, whether we wanted to have universal access, whether we wanted to have a combined. No, we did not resolve it, but we did discuss it, and we realize that there are problems with the system we have now. Those individuals who worked on this worked in good faith.

Frankly, I think that we do well to spend more time dealing with the patient bill of rights than wasting the people's time dealing with such silliness about who is paying what and not allowing us to focus on these very important issues. I would hope that my colleagues would listen.

Mr. MOAKLEY. Mr. Speaker, may I inquire of the Chair how much time remains?

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Massachusetts (Mr. MOAKLEY) has 16 minutes remaining, and the gentleman from Florida (Mr. GOSS) has 22 minutes remaining.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. Gekas).

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

I was surprised to hear the gentleman from Massachusetts say that this is not important. Social Security is important. Violation of the law is not important enough to take up the time of the House, not even in a sense of the Congress resolution. Social Security is important, but public officials violating the law, that is not important. Do not waste time, allow people to trivialize it. Allow people to mock it. Allow people to get great amusement out of the fact that we are discussing a very serious problem of people in high official places in the government violating the law. The courts found that Mr. Magaziner and the people with whom he was associated in this gigantic health plan fiasco that was occurring in 1993 violated the law.

Clean air is important, and Social Security is important, and child care is important, and health care is important and violation of the law is important. The gentleman from Massachusetts is falling into the pattern of taking what might appear to be a violation of the law and then trying to mask all of that by saying there are more important things to do. Well, now is the time here in this place to discuss whether or not it was proper for these people in this public officialdom that they were in to violate the law. I say that is important to discuss.

The Federal Advisory Committee Act is one in which it says, when advisory committees, like the one that Magaziner formed with the First Lady, had to comply with the law, full sunshine, they did not.

□ 1630

And they were then chastised by the court and these sanctions, these penalties were inflicted by the court.

That is not as important as Social Security, says the gentleman from Massachusetts. We should not waste a moment on the violation of the law that occurred here. And he may be right, but there is a time and a place to discuss why public officials flaunt the law.

There is a larger question here that comes to play, and that is the role of our administrative agencies and how sometimes they try to find ways and means to get around the law. I remember one in my own Subcommittee on Commercial and Administrative Law, where the agency involved could not find that enough dollars were involved to be able to be in a position to notify a small business that it was being affected by an adverse regulation. But we found that there were enough dollars involved.

And so it goes on. Acts like this within the agencies are the ones that ruin the confidence of the people in their high officials in Washington. That is why it is important. I am for Social Security as much as the gentleman from Massachusetts, and he should be as much in concert with me in condemning violations of the law that seem to mask government actions.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume to say that I do not know what script it was the gentleman was reading from, but this is not about violating law. This is a sense of the House resolution that has no power. If the gentleman really felt as strong as he says, why does he not get the proper piece of legislation before the House.

This is the payment of legal fees and who is responsible. It is not about violating the law.

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

Mr. MOAKLEY. I will treat the gentleman just as he treated me.

Mr. GEKAS. The gentleman is going to treat me with a smile?

Mr. MOAKLEY. I will treat the gentleman with a smile.

Mr. GEKAS. I treated the gentleman with a smile.

Mr. GOSS. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Speaker, I must say that I was shocked that the gentlewoman from Texas would refer to this rule as being silly. What we are talking about here is ethics in government, really. And if there were a way that we could do more than simply pass a resolution of the sense of the Congress, I think we should do so.

We have an obligation and a responsibility to inform the American people about what is taking place in the executive branch of the government, and I would like to take just a few moments to run over a little bit of this.

President Clinton created the Task Force on National Health Care Reform on January 25th, 1993, five days after he took office for his first term. The panel conducted its work in secret. The very next month the American Council for Health Care Reform, the National Legal and Policy Center, a foundation that promotes ethics in government, and the Association of American Physicians and Surgeons filed suit against First Lady Hillary Clinton, Ira Magaziner and others to gain access to the documents and records of the secret meetings of the President's health care task force.

Ira Magaziner went to court and testified in Federal Court, in March, that all members of the task force and its staff working groups were Federal employees and, as a result, they did not have to hold open meetings or divulge their working papers. Then, after an analysis of the evidence by Federal Judge Lamberth, he ruled that the working group formed by the First Lady and Mr. Magaziner violated Federal law and ordered that a penalty of \$285,000 be paid to the plaintiffs as reimbursements for legal fees that they used to expose the fact that the White House task force violated Federal law.

Throughout the State of the Union address, President Clinton stressed the importance of personal responsibility. We talk to our children all the time about personal responsibility, and we know that personal responsibility is the anchor of a free society. So why should the taxpayers of America pay a \$285,000 fine for something for which they were not responsible? Ira Magaziner and the First Lady were responsible for the violation of Federal law. Why do they not pay the fine? They are responsible.

Now, I just want to take a few minutes more to talk about what Judge Lamberth has said in his decision and in the newspapers about this issue. He was quoted as saying, "I am convinced that Ira Magaziner, Clinton's health care adviser, deliberately misled the court with his sworn statement." He went on to say that he "... believes Magaziner and the government's law-

yers made intentionally misleading statements." And then Judge Lamberth went on to say, and he bluntly denounced the White House and the Justice Department for what he called "... dishonest and reprehensible failures to provide accurate information."

This is another example of a pattern of misconduct by this administration. So why should taxpayers pay a fine that they had nothing to do with? Judge Lamberth said that the White House, the task force, violated the Federal law; that they misled the court; that they would be paying the \$285,000 fine that now the taxpayers are going to pay.

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

Mr. WHITFIELD. I yield to the gentleman from California.

Mr. STARK. Mr. Speaker, I would like to concur in what the gentleman is saying. I have some other language. The court found that "The declaration Mr. Magaziner made was false." It was, "The most outrageous conduct by the government in this case is what happened when it never corrected or updated the Magaziner declaration." I mean it was wrong. He did say, however, that the government did take action that amounted to what the court referred to as a total capitulation.

So I do not think that is an issue with which we would debate with the gentleman. Magaziner either lied, misrepresented, or did not know what he was talking about. I would further go on to say I have not much faith in the gentleman's ability to get anything straight. So whether he made it up or whether he was just wrong, it is the same old Ira Magaziner. No quarrel from me.

I do not feel that way, I might add for the record, about Mrs. Clinton, with whom I worked closely, as well as Mr. Magaziner, during all of that.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. STARK).

Mr. STARK. Mr. Speaker, I was not allowed into those sessions and felt badly about that. What I am suggesting is that the issue was that subsequent to all of this the people who brought the original lawsuit, mostly asking for an injunction to stop it, that is what they started out asking for. And then, many years later, they came back to ask to get their legal fees back. So they were awarded legal fees; not a fine. Nobody was convicted.

As a matter of fact, Ira was investigated by the U.S. Attorney, who found that he did nothing that would have warranted his being indicted. Now, that is where we are, and I believe those are the facts. And I do not know as we have to go on. He was wrong. The government admitted it. I do not know whether he ever admitted it. The people who brought the case were awarded legal fees that the government is obligated to pay because, under the law, nobody else can pay it. Now, that is where we are tonight.

I would be perfectly willing to figure out how to prevent that. This resolution does not do it. So what I am suggesting is we may have more accord here than the gentleman thinks.

Mr. GOSS. May I inquire of the Speaker how the time divides at this point?

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Florida (Mr. Goss) has 14 minutes remaining, and the gentleman from Massachusetts (Mr. MOAKLEY) has 14½ minutes remaining.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. CAMPBELL).

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

Mr. CAMPBELL. Mr. Speaker, there is nothing wrong with this rule, but I am against this resolution and I am particularly grateful to my good friend, the gentleman from Florida, for yielding to me knowing that I must disagree with my dear friend from Arizona (Mr. HAYWORTH). Occasionally I can be wrong, frequently I can be wrong, but I think I am right on this occasion.

The reason why the resolution is wrong is the Equal Access to Justice Act says that one can get attorneys' fees from the government, and it only says that one can get attorneys' fees from the government. So if the effect of this resolution were law, and it is not, but if it were law, it would cut off the plaintiffs from getting any attorneys' fees.

And I think the whole purpose of the argument on the side of the gentleman from Arizona is that these plaintiffs should get their attorneys' fees. So there is a problem with this resolution if it were binding.

Secondly, and perhaps even more important, suppose we were to amend the law and say that one can go after individuals for attorneys' fees. That is not the purpose or effect of this resolution. But if it were then I would have a separate problem, which would stem from the fact that the judge in this case held that the culpable behavior that caused the attorneys' fees to be owed was by the government attorneys after the filing of the inaccurate affidavit by Mr. Magaziner. It was not because of Mr. Magaziner's activities. Although I completely agree that the judge characterized Mr. Magaziner's activities pejoratively in the extreme, it was because of the action of the attorneys afterwards that he awarded attorney's fees to the plaintiffs.

And here is what the judge said, page nine of his opinion. "But the most outrageous conduct by the government in this case is what happened when it never corrected or up-dated [sic] the Magaziner declaration. That was a determination not made individually by Mr. Magaziner, but by the government through its counsel."

The difficulty, thus, if we were to apply the law, changed as the movers

of this resolution would wish, so that plaintiff's could obtain their attorney's fees somewhere, it would have to be from the attorneys who acted after Mr. Magaziner did. And I have a serious problem with asking government employees, Federal Government employees working on a general schedule salary, to bear the risk of paying attorneys' fees. I just do not think that is right. If, however, they deserve to be sanctioned by the court, that is fine. That would be under the court's jurisdiction. But under the Equal Access to Justice Act, it is the government that is responsible, not the individual government employees.

While I do not like the idea of taxpayers paying money any more than my colleagues supporting this resolution do, there comes a time when wrongdoing happens. And sometimes it is done by the executive branch and we in the legislative branch have nothing to do with it.

My classic example is where there is a taking of property by the Federal Government and there is no compensation paid. That is terrible. It violates the Constitution. And at the end of the fiscal year we have to pay for it. We, the taxpayers, have to pay for it, even though I did not do it, nobody in the legislative branch did it, nobody in the Congress did it. It is still the burden of the taxpayer because the government did it.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

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

The last two points I wanted to say were, if we read the judge's opinion with care, time after time he emphasizes the wrongdoing of "the government." That is why the government is obliged to pay the fees. At page five, "While the evidence need not include proof beyond a reasonable doubt, the court finds clear and convincing evidence that sanctions should be imposed because of the government's misconduct in this case." Not Ira Magaziner and Mrs. Hillary Rodham Clinton.

At page 18:

"This whole dishonest explanation was provided to this court in the Magaziner declaration on March 3, 1993, and this court holds that such dishonesty is sanctionable and was not good faith dealing with the court or plaintiffs' counsel. It was not timely corrected or supplemented, and this type of conduct is reprehensible, and the government must be held accountable for it.

And lastly, at page 3, "The defendants thereafter, produced a great deal of information, but they still took no steps to correct Mr. Magaziner's sworn declaration that all working group members were federal employees." The defendants who failed to take the steps to correct the Magaziner declaration were at fault.

Lastly, what about Mr. Magaziner? The answer is very clear. Other sanctions were possible for Mr. Magaziner.

Indeed, the court said, and I'm quoting from Judge Lamberth, "The court, however, indicated the question of whether Mr. Magaziner should be held in criminal contempt of court for possible perjury and/or making a false statement when he signed the sworn declaration to this court on March 3, 1993, should be investigated by the United States Attorney for the District of Columbia."

The reason why I took to the floor to make this point is much broader than just this issue. We have to be very careful about assessing attorneys' fees against employees of the Federal Government for work they are assigned to do, up until the point when the Federal trial judge intends to sanction them.

□ 1645

Under the Equal Access to Justice Act, it is a terrible mistake to stick Federal employees with that obligation. But if we were to go after Mrs. Clinton, as a private party, we then have the question, who would ever serve on a Federal advisory committee? Who would put themselves forward knowing that that liability would be potentially there?

So, with a very heavy heart but with much admiration for the integrity and the fervor that my colleague, the gentleman from Arizona (Mr. HAYWORTH), brings to this issue, I must urge my colleagues to vote no on the resolution in chief. But I repeat, as I began, I have no objection to the rule.

Mr. GOSS. Mr. Speaker, I thank the gentleman from California (Mr. CAMPBELL) for reminding us that this is a debate about this good rule, and I am relieved to hear that he has no objection to it. I was hoping, actually, for an endorsement for the rule. But since I did not get that, I yield 4 minutes to the distinguished gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. I thank the gentleman for yielding.

Mr. Speaker, I have been working on this particular matter for 5 years as a member of the subcommittee that handles the White House appropriations; and we are here because there is a question about does Congress care when an official at the highest levels of the White House lies under oath in a civil proceeding and it costs the taxpayers a ton of money.

Mr. Magaziner, a senior adviser to the President of the United States, according to the orders issued by the Federal judge, clearly, unquestionably lied, trying to keep information secret about this White House task force that was trying to remake one-sixth of the American economy in private confidential meetings, not letting us know even who the members were.

Ultimately, when they were able to look beyond Mr. Magaziner's affidavit, they found that, instead of everybody being a Federal employee and, therefore, no Federal money going to private individuals in this endeavor, they found there were hundreds, hundreds,

of people working directly with Mr. Magaziner who were not Federal employees at all. Mr. Magaziner should have been fired.

The President of the United States should care if people at the White House are truthful to our courts. He does not seem to care. Therefore, Congress is saying, do we think the burden ought to fall upon the people who cause the problem or upon the taxpayers generally?

Now why have an initial resolution such as this? Well, it is the first step. Maybe in the appropriations process we should say Mr. Magaziner and everyone else who was involved in the deceit of the court should not be paid anything more than, say, the minimum wage if the President is going to keep them on the payroll.

One of the other presidential assistants, Patsy Thomasson, lied to our subcommittee about the makeup of this organization when we directly questioned her, lied under oath to the court, lied to Congress, lied to the newspapers, all of these people involved with deceit.

Now the President of the United States, we read in today's papers, is looking at raising millions of dollars of private money for his personal legal defense funds, unlimited amounts from different individuals. If the President cares about proving the truth to the American people, let the President come forward and say, we will make sure that while we are raising these millions of dollars for legal fees we will raise another \$285,000 to pay the plaintiffs who brought this action. Would that not be a nice refreshing approach for the President to take?

Because it was the White House that was involved in lying under oath, and it was the Justice Department that permitted it. And then the Justice Department investigated itself as to whether or not perjury charges would be brought.

Read the court decision. Officials in the Justice Department, officials in the White House were intimately involved in this.

The court said there might be a problem prosecuting it because one of the White House lawyers involved, Vince Foster, is now dead and one of the Justice Department lawyers involved, Webb Hubbell, has been convicted of felony since then.

Well, it does not matter that the taxpayers still have this bill and these people still are on the public payroll who the court found do not care to tell the truth under oath.

This is the first step in a process of this Congress, Mr. Speaker, where we will find out which Members think that it is important to honor the principle of truth in testimony to our courts and, yes, to say that principle applies to the White House and everyone there, as well as to the rest of us.

I urge adoption of the rule and of the underlying resolution.

Mr. GOSS. Mr. Speaker, I am happy to advise my colleague and friend from

the Commonwealth of Massachusetts that all that remains on this side, as far as I know at this time, are some illuminating closing remarks.

Mr. MOAKLEY. Mr. Speaker, at this time, I would like to congratulate my dear friend from Florida for bringing forth an open rule which I am very happy with; and I will tell him I will vote for the rule.

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

Mr. GOSS. Mr. Speaker, I yield myself the balance of my time. Mr. Speaker, I will try and be brief. I have got about 2 minutes' worth of summation here.

I realize that when we talk about the rule in this hour set aside for the rule sometime some of the technical aspects seem to get lost in some of the other material that comes forward. I would like to refocus that this is actually the right rule and I believe it deserves all of my colleagues' support, no matter what their feeling is on the subject matter.

To describe this as a silly rule, especially by the gentlewoman from Texas, who is a regular attendee at the Committee on Rules meetings and knows how hard we work up there, is indeed disappointing. I do not think this is silly at all. And, frankly, I think the substance is silly. I think it is troubling.

We have got an underlying resolution here that actually brings forward an important question to the American taxpayer, and it is simply this: Should the taxpayer be held liable for what in this case a judge has determined to be dishonest conduct of high-ranking Government officials and lawyers? And I am not going to specify any. Should hard-working Americans be made to pay penalties of those at the White House who have been caught up in what the judge determined was a cover-up? That is what is being posed here in the resolution. Granted, it is the sense of Congress.

I believe most Americans would say no to those questions. They would simply say, pay your own penalties. Stop the shenanigans, and do not expect us to pay for these things. The resolution to that question is what we are discussing today. But, obviously, a sense of Congress is not going to resolve the matter.

I think there is an important point here. The President himself said it in this very Chamber not too long ago in the State of the Union address. We should all be accountable. Accountability is really what this is all about. Straightforwardness and accountability are really two of the basic precepts that we have in our Democratic governance.

Occasionally, these things seem to be the first ones thrown overboard when there is a squall in the area; and sometimes we rue the fact that the truth, the whole truth, and nothing but the truth are on the casualty list inside the Beltway. The information seems to

surface in bits and pieces, and people are left with less than a clear and timely disclosure of facts that they are entitled to know about.

So the specific misdeed that we are addressing here today took root early in the Clinton administration, as I understand it; and in an effort to avoid, what I think was a wrong effort to avoid, candid public debate on the merits of a health care proposal which involved universalizing or nationalizing our health care system, the White House did, in fact, hold secretive closed-door sessions, which is, in my view, completely contrary to the spirit and the intent of the Federal Advisory Committee Act, which calls for sunshine.

They had something to hide, as it turns out. It turned out to be an ill-conceived health care scheme that they were trying to sell to the United States of America.

The idea I think of that scheme was that Washington, not your own doctor, knows what is best in terms of our own health care; and when the sunshine finally shone on that proposal, the American people saw it for what it was, and it fell of its own weight, and it was soundly rejected.

But to compound to this circumstance, and here is what I think why it is a real problem and why this is serious business and we are taking it up today, is that White House officials and White House lawyers, at someone's direction, stonewalled efforts by the judiciary branch to determine the makeup and content of these health care advisory meetings. There was something wrong there.

In fact, the administration produced a statement to the court that was, to use the court's words, the judge's words, "simply dishonest." We cannot ignore that the judge called it a cover-up at the highest levels of government and ordered over \$285,000, \$285,000, in sanctions and penalties costs.

These are not words and actions of some alleged radical right wing group. This is the court. These are the conclusions of the sister, co-equal group of government, the judiciary, doing its job. The White House was, quote, simply dishonest, acting in bad faith. So said the judge. We cannot ignore that.

Now that the facts are in and the sanctions have been levied, the White House's guile on this I think is matched by arrogance, which I frankly do not like. They got caught. The judge said they acted dishonestly. And now they are saying to the American taxpayers the equivalent of, tough luck, you have got to pay the penalty.

Now we have heard some of the legal reasons from our distinguished colleague and jurist from California, and I suggest the American people are more interested in justice than they are in the legalese of lawyers.

I would like to submit for the RECORD the letter of December 29, 1997, from the Deputy Chief of Staff of the White House to the Honorable BILL AR-

CHER, Chairman of the Committee on Ways and Means, saying that the White House will rely on the taxpayers paying this fine, paying these sanctions.

Because I think that is wrong. I think this is running and hiding behind a piece of legislation that is not appropriate at this point and that is not acceptable, either, to the Americans. American taxpayers, in my view, should not have to pay for White House misdeeds.

THE WHITE HOUSE,
Washington, December 29, 1997.

Hon. BILL ARCHER,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC

DEAR MR. CHAIRMAN: I am writing in response to your December 27, 1997 letter to the President concerning Judge Royce Lamberth's ruling regarding the American Association of Physicians and Surgeons' claim for legal fees related to the Health Care Task Force litigation.

The Department of Justice is still reviewing whether to appeal Judge Lamberth's ruling. Nevertheless, the President is confident that Mr. Magaziner acted appropriately in this matter. The facts as well as the findings by the U.S. Attorney's Office in its 1995 investigation of Mr. Magaziner's conduct in this matter support this conclusion. In particular, the U.S. Attorney's Office determined that "there is no basis to conclude that Mr. Magaziner committed a criminal offense in this matter. There is no significant evidence that his declaration was false, much less that it was willfully and intentionally so." Moreover, Mr. Magaziner acted upon the advice and guidance of government lawyers.

As the President has stated, Mr. Magaziner is and will remain a valued member of this Administration. He is a hardworking and dedicated public servant.

Judge Lamberth awarded fees pursuant to the Equal Access to Justice Act. Should his ruling stand, the fees will be paid in the normal course, using appropriate government funds.

Sincerely,

JOHN PODESTA,
Deputy Chief of Staff.

Mr. Speaker, the underlying resolution is not binding. We said that. We are not forcing the administration to do anything today. We are not trying to point fingers at individuals, at least I am not. But we are sending a clear message to constituents across the country that Government officials and lawyers must be held accountable for their actions. We are asking for accountability.

There is no reason why hard-working Americans should pay through taxes almost \$300,000 in sanctions levied against the Clinton White House. Somehow I think those taxpayers have got better use for that money.

When there are ethical breaches of the White House, especially this White House that pledged to be the most ethical of all White Houses, the fault lies there. I think they should accept the responsibility and pay these sanctions, and I do not think the American people should be asked to do this.

I applaud my friend, the gentleman from Arizona (Mr. HAYWORTH), for bringing this issue forward. I urge my colleagues to consider the American

taxpayers when they vote and to consider the underlying need for accountability and what that means for the credibility of governance in this democracy, which is, after all, the foremost democracy in the world.

Mr. Speaker, I yield back the balance of my time; and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to House Resolution 345 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the joint resolution, H.J. Res. 107.

□ 1658

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 consideration of the joint resolution (H.J. Res. 107) expressing the sense of the Congress that the award of attorneys' fees, costs, and sanctions of \$285,864.78 ordered by United States District Judge Royce C. Lamberth on December 18, 1997, should not be paid with taxpayer funds, with Mr. LATOURETTE in the chair.

The Clerk read the title of the joint resolution.

The CHAIRMAN. Pursuant to the rule, the joint resolution is considered as having been read the first time.

Under the rule, the gentleman from Arizona (Mr. HAYWORTH) and the gentleman from California (Mr. STARK) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, what this committee is preparing to deal with is a very serious matter that goes to the heart of our constitutional republic; and it is this: that, Mr. Chairman, fundamentally there has been a breach of trust emanating from the executive branch of this administration with the citizens of this constitutional Republic.

□ 1700

It has been reflected in what a U.S. District Court judge calls a dishonest way by those who have led the so-called Health Care Task Force in the executive branch of government.

It is clear what has transpired: In a debate on national health care, rather than involving the American people, rather than involving many Members of this institution, as has been pointed out by my colleague from California, those at the White House, specifically Mr. Ira Magaziner, strove to shut off public scrutiny, strove to make secret the deliberations of this so-called Health Care Task Force, to come up with a Rube Goldbergesque plan to socialize our Nation's health care that

eventually collapsed of its own weight, because it fundamentally denied the American people what is so vital within our Republic, and that is the concept of choice.

But above and beyond that, legal action was taken when a group of doctors went to court to say this is fundamentally wrong. It violates Federal law. And, as has been pointed out in the rules debate, Mr. Magaziner and other officials of the Health Care Task Force testified in front of Congress that this was only made up of Federal employees, that no one else was involved, and, therefore, no names need be submitted for the record as commensurate with public law.

That was wrong. Accordingly, the courts ruled that was dishonest. And here we come to the fundamental breach of trust, and it is this: That in handing down his decision, Judge Lamberth said that there would be attorneys' fees that would be owed.

Now, I appreciated in the rules debate the legal nuances offered by my colleague from California (Mr. CAMPBELL). But let me simply restate what I perceived to be the mission of this House and the mission of those of us who serve in the legislative branch.

We, Mr. Chairman, are here to be guardians of the public Treasury and the public trust. There is no reason on earth why hard working American taxpayers should be called upon to ante up in excess of \$285,000 to satisfy the legal fees in this civil case, because the American taxpayers are not culpable. Those within the executive branch of our government, those within the administration, are in fact culpable for this, and this House should go on record with this sense of the Congress resolution.

Now, I noted with great interest the comments of my colleague from Massachusetts (Mr. FRANK), who in seeking to demean the whole notion of the sense of Congress resolution said it carried no effect.

Mr. Chairman, that is incorrect, because the sense of the Congress resolution, first of all, sends a message to the executive branch, and serves as an entreaty to our chief executive, to the President of the United States, to say to him, Mr. Chairman, that perhaps the President ought to rethink this, and he has the chance to change his mind. Because even more disturbing is the letter that was entered into the record a little earlier by my distinguished colleague, the gentleman from Florida, where the White House, in writing back to the chairman of the Committee on Ways and Means, said that appropriate government funds would be used to pay this penalty.

I believe that to be wrong. So, first of all, the sense of the Congress resolution serves as an entreaty to the executive branch to say, think again. Use another mechanism, but not the tax money of hard-working American people, to satisfy this fine in excess of \$285,000.

But, moreover, as pointed out by my colleague from Arizona, a member of the Committee on Appropriations, other action may be taken within the appropriations process. As my colleague stated and as he implied, there may be the entire action of rescissions of a like amount from the executive branch's budget to deal with this.

So let me suggest to those who would try to say that somehow this is not important, that it is some sort of political posturing or stunt, nothing could be further from the truth.

Mr. Chairman, I must also point out, because we heard a bit of it in the rules debate, that I have no doubt that others will come here not to debate the focus of this resolution, which is to protect the money of the taxpayers, but, again, to come up with a type of soup-to-nut government-run health care plan that they will try to offer with some nuances here on this floor to change the subject.

Let me again suggest to all of my colleagues, Mr. Chairman, that the subject of health care debate is important, and it should be held in this forum, but on another occasion, because this sense of the Congress resolution deals with something fundamental and vitally important, protection of the taxpayers' funds and healing this breach of trust. That is what we must do, and that is why I believe this resolution should be passed unanimously, if possible.

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

Mr. STARK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just like to say to the gentleman from Arizona, we can settle this right now. As we have heard earlier, the sense of the Congress resolution would have no legal effect. What the American Law Division told me is if its language was introduced as a bill, its effect would work, if it is not ruled unconstitutional.

So I would ask the gentleman if he would object if I asked unanimous consent that on page 3, that we strike all of section 2, basically which is the section that talks about a joint resolution, and merely reword the language to say, "No payment of award by taxpayers. The award of \$285,864.78 in attorneys' fees, costs, and sanctions that Judge Royce C. Lamberth ordered the defendants to pay in Association of American Physicians and Surgeons, Inc., et al., v. Hillary Rodham Clinton, et al., shall not be paid with taxpayer funds."

I would offer that as a unanimous consent. We could agree, and go home.

Mr. HAYWORTH. Mr. Chairman, will the gentleman yield?

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

Mr. HAYWORTH. Mr. Chairman, I would have to reserve the right to object, and I would object, because, in keeping with the comity of this House, in keeping with the nature of civil debate and full discourse, this is precisely

intended, as I said just moments ago, as a first step.

We offer this as an entreaty to the President of the United States to ask him to change his mind, to take the first step to mend this breach of faith and breach of trust, and I offer that in that spirit, and also again would make note of the record that exists earlier and the comments of my colleague from Arizona, who said he is perfectly willing to take solid action within the appropriations process.

So I would have to object to the unanimous consent request, Mr. Chairman.

Mr. STARK. Mr. Chairman, reclaiming my time, it shows me the majority is not serious about doing this. This is, indeed, as this certifies, they are just playing games here and posturing, because if they wanted to not spend the money, we could have done it right then. I offered it, we could have passed it, gone home. Absolutely the money would not get paid. Now we are just posturing.

Mr. Chairman, I yield 5 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, this resolution deals with the President's Task Force on National Health Care Reform. That task force was concerned about quality health care for the people of this country. It dealt with many subjects, including how to expand health care insurance for many Americans who had no health care insurance, and it was also deeply concerned about quality standards and consumer protection for people who are in managed care programs.

Each of us have heard from our constituents their concern that the practice of medicine, the medical decisions are being made by bureaucrats rather than by medical professionals.

The United States District Court ruling that is the subject matter of this resolution awarded attorneys' fees for some physicians who challenged the work of that task force. This sense of Congress resolution says that those attorney fees should not be paid for by taxpayer funds.

As the gentleman from California (Mr. CAMPBELL) pointed out, the law says that attorneys' fees can only be paid for by the government, and, therefore, if this sense of Congress resolution was carried out, if we made it law, as my friend the gentleman from California (Mr. STARK) pointed out, the plaintiffs in that lawsuit would not be able to recover any attorneys' fees, which is certainly contrary to the intent of the sponsors of this resolution.

That is why this sense of Congress resolution makes no sense. The impact, though, could have an impact. As the subcommittee chairman Mr. KOLBE pointed out, it is his intention to deny these funds from the White House budget. Therefore, this resolution

could have an effect if we pass it, a psychological effect and a chilling effect, on people who want to serve their government on task forces that look at problems.

The work of the President's Task Force on National Health Care Reform goes forward. We have had a President's Commission on Quality Standards for Managed Care. The work of the task force moves forward, important work. We have legislation pending that deals with those recommendations.

One deals with external appeal for managed care programs. I received a phone call this morning from a constituent, a constituent whose child needed institutional care, who was being threatened to be taken out of the hospital just arbitrarily by the managed care operator. That is wrong. That plan had no external appeal, independent appeal, so that person could take that grievance to an independent body.

We need to correct that. We need people who are willing to serve on task forces to correct that. This resolution will have a chilling effect on people serving on those types of task forces.

We have legislation here that would provide access to emergency care. Today I can tell you of examples in my community where people who are in a managed care program go to an emergency room. They have chest pains, they are sweating, they think they are having a cardiac problem. They go to the emergency room. The good news is that they didn't have a heart attack, but then when they get the bill from the hospital and the managed care plan refuses to pay because the diagnosis was not an emergency, they almost have a heart attack.

We need to enact legislation, the work of that task force, in order to correct those problems. We have circumstances every day that people need referral to specialists, and the managed care plan prevents that referral. We need people willing to serve on task forces in order to correct those problems.

So, Mr. Chairman, it is important that we do not send the message out today that we do not want to see people work and provide their expertise and independence, so the Congress can get the benefit of their work.

The sense of Congress resolution should call upon us to enact quickly the consumer protection provisions for managed care plans. Then the sense of Congress resolution would make more sense. Better yet, we should use the time tonight that we are debating this resolution to debate the bills themselves, to provide the protection that each of our constituents want and deserve. Why not bring those bills before us this evening, and then we really could provide the protection that people need that are in managed care programs.

If we did that, then the call I received today from my constituent, we would not be receiving them tomorrow,

and we will be receiving those calls tomorrow, each one of us know that.

I hope that we can turn this resolution into action, so that this Congress acts on what is really important to my constituents, providing national standards for quality care in this country. Then we will be doing a service to the taxpayer.

Mr. HAYWORTH. Mr. Chairman, as I am proud to note, I am a cosponsor of the access to emergency care bill.

Mr. Chairman, in keeping with the tradition of maintaining debate on the subject at hand, I am pleased to yield 4 minutes to the gentleman from the Commonwealth of Pennsylvania (Mr. ENGLISH), my colleague on the Committee on Ways and Means.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, if the opponents of this resolution are successful, it will indeed have a chilling effect. It will have a chilling effect on efforts to open up and provide sunshine into every area of government, because the issue before us is basically a sunshine issue. Every supporter of open government and public accountability should be prepared to support this resolution. This is about the illegal efforts by some in the current administration to draft a sweeping and radical health care bill in secret.

□ 1715

Operative word: In secret. Whether one likes the legislation or not, it is problematic that the task force that is referenced in this resolution had meetings closed to the public. They proceeded cloaked in a shroud of secrecy. If one is doing good work and in the public interest, one should have nothing to hide.

This issue is also about telling the truth. When that does not happen, the guilty should be punished, not the innocent. Judge Lamberth I think was compelling on this point when he found improper behavior, and let me specifically reference some things from his decision. He said, "Government's responses were preposterous, incomplete and inadequate."

Elsewhere he said, "The court finds clear and convincing evidence that sanctions should be imposed because of the government's misconduct in this case."

Elsewhere he says, "It is clear that the decisions here were made at the highest levels of government and that the government itself is, and should be, accountable when its officials run amok. The executive branch of the government working in tandem was dishonest with this court and the government must now face the consequences of its misconduct."

Finally, Mr. Chairman, Judge Lamberth wrote, "It seems that some government officials never learn that the cover-up can be worse than the underlying conduct. Most shocking to this court and deeply disappointing is that the Department of Justice would participate in such conduct. This type

of conduct is reprehensible and the government must be held accountable for it."

Accordingly, Mr. Chairman, Judge Lamberth imposed the sanctions on Mr. Magaziner, and this \$285,000 punishment, in my view, should be covered by the guilty party, not borne by the taxpayers.

This is a very simple issue. If one believes that this outrage should be swept under the carpet, if one thinks that Mr. Magaziner's penalty should be paid by the taxpayers, then by all means vote no on this resolution. If one wants the House to go strongly on record opposing this cover-up and insisting that the taxpayers not foot the bill for Mr. Magaziner's penalty, then I think the Members of this House have an obligation to vote aye.

To the opponents of this resolution, whom I very much respect, I would suggest to them, do not change the subject. The ends do not justify the means. If this were a Republican administration engaged in this kind of conduct, I think their outrage would be palpable here.

Mr. STARK. Mr. Chairman, I yield myself such time as I may consume.

I really cannot resist, gentlemen. I think my colleagues are on pretty thin ice when they start talking about who is lying and who is hurting the American people. I remember when Secretary Schlesinger and Secretary Kissinger lied to this Congress and thousands of Americans died unnecessarily in Vietnam. Put that in your book against 238,000 bucks and see how you come out. I can remember when Nixon lied and we put him away. I can remember when Harding lied over an oil deal, by golly, and we put him away.

So there is nothing partisan or unique about politicians stretching the truth. Our own Speaker may have very well been dealt with and have to pay some money or have other people pay it. Let us not get into whether all politicians never lie, ever lie, maybe lie, should not lie.

I am willing to stipulate to my distinguished friends that Ira Magaziner did the wrong thing in spades. I would go further and say, I think he is kind of a nut. But my colleagues should be happy that he is still working for President Clinton. He will do more to help us inside the White House than if we put him in jail. So I say, why do we not stay ahead of the game? Let the guy in there.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. STARK. I yield to the gentleman from Pennsylvania.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, just quickly, that is not the sort of partisan advantage I would seek, and I thank the gentleman for yielding.

Mr. STARK. Mr. Chairman, reclaiming my time, seriously, nobody is debating that there was serious error, but I do not think anybody in this Chamber can debate the other side and say,

nobody else has ever made an error as egregious or as costly, either in dollars or in human life. That is not the issue.

I think I established with my good friend from Arizona that they would rather have this as a debate to in effect tweak the White House, see if they can humiliate the President a little bit. Although it seems to be with events that have led up to this, they have tried and have not succeeded. His popularity is high because he has done a good job with the budget; he has done a good job of addressing all of the things that the Republicans were unable to do that the Democrats did. So I do not know as this is going to make a major difference.

But the resolution deals with government officials using private citizens. Is it any worse to meet with lobbyists in private to try and destroy health insurance to fight for improvements in health care in America? We have a memo from the Health Insurance Association of America, the for-profit health insurance lobby, and it talks about the Speaker's aides calling lobbyists up to Capitol Hill to trash a bill to provide consumer protections in HMOs. That was done in secret.

Is that any worse than a goof-up like Magaziner making the wrong statement and not letting us find out about a health care plan that never came through? I do not think so, because I think every American wants to see managed care protections. So when the Republicans, to be trying to defeat the bill of the gentleman from Georgia (Mr. NORWOOD) in secret, to me is more harmful than bashing this and not really stepping up to the bar. I would like to save the \$285,000 just like my colleagues would, but they turned down my unanimous consent request to do that.

There is a fly-in today, not a fly in the ointment, I mean a fly into Washington. The National Association of Manufacturers, that outgrowth of the John Birch Society, is staging a fly-in to get sponsors off of the bill of the gentleman from Georgia (Mr. NORWOOD), which would protect consumers in this country from egregious treatment by managed care plans.

Now, this was perpetuated by the Republican leadership, certainly not in open court, in an attempt to kill a bill that has enough cosponsors to pass. Is it egregious? No. Mean-spirited? Yes, I would say so. I think that trying to help get 41 million people insured who are uninsured was a good effort in 1993. The Republicans defeated that, and I think that there was indeed a screw-up by Mr. Magaziner and the administration, but I am just suggesting to my colleagues that this tends to point us away from the important issues of the day, and the issues of the day are not whether they are going to pay \$285,000 out of the Treasury, because this resolution will not have any effect on that one way or the other. I offered to do that, my colleagues turned it down.

It cannot be just about lying, because that does not seem to be the special

province of any party or any body to government or any particular social institution in general. It certainly cannot be that my colleagues just want to humiliate the President, because there is a long line outside the White House of people who are trying to do that now, and it does not seem to have much effect, because at least, regardless of what went on in 1993, the President is doing this: He is addressing the issue of helping children. He is addressing the issue of getting insurance to people where the private sector will not give it to them now, and the only objection I am getting from the other side of the aisle is that government is doing it. Well, that is an objection, I guess, if my colleagues believe that. He is addressing the issue of a cleaner environment. He is addressing the issue of helping small business provide retirement funds.

Now, we can embarrass him, but I will tell my colleagues, the American people know that he is trying to deal with the issues that are important to them.

So I would hope we could say again and again, Ira Magaziner was a bum. Ira Magaziner ought not to have been there and he did not help promote the health care of this Nation at all. He is an embarrassment, he ought to go back and continue to ruin General Motors or Electric or whatever he did before he came here. I stipulate to that. I do not care. If there is a way my colleagues could find, and I offered it to them to get the \$285,000 out of his hide. I lead the parade. My colleagues turned down that offer.

So why do we not just agree, I say to the gentleman from Arizona (Mr. HAYWORTH), my good friend, that he was a bum, the government made a mistake, we do not want him to pay \$285,000, my colleagues do not want him to pay \$285,000, but this bill is not going to stop it, and we have had an interesting debate.

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

Mr. HAYWORTH. Mr. Chairman, I yield myself such time as I may consume before I yield to the gentleman from Texas (Mr. JOHNSON), because the charges of my good friend from California and his very interesting, somewhat jaundiced revisionism of history certainly need a response.

First of all, it is worth noting that this new majority in the Congress has worked to enact quality health care reforms. In 1997, in bipartisan fashion, our Balanced Budget Act saved the Medicare program from bankruptcy for at least a decade and helped extend health care coverage for up to 5 million uninsured children. This new majority in 1996 enacted the Health Insurance Portability and Accountability Act to help workers keep health insurance when they changed jobs or lose their job, and, Mr. Chairman, I would point to a more recent piece of history that I am sure my colleague from California remembers. The gentleman from California (Mr. STARK) was one of only two

Members of the House of Representatives, from all of the Republicans and Democrats here, to vote against the bipartisan Health Insurance Portability and Accountability Act, which the General Accounting Office found would help 25 million Americans.

I would concur with my colleague from California that some folks are absolutely beyond humiliation. I might also state that that may be one of the major problems we face in this Nation today. But again, the purpose of this sense of Congress resolution is to say this: It is to say, Mr. Chairman, to the executive branch and specifically to the President of the United States, that here is a chance to change our minds and go on record and mend this breach of trust and pay the fees.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. SAM JOHNSON).

Mr. SAM JOHNSON of Texas. Mr. Chairman, I would like to say to the gentleman from California (Mr. STARK) that I like his comment: Ira Magaziner is a bum. I will just call him that. But there was a difference in this case because there was a judge involved, and I think we have to protect the American taxpayer from paying that \$286,000 for a crime they did not commit.

In 1993, the President did form a secret task force to try and socialize the best health care system in the world, to put the lives of all Americans in the control of our government. A U.S. district judge recently ruled the President's task force engaged in "dishonest and reprehensible conduct" and levied that fine of \$286,000, and the President believes the American people ought to pay that fine. That is unbelievable. Here we have a secret task force that did not consult with the American people, trying to destroy the best health care system in the world, and that same administration has the audacity to turn around and tell the American people, they break the law and pay a fine. I am outraged. Pay this fine? No, no, I do not think so. The American people ought not to have to give up their hard-earned dollars to a government that already takes over 38 percent of the taxpayers' income anyway.

Mr. Chairman, where is the accountability? It is time for people who break the law to stand up and take responsibility. I think Mr. HAYWORTH is right. The President made these same remarks in his State of the Union speech. The task force should take responsibility for their conduct. The task force should pay the fine themselves.

Mr. STARK. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. CARDIN. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Rhode Island. I yield to the gentleman from Maryland.

Mr. CARDIN. Mr. Chairman, I wanted to ask the gentleman from Arizona a question. My colleague wanted to talk about what bills had passed. Can the gentleman from Arizona tell us wheth-

er the Republican leadership intends to bring forward a bill on consumer protection and managed care and when we can expect to that have bill on the floor?

Mr. HAYWORTH. Mr. Chairman, if the gentleman will yield, I thank my colleague for asking me the question. As I am not part of the leadership, I am not sure when those bills will be brought up.

Mr. CARDIN. Mr. Chairman, that is the answer I thought I would receive.

The gentleman from Arizona (Mr. HAYWORTH) was talking about what he was able to bring forward. I thought you could at least give us some assurances that we will be able to take up bills that are important to our constituents.

□ 1730

Mr. KENNEDY of Rhode Island. Mr. Chairman, reclaiming my time, I hope that the American people watching this will be able to sort out all of this gobbledygook back and forth and to really understand that this is a resolution, every side is trying to make some points on it, and some partisan banter.

But I think the point that the gentleman from Maryland (Mr. CARDIN) mentioned is the point that we should be addressing and, unfortunately, it is not in this debate that we are having. It does merit some consideration.

What is being proposed in this resolution is a condemnation of a fellow, who by the way in my State of Rhode Island is held in high esteem, Ira Magaziner, someone who has committed his life to public service. Maybe he did some things that were wrong; i.e., he held meetings in secret. But let us understand what he was trying to do. He was trying to come up with a plan to make sure that all Americans in this country would be able to gain access to quality and affordable health insurance.

Now, is that so wrong? Okay, it may have been a secret plan. But that is because he wanted to keep it a secret from the insurance industry that, once this plan got out, was sure to attack it. The American people who are out there know what I am talking about. They remember the "Harry and Louise" ads on TV condemning the President's plan to make sure that every American got insurance.

Mr. Chairman, the American people have seen the insurance industry repeatedly go against the kind of health care reforms that the Democratic Party and the President have been trying to usher through.

Mr. Chairman, I call the attention of my colleagues to a memo by the Health Insurance Association of America. It was regarding the Republican leadership to kill health insurance reform. They killed it when the President proposed it. They are trying to kill health reform once again in this Congress.

Mr. Chairman, listen to what they say in this memo. They said, "Republicans need a lot of help from their friends on the outside." I wonder who

that could be. Maybe the insurance industry. "Get off your butts and get off your wallets." Come on insurance industry. Give us your money, because we have got to make sure we can still make money off of people.

And how do we make money off of people? We deny them health insurance. If they get sick, we deny them care. It is very elementary common sense. The American people understand how health insurance makes money. They make money by ripping off the American people.

Mr. HAYWORTH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I listened with great interest to the gentleman from Rhode Island and want to thank him for offering his letter or memo in enlarged fashion.

Let me also point to another very enlightening piece of correspondence which again reaffirms our reason for this sense of the Congress resolution.

It is because, despite the fact that the gentleman from California (Mr. STARK) has been rather forthcoming in his analysis and how he perceives the disposition of one Mr. Ira Magaziner vis-a-vis his involvement in government and while he may have a bone of contention with the gentleman from Rhode Island (Mr. KENNEDY), this case involving Mr. Magaziner is not an isolated incident.

Mr. Chairman, I point to the work of the gentleman from California (Mr. THOMAS), chairman of the Subcommittee on Health of the Committee on Ways and Means. If it were not for the work of the gentleman from California (Mr. THOMAS), another committee would be meeting today behind closed doors in violation of the Federal Advisory Committee Act.

The gentleman from California suspected that the Health Care Financing Administration's Technology Advisory Committee, the committee that makes national coverage decisions that affect our 37 million seniors, operated behind closed doors in violation of, with its handpicked members of the public. He immediately called for an investigation by the GAO.

Mr. Chairman, here is the letter from the General Accounting Office dated January 13. Five major violations, Mr. Chairman, which include: one, failure to hold meetings that are open to the public; two, failure to provide public notification of the creation of a committee; three, failure to charter with the head of the agency, the administrator of general services and the congressional committees with legislative jurisdiction; four, failure to sunset the committee within 2 years unless renewed by the agency; and, five, failure to keep records that fully disclose the use of funds by the committee.

Now this is the most important thing, and I am glad the gentleman from Maryland (Mr. CARDIN) was listening. Since this discovery, HCFA scrambled to comply. The first move

was to cancel the scheduled meeting February 3 and 4. Mr. Chairman, as we see, they were going to continue the meetings right now behind closed doors. The breach of trust grows ever wider. It makes this sense of Congress resolution all the more important.

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. HAYWORTH. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I am sure that recitation of all the facts regarding these meetings really did a lot for the American people, the 40 million Americans who are without health insurance today. I am sure the gentleman is really glad that he did point that out.

Mr. HAYWORTH. Mr. Chairman, reclaiming my time, I think it is important; and certainly my colleague would join with me in agreeing that the first step to sound public policy is an open, honest debate as we hold here on the floor. It should not be reserved solely for this Chamber or this Committee of the Whole House. Instead, it should also extend, as it does under law, to other committees.

I am sure my colleague would concur with me that we may have differences on how best to insure uninsured Americans, but one vital step that I believe the gentleman's family and his long tradition of public service would point out is that there should be honesty with this policy, and so I trust he joins me in outrage about this meeting behind closed doors.

Mr. Chairman, I insert the following for the RECORD:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, November 7, 1997.

BILL SCANLON, Ph.D.,
General Accounting Office, Health Financing
and Systems, Washington, DC.

DEAR BILL: I am concerned by reports that the Department of Health and Human Services is using an advisory committee without complying with the requirements of the Federal Advisory Committee Act. I request that the General Accounting Office review the matter for the Committee.

According to Department documents, the Technical Advisory Committee (TAC) makes recommendations to the Office of Clinical Standards and Quality in the Health Care Financing Administration concerning, among other things, whether particular medical technologies are appropriate for Medicare national coverage. Membership of the TAC comprises both government employees and selected medical directors of Medicare carriers, which are private sector entities.

The Federal Advisory Committee Act provides generally that meetings of an advisory committee, as defined in the Act, must be open to the public. The TAC, because it has members who are not government employees, appears to fall within the definition of advisory committee in the Act, yet its meetings are closed. In addition, the TAC may be in violation of other provisions of the Act that govern the formation and operation of advisory committees.

Please provide the following: (1) a description of the responsibilities and operations of the TAC; and, (2) a legal opinion concerning whether the TAC is in compliance with the requirements of the Federal Advisory Com-

mittee Act and, if it is not, the legal implications of that violation.

Thank you in advance for your assistance. If you have any questions about my request, please contact Allison Giles of the Health Subcommittee staff at 225-3943.

Sincerely,

BILL THOMAS,
Chairman.

U.S. GENERAL ACCOUNTING OFFICE,
OFFICE OF THE GENERAL COUNSEL,
Washington, DC, January 13, 1998.

Hon. BILL THOMAS,
Chairman, Subcommittee on Health,
Committee on Ways and Means,
House of Representatives.

DEAR MR. CHAIRMAN: The Health Care Financing Administration created the Technology Advisory Committee to provide it will expert advice concerning whether Medicare should cover specific technologies on a national basis. In your November 7, 1997, letter to this Office, you asked that we provide a description of the responsibilities and operations of the Committee. You also requested that we provide our opinion whether the Committee is in compliance with the requirements of the Federal Advisory Committee Act and, if it is not, that we discuss the legal implications of that violation.

The purpose of the Technology Advisory Committee (the Committee) is to help the Health Care Financing Administration (HCFA) make decisions concerning whether Medicare should reimburse providers on a national basis for new procedures and technologies. Until HCFA makes a decision to provide national coverage, the carriers—the private-sector companies that operate the Medicare program under contract with HCFA—may decide individually whether they will cover a particular technology.

The Committee meets several times a year to consider an agenda established by HCFA. The membership has consisted of both government employees and carrier medical directors. Although it merely provides information in some instances, the Committee has on occasion made recommendations to HCFA.

As it was constituted as of December 31, 1997, the Committee was an advisory committee as defined in the Federal Advisory Committee Act (the Act of FACA), but was not operating in compliance with the Act. The Act requires that meetings of an advisory committee be open, unless a specific exception to that requirement is invoked. Although HCFA promptly publishes a summary of meetings of the Committee after they take place, the meetings are not open to the public, and no exception has been invoked. The Committee has also not been in compliance with other provisions of the Act. These include the requirements that the head of the agency, in consultation with the Administrator of General Services, make a formal determination that creation of an advisory committee would be in the public interest, that a charter for an advisory committee be on file with the agency using it and with the congressional committees having legislative jurisdiction, and that the committee have an expiration date.

The Act is silent concerning the consequences of non-compliance. A person who can establish that he is adversely affected by the violation can seek relief from the courts, which are free to craft what they consider to be an appropriate remedy. For example, when the complaint is based on failure to hold open meetings, the courts have ordered that the meetings be opened.

HCFA, in commenting on a draft of this letter, acknowledged that the Committee was "likely not in compliance with the requirements of FACA," and indicates that it is taking steps to cure the violation. HCFA

points out that the Committee "performs a very important role in augmenting the limited clinical resources available on our staff to review the scientific evidence respecting the appropriateness of extending Medicare coverage to specific health care items and services." HCFA and the Department of Health and Human Services are therefore developing a proposal for a new committee, chartered under the Act, and with broad public membership, that would in effect replace the existing Committee. Pending that decision, HCFA will "reformulate the current committee" with membership limited to federal employees. (We were told that this would be done before the next scheduled meeting of the Committee in February.) A committee so constituted would not be subject to the Act, which excludes from coverage committees consisting entirely of full-time government officers or employees.

We agree with HCFA's course of action. In the short term, it will cure the violations that now exist. In the longer term, HCFA's consideration of a reconstituted committee with broad public representation that will comply with the Act is worthwhile; although we have not analyzed the operation of the Committee in depth, we found no reason to doubt that it performs a useful function for HCFA. Moreover, it seems reasonable that, as HCFA believes, the presence on the Committee of carrier medical directors brings an added valuable perspective to the Committee's deliberations, and that there may be merit to having additional public representation.

A more detailed discussion and a copy of the comments provided by the Health Care Financing Administration on a draft of this letter are enclosed.

As arranged with your office, unless you announce its contents earlier, we plan no further distribution of this letter until 30 days after this date. At that time, we will send copies to the Administrator of HCFA and interested congressional committees. Copies will be made available to others on request.

If you or your staff have any questions, please call me at (202) 512-8203.

Sincerely,

BARRY R. BEDRICK,
Associate General Counsel.

Enclosures.

The Technology Advisory Committee

The Technology Advisory Committee (the Committee) was established by the Health Care Financing Administration (HCFA) to advise it concerning whether new medical techniques and products should be covered under Medicare on a national basis. HCFA has described the functions of the Committee in part as follows:

"[The Committee] serves in an advisory capacity to HCFA's Office of Clinical Standards and Quality (OCSQ). Its major focus is to assist HCFA in its technology assessment efforts, to recommend whether a technology is appropriate for Medicare national coverage policy, and to refer topics to the Agency for Health Care Policy and Research . . . or other technology assessment expert, for a comprehensive technology assessment when appropriate."

Although many Medicare coverage decisions are made locally by the carriers that administer the program under contract, HCFA has an "overall interest in increasing the consistency of coverage policy among carriers and making national policy for coverage issues that are significant."¹ The Social Security Act specifies certain Medicare

¹Prepared statement, "Medicare Coverage Policy," by Bruce C. Vladeck, Administrator, Health Care Financing Administration, before the Subcommittee on Health, House Ways and Means Committee, April 17, 1997.

benefits, but in addition gives the Secretary of Health and Human Services discretion to cover additional items as long as they are "reasonable and necessary for the diagnosis and treatment of illness or injury or to improve the functioning of a malformed body member." The Committee is used to help HCFA decide which items fall within that definition:

"... The [Committee] provides interchange between local and national policy and considers when an issue becomes of such prominence that it warrants a national policy. HCFA develops the agenda that the [Committee] will follow to evaluate and make its recommendations. The [Committee] could recommend that HCFA: issue a national coverage policy, refer the issue for assessment by the Public Health Service or other qualified assessment organization, postpone the decision until there is more information, or decline to establish a new policy. HCFA can then accept or reject the [Committee's] recommendation."²

Membership on the Committee was originally limited to HCFA employees, but was gradually broadened to bring in employees of other components of the Department of Health and Human Services (HHS) as well as of other federal agencies and, eventually, the medical directors of the carriers. At present,³ the membership of the Committee comprises representatives of HCFA and other agencies within HHS,⁴ representatives of the Department of Veterans Affairs and the Department of Defense, and medical directors of the carriers. An official of HCFA's Office of Clinical Standards and Quality serves as chairman.

The expansion of the Committee's membership coincided with an evolution of its functions. Originally the Committee reviewed whether a technology assessment by the Public Health Service was needed and helped to prepare requests for such assessments. Over time, the committee took on additional responsibility and began to make its own assessments. Current practice is for the Committee to discuss the scientific evidence, and for members to express their views on whether that evidence supports Medicare coverage.

Meetings of the Committee are closed, but HCFA has made information on the meetings, including agendas and minutes, publicly available through HCFA's Home Page on the Internet. According to the former Administrator, "[t]his is one of the means by which we hope to increase participation by interested parties."⁵

The published minutes of Committee meetings provide illustrations of its operation. During its August 5-6, 1997 meeting, for example, the Committee considered, among other technologies, a test intended to assist clinicians in selecting chemotherapy agents by predicting tumor resistance to specific drug regimens. In determining the chemotherapy regimen for cancer, practitioners typically use the most powerful therapy available. If the first line of treatment fails, the second attempt at tumor control is rarely as successful as the first one. Therefore, it is important to be precise at the onset of treatment. The Committee considered evidence that the new test lets physicians avoid administering toxic agents that not only offer no benefit, but that lessen the likeli-

hood that the next treatment will be effective.

The Committee agreed that a test of this kind would be beneficial but was concerned with the lack of data demonstrating clinical utility and acceptance of the particular test under consideration. The committee recommended to HCFA that the test not be covered.⁶ (HCFA's coverage decisions do not prevent technologies such as this one from being used; the only issue for HCFA, and the Committee, is whether the technology should be reimbursable under Medicare on a national basis.)

The Federal Advisory Committee Act

In explaining the purpose of the Federal Advisory Committee Act (the Act), the Congress acknowledged that the numerous committees, boards, commissions, and other organizations established to advise the executive branch are frequently a useful and beneficial source of expert advice, ideas, and diverse opinions. At the same time, it found that the need for many then-existing advisory committees had not been adequately established, and that some committees continued in existence after they were no longer useful. The Congress concluded that additional controls were needed over advisory committees, so that it and the public would be kept informed with respect to the number, purpose, membership, activities, and cost of these committees. 5 U.S.C. app. 2 §2.

The Act achieves these ends through a set of requirements that apply to the formation and operation of advisory committees.⁷ Advisory committees must have written charters on file with the head of the agency that created them, and with the congressional committees with legislative jurisdiction over the agency. 5 U.S.C. app. 2 §9(c). They must announce and hold open meetings unless one of several specific exceptions applies. Id. §10. They must cease operation within two years of their creation, unless expressly renewed. Id. §14. Advisory committees must keep publicly available records of expenditures. Id. §12. Requirements of the Act are implemented in regulations of the General Services Administration. Id. §7; 41 C.F.R. Subpart 101-6.10.

The Committee is Subject to the Federal Advisory Committee Act

The Act covers the Committee. As defined in the Act, "advisory committee" includes "any committee . . . which is . . . established or utilized by one or more agencies, in the interest of obtaining advice or recommendations for . . . one or more agencies or officers of the Federal Government. . . ." 5 U.S.C. app. 2 §3. The Committee is established and used by HCFA in the interest of obtaining advice or recommendations.

There are several exceptions in the law from the general definition in the preceding paragraph, but none applies to the Committee as it is currently organized. Two of the exceptions are for specific organizations; the third is for committees "composed wholly of full-time officers or employees of the Federal Government." 5 U.S.C. app. 2 §3(2)(C). As it was originally constituted, the Committee was composed wholly of full-time government officers or employees and therefore came within the latter exception. However, once the carrier medical directors became Committee members, that exception was no longer available.⁸

The Committee is not in compliance with the Act. Among the most fundamental of the requirements with which the Committee does not comply is that meetings must be open and, subject to reasonable limitations, interested persons must be permitted to attend, appear before, or file statements with any advisory committee. 5 U.S.C. app. 2 §10(a). Meetings of the Committee have been closed in the past. In addition, the Committee was not established based on a formal determination by the head of the Department of Health and Human Services, after consultation with the Administrator of General Services, that its creation would be in the public interest (Id. §9(a)(2)), and does not have a charter on file with the Department and the authorizing congressional committees (Id. §9(c)). The Department of Health and Human Services does not keep records of costs and activities of the Committee. Id. §12. The Committee has continued in operation for more than two years despite not having been renewed by the Department. Id. §14.

Consequences of Violation

The Act does not prescribe remedies or penalties for violations, nor does it specify who may bring suit to challenge alleged violations. This in effect leaves it to the courts to decide who may bring suit and to craft remedies for violations.

Because the Act does not create a right to sue for violations, those seeking to challenge the operation of an advisory committee must first establish that they are directly affected in some fashion by the alleged impropriety concerning the committee. This establishes the requisite "standing" to sue.

In those cases where a plaintiff has been found to have standing, legal challenges under the Act have generally focused on two of its requirements. One of these is balance; that is, the plaintiff argues that the constitution of the committee unfairly weights it in favor of one point of view, in violation of the requirement that the membership of an advisory committee "be fairly balanced in terms of the points of view represented. . . ." 5 U.S.C. app. 2 §§5(b)(2), (c). The other requirement that commonly forms the basis for a challenge is openness; plaintiffs allege that they have not been permitted to attend meetings, or that they have been denied access to information about the operations of the committee. Id. §§8(b), 10(a)-(d).

Although there is no statutory penalty for violations of the Act, a plaintiff can ask a court to order appropriate relief. Courts have generally responded to violations of the openness requirement by ordering that the committee's proceedings be opened.⁹

In one instance where an order to open the meetings of the committee would have had no effect because the committee had completed its work before the lawsuit concluded, a federal appellate court upheld an order to the agency not to use the product of the committee's deliberations "for any purpose whatsoever, directly or indirectly."¹⁰ The court reasoned that "to allow the government to use the product of a tainted procedure would circumvent the very policy that

on the theory that the carrier employees should be regarded as federal employees based on the unique and close relationship between the carriers and the federal government. However, this theory is untenable: carriers employees do not meet the legal requirements for status as officers or employees of the United States. Cf. *Ass'n of American Physicians and Surgeons v. Clinton*, 813 F. Supp. 82 (D.D.C. 1993); rev'd. 997 F.2d 898 (D.C. Cir.); remand 837 F. Supp. 454.

⁹*Ass'n. of American Physicians and Surgeons v. Clinton*, 813 F. Supp. 82 (D.D.C. 1993); rev'd. 997 F.2d 898 (D.C. Cir.); remand 837 F. Supp. 454.

¹⁰*Alabama-Tombigbee Rivers Coalition v. Fish & Wildlife Service of U.S. Dept. of Interior*, 1993 WL 646410 (N.D. Ala. Dec. 22, 1993), aff'd. 26 F.3d 1103 (11th Cir. 1994).

²Id.

³As discussed further below, HCFA is in the process of reformulating the membership of the Committee to bring it into compliance with the Federal Advisory Committee Act. This discussion applies to the Committee as it existed as of December 31, 1997.

⁴The other HHS components represented on the Committee are the Food and Drug Administration and the National Institutes of Health.

⁵Vladeck statement, *supra*.

⁶This account is drawn from the summary of the meeting that HCFA posts on its Internet site.

⁷The Act provides different treatment in some respects for advisory committees created by statute, or created or utilized by the President. This discussion applies to advisory committees created by executive agencies.

⁸We understand that it has been suggested that the Committee might fall within the third exception

serves as the foundation of the Act." It is not clear whether courts in the other federal circuits would take the same approach.

HEALTH CARE FINANCING ADMINISTRATION, OFFICE OF CLINICAL STANDARDS AND QUALITY,
Baltimore, MD, December 22, 1997.

BARRY R. BEDRICK,

Associate General Counsel, General Accounting Office, Washington, DC.

DEAR MR. BEDRICK: Thank you very much for giving us the opportunity to comment on a draft of your response to Congressman Bill Thomas, who has asked you for a description of the responsibilities and operations of HCFA's technology advisory committee and a legal opinion concerning that committee's compliance with the Federal Advisory Committee Act (FACA).

We believe the committee has been performing a very important role in augmenting the limited clinical resources available on our staff to review the scientific evidence respecting the appropriateness of extending Medicare coverage to specific health care items and services. The committee has also added valuable perspectives to our discussions about these coverage decisions, based on the experience of other agencies faced with similar issues and the experience of our contractors responsible for processing Medicare claims.

As your draft correctly points out, the composition of the committee has evolved since its inception in 1980. It began solely with a group of clinicians who were on the staff of HCFA. Over time, we added representatives of other Federal agencies, both within and outside the Department, and medical directors from some of the Medicare carriers. The functions of the committee have also evolved. The initial purpose was to review whether a technology assessment should be sought from the Public Health Service regarding coverage for a specific item or service and, if so, to help HCFA staff frame the issue properly and review the response from PHS. As the committee grew and gained experience, it began to undertake more extensive discussion of the scientific evidence available regarding the clinical utility of items and services under review and, eventually, the members began to express their views on whether such evidence supported Medicare coverage.

We acknowledge that the committee is likely not in compliance with the requirements of FACA. Although we have publicized the existence of the committee, and now make the agendas and minutes of its meetings available to the public by means of the Internet, we have not made an effort to charter the committee under FACA. Nor have we opened its discussion of the scientific evidence to the general public.

Since the reorganization and reorientation of HCFA in July of this year, we have been reviewing our coverage decision process and the role of this committee. We believe there may be merit in establishing a FACA-chartered committee, with broad public representation, to review and provide counsel on the policies and procedures for coverage policy. We are developing a proposal for such a committee and will be presenting it for review and approval by the Department. It will likely be several months before there is a final decision on such a committee. During this process, we plan to reformulate the current committee, so that it is comprised solely of Federal employees, in order that we can continue to receive the valuable services it provides.

Thank you again for providing us a draft copy of your response and an opportunity to comment.

Sincerely,

PETER BOUXSEIN,
Acting Director, Office of
Clinical Standards and Quality.

Mr. Chairman, I yield 5 minutes to the gentleman from the great State of Oklahoma (Mr. ISTOOK), a member of the Committee on Appropriations.

Mr. ISTOOK. Mr. Chairman, I certainly hope I misunderstood the gentleman from Rhode Island, because I am sure he did not intend to suggest that, because somebody is doing something that he likes, it is okay to lie.

Because the Court did not say Mr. Magaziner erred by holding meetings in secret. No, the Court found that his position was dishonest, deceitful, preposterous, in the words of the judge's findings, because he lied to the court in order to try to justify having those meetings in secret with hundreds and hundreds of people.

In fact, if we look at the list of the people that were meeting in secret, they even included representatives from the insurance industry. This was not something about one industry versus another and supposedly it is okay for one group to lie, because they question the motives of another. No, this is someone coming before a Federal judge saying under oath things that were blatantly untrue.

Since when are we going to say the means justifies the ends? Since when is the White House going to say that it is okay for people in the highest levels of the White House to lie under oath to the courts of this Nation?

What would happen if that is the standard? And that is the question before us. Those who vote against this resolution are saying it is okay to do nothing about it. Mr. Magaziner is still on the payroll.

Mr. Chairman, I checked the most recent figure we have showing that he is making \$110,000 a year of taxpayers' money. He filed this affidavit the first week of March in 1993. That means that, since he has filed the affidavit, he has been paid by the taxpayers almost half a million dollars; and he remains on the payroll. Nothing has been done about it.

Mr. Chairman, should we not send a message to the White House that they ought to do something about keeping somebody on the public payroll at an expense to taxpayers of half a million dollars whose lies and deceptions have cost us \$280,000 in court-awarded sanctions and fines and legal fees?

Mr. Chairman, I submit that nobody would be kept on the payroll of any private business that did such a thing.

However, it is not just Mr. Magaziner. As I mentioned earlier, the White House representative to come before Congress and talk and testify to our subcommittee repeated the same lies about saying, oh, these are all Federal employees, they are not private citizens from other walks of life involved in this task force.

Patsy Thomasson lied to us. She is still on the public payroll. Attorneys that were involved in the preparation of this at the White House and the Justice Department. And the Court properly said that they failed for years afterwards, even though they knew, they failed to correct the deceit and the lie practiced by Mr. Magaziner in the White House. Attorneys at the Justice Department are also culpable in this.

We have all of these people who in the Clinton administration remain on the public payroll that were involved in this deceit. Their collective salaries are not just half a million dollars but probably a few million dollars.

Now, should we not fashion a remedy where these people that the White House chooses to keep on the public payroll, despite their deceit, should be the ones who have to have this money taken out of their pay in some form or fashion? Maybe we ought to, as a second step in this process, say that those persons should not be paid more than minimum wage. Maybe there is some other mechanism.

But for Congress to do nothing is to say that Congress goes on record saying that it is okay for officials at the White House to lie to Federal courts under oath. We cannot have standards such as that. The Nation cannot afford a standard like that.

Under any other President, what is the watchword? What are Washington and Lincoln known for? They are known for being honest with the American people. And part of being honest is also if we make a mistake, if it is an innocent mistake, we correct it.

That was not done. Multiple people have been kept on the payroll who were involved in a pattern of deceit, deliberate deceit to the Federal court. This is the first step in correcting that process.

Congress cannot stand idly by, cannot do nothing, cannot say it is only \$285,000.

I heard someone before in this Congress saying that it was only \$1 million. Well, next thing we know they will be saying it is only \$100 billion or some similar figure. If we find that deceit is being practiced by White House officials, we have the obligation to the American people to root it out, to say we cannot continue to let those persons continue on the public payroll.

Mr. Chairman, I urge adoption of the resolution.

Mr. STARK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, one, I would remind the distinguished gentleman from Oklahoma (Mr. ISTOOK) that we offered a unanimous consent request which would absolutely cut out the payment with any taxpayers' money and it was rejected by his side of the aisle.

I would further remind the gentleman that, while they have spent the better part of a year and a half or better part of a year trying to get rid of a duly elected Democrat to the House of

Representatives who committed no crime, other than to get elected, the Republicans are harboring a convicted felon in their delegation and have done nothing except see that his salary is paid and that he is an active Member of the Republican House delegation.

So I would suggest that one ought to be careful about talking about who pays money to crooks on whose time, because it is the Republicans that are supporting a crook in their midst and not doing anything to get rid of him.

Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I wanted to comment. I want my colleagues to understand why I am on the floor today.

I listened to one of the previous Republican speakers who said would it not be a shame if this resolution would not be brought up. And the gentleman from Arizona (Mr. HAYWORTH) said to the gentleman from Rhode Island (Mr. KENNEDY) that he wanted to have an honest debate on what to do about the uninsured.

My problem here today is the fact that my Republican colleagues bring up this resolution. They are in the majority. The Republican leadership decides what is brought up on the House Floor, and I do not think this resolution is important enough to waste the time of the House of Representatives.

I would like to see an honest debate on how we are going to cover these 40 million Americans that do not have insurance. But the problem here is that they do not bring up those things. The Republican leadership does not allow us to deal with health insurance reform and how to deal with the uninsured.

For the last couple of years, every time we wanted to address the concerns that were originally brought up by this President's task force about how to insure the people that were uninsured, whether it was the portability issue or preconditions in the Kennedy-Kassebaum legislation or it was the kids' health initiative that the President talked about in his last State of the Union address, on both of those occasions the Republican leadership blocked any efforts to bring those issues to the floor. And it was only after we repeatedly said, as Democrats, over and over again, this is important, pass Kennedy-Kassebaum, this is important, we need a kids' health care initiative, then eventually they acceded and said, okay, bring it up.

The problem is that what the President's task force started 5 years ago, to talk about the need to address the uninsured, those problems are still out there. They are getting worse. More people are uninsured today than were uninsured 4 or 5 years ago when Mr. Magaziner started this task force.

So my Republican colleagues should not kid us and say to us this is important and we will deal with that issue later. They will not do it. We have got to constantly pressure and pressure and pressure.

Right now, the President in his State of the Union address talked about the need to reform managed care. He talked about a consumer Bill of Rights to deal with the problems that people face with managed care. Bring it up. Bring up the President's agenda that so many people care about and that we know the public cares about. Bring up the problems of the near elderly, the people in the 55 to 65 year range who increasingly do not have health insurance.

□ 1745

You have the ability to bring it up. You control the agenda. Do not sit here or stand here and tell us that this is more important than that, because it is not.

I want to tell my colleagues why they are not bringing it up. My colleague, the gentleman from Rhode Island (Mr. KENNEDY), pointed it out. That is because the Republican leadership is engaged in this war that they want to stop any health care reform. They want to get the money from the special interests. They do not want the public and the agenda that the President has put forward to come forth and be heard on the floor of the House of Representatives.

What does Senator LOTT say there? He says, the Republicans need a lot of help from their friends on the outside. Get off your butts, get out your wallets.

The message we are getting from the House and Senate leadership is that we are in a war and need to start fighting like we are in a war.

Do Members know why? Because the President's message that we need managed care reform works. The public wants it. The Democrats are saying, bring it up.

They have got to start this war with all the special interest money to make sure it does not happen. That is what is going on here today.

Mr. HAYWORTH. Mr. Chairman, I am astonished to learn that ethics in government should take a back seat to another agenda, but then again I forewarned this committee that folks would try to change the subject.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. CRANE), esteemed colleague and chairman of the Subcommittee on Trade.

Mr. CRANE. Mr. Chairman, I thank my distinguished colleague for yielding time to me.

As parents we try to teach our children one of the most fundamental elements of decency, thou shalt not lie. If you do not tell the truth, there are consequences.

Unfortunately we have before us today an issue that violates that tenet, and the punishment is being undermined by the President's administration. The court case we are talking about brings an almost \$286,000 judgment against the Clinton health care task force which was led by Ira Magaziner. The court determined that Mr.

Magaziner chose not to tell the truth when he was questioned about the members of the task force. To compensate for his deceit, he and the other task force members must pay the plaintiffs attorneys' fees and costs. He lied, and now he must pay, a justifiable punishment within our justice system.

Instead of making Mr. Magaziner pay for his dishonest action, the administration has said it is appropriate for the American taxpayers to pay the penalty. It is similar to someone robbing a bank, getting caught, not returning the money and using it to pay for his defense. That is wrong, and why this is so difficult for the administration to understand is beyond me.

Tax money should not be used to subsidize dishonesty, and I would urge my colleagues to cast their vote in support of honesty and integrity. Vote for H.J. Res. 107.

Mr. STARK. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Chairman, let me again thank the gentleman from California (Mr. STARK) for yielding me this time.

Mr. Chairman, let me just point out a couple points. First, it is undisputed that this sense of Congress resolution has no legal effect. In fact if it had legal effect, the plaintiffs in the lawsuit would not be able to recover attorneys' fees, which is just the opposite of what the sponsors of this resolution would have us do.

If we want to debate what should be the personal responsibility of someone who is employed by the government, then we should have on the floor legislation, generic legislation, the way we normally would take up bills, not aimed at one person or a personality, but aimed at whether this is good public policy or not. And then we would debate that issue and come to some resolution. I assume that we would have an opportunity to amend that particular bill, and we would have an open and full debate. But instead we are working on a resolution that has no meaning, that does not do what the sponsors claim it does, that, as the gentleman from California (Mr. CAMPBELL) pointed out, it cannot have any effect. And if it did, we would have to amend the underlying law.

The gentleman from California (Mr. STARK) made a unanimous consent request to deal with the underlying law, but that was objected to by the other side. So if we want to have a debate on responsibility, then bring forward a bill that does it in a generic sense, but do not hide behind one person and one court decision when your resolution does not even affect that resolution.

Mr. HAYWORTH. Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. ARCHER), one of the true gentlemen of the House.

Mr. ARCHER. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, the resolution the House takes up today is simply about five words. It is not about all of the other things that have been said that reach out on many different subjects. It is about protecting taxpayers and honesty in government.

A Federal judge ruled last December that the Clinton administration engaged in, and I quote, dishonest, unquote, and I quote again, reprehensible, unquote, conduct by trying to deceive the court as to the makeup of its 1993 health care task force. The court found that the administration broke the Nation's sunshine laws and fined the White House \$285,000. But President Clinton has announced that he intends to make the taxpayers pay this fine.

Today the House of Representatives can send the President a message: Mr. President, protect the taxpayers. It is wrong to make the taxpayers pay this fine. Reverse yourself, Mr. President. Taxes are already at a peacetime record high, and do not make the taxpayers pay one penny more. It is your responsibility. These people acted in your behalf. It is up to you to find a way to protect the taxpayers.

Mr. Chairman, in 1993, the taxpayers narrowly escaped paying the price for the administration's failed attempt to have a government takeover of health care. Having come so close to paying the price back then, I do not see why the taxpayers should have to pay the price now.

My colleagues, the fines at issue arise from no ordinary case. This matter sprang from the administration's extraordinary attempt to keep secret the deliberations of its 1993 health care task force. In a sworn affidavit, Mr. Ira Magaziner, currently a senior advisor to the President, swore the task force consisted only of government employees. As we all know, the task force contained many outside special interest representatives, private citizens, not government employees.

But here is what the judge said, and I quote: The Magaziner declaration was actually false. It is clear that the decisions here were made at the highest levels of government, and the government itself is and should be accountable when its officials run amok. The court agrees with the plaintiffs that these were not reckless and inept errors taken by bewildered counsel. The executive branch of the government, working in tandem, was dishonest with this court, and the government must now face the consequences of its misconduct. It seems that some government officials never learn that the coverup can be worse than the underlying conduct.

That is the end of the judge's statement, which I quoted verbatim.

Mr. Chairman, it is worth noting that the administration has not indicated that it will even appeal this ruling. That is why it is so important that we vote today to protect the taxpayers. Honesty in government is important always, at all times, for all of us every-

where. It is important in the Congress, and it is important in the White House. But when a breach occurs, the mistake should not be compounded by forcing the taxpayers to pay the price. And with this vote, we can help the President to change his mind. I hope that if the President will not protect the taxpayers, Congress will.

Mr. STARK. Mr. Chairman, I yield myself such time as I may consume.

I would just remind my distinguished chairman, the gentleman from Texas (Mr. ARCHER), that this resolution does not do what he wants done. He knows that. He is a brilliant lawyer. But I offered, Mr. Chairman, him the opportunity to make this a law, and it was turned down by the Republicans. So if we really want to do what the gentleman from Texas (Mr. ARCHER) is asking us to do, we will make this a law instead of a meaningless resolution.

So while you can talk tough, you are not willing to fight. You are talking the talk, but you will not walk the walk. You are afraid to make this work. You are afraid of the consequences of what could happen. You will not do it. We are offering you the opportunity. Where are you, Republicans? If you want to embarrass the President, come on. I will repeat my request for unanimous consent to strike section 2 and make it a bill. Will the gentleman accept my challenge?

Mr. ARCHER. Mr. Chairman, will the gentleman yield?

Mr. STARK. I yield to the gentleman from Texas.

Mr. ARCHER. Mr. Chairman, I would say to the gentleman that the intent and the effort of this resolution is to give the President the opportunity to resolve this issue without Congress having to come back in a way such as the gentleman suggests. We want to give the President the opportunity to do the right thing. And we hope that he will.

Mr. STARK. Mr. Chairman, the President under the law cannot. You want him to break the law twice. He has been ordered by the judge to pay the fine. It is only us who can prevent it. So I am offering you the chance again. Let us prevent it. You and I right now, before we go home for dinner, we can solve this.

Mr. ARCHER. Mr. Chairman, if the gentleman will continue to yield, the President does have the opportunity to find nongovernment funds that can be used to pay this. He has access to all sorts of opportunities for nongovernment funds. The President today has announced that he is going to raise \$10,000 per person to go into his defense litigation fund, and so clearly he has plenty of opportunities. And I think it would be a much simpler thing if he would resolve it in the right way, and then the Congress would not have to take any precise sanctionable action.

Mr. STARK. Mr. Chairman, that is like asking me to raise NEWT GINGRICH'S fine. And it is not going to happen, and the gentleman and I know it.

If in fact you are looking for the President to go out and give some hard-earned campaign funds to this issue, I think that that is what you should suggest. What you are trying to suggest is that the Republicans are doing something noble. You are not. You are coming up to the edge, but you do not have the nerve to make this a law. You do not, just like you are not solving the health care problems. You are talking about it, but you do not have the nerve. It is just like finding health insurance for children. You talk about it, but you do not have the nerve to do it. You are flimflamming the American people, and that is what this resolution is.

You are worried, Magaziner is no charm, but you are worse. You are worse because you have the chance to correct it now, and you are misleading the American people because you will not act, you do not have the guts, you do not have the nerve to do it. We are offering you that chance. And you will not take it. You are sitting there on your hands just wondering, what do we do now?

Come on, guys. If you want to legislate, legislate. But if you are afraid to, do not keep people up all night listening to this because the American public knows it is simple. It is very simple. This resolution has no force and effect. We, the Democrats, have offered you a unanimous consent request to make it law. It would happen just like that. No votes, no nothing. All you have to do is accept it, and you refuse.

So what are we doing but wasting money and time while you want to argue about some guy who we all agree was a useless addition to the health care debate. I submit that the American public will recognize that it is the Republicans who will not protect Americans from HMOs by giving them a bill of rights. It is the Republicans who are frustrating the chance to provide decent health care to early retirees. It is the Republicans who are not getting children the care they need. I think that that is a sad commentary on this Congress and its current leadership.

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

□ 1800

Mr. STARK. Mr. Chairman, I yield myself the balance of my time.

I am troubled, as Members may have realized, and we are doing this just to recap, I least of all would have any brief for Mr. Magaziner and whatever attempts he may have made at public service. I have no brief for people lying, whether it is Republican Presidents or Democratic Presidents or Secretary Schlesinger, Secretary Kissinger, I do not care, Ollie North. People should not lie. It does happen.

In this case, the administration apologized and recognized the error of its ways and it has been assessed legal fees to a bunch of right wing wacko doctors down south. And so if they

want their \$280,000, then let these Neanderthals collect it. And we can do that by, in fact, accepting my unanimous consent request to make this resolution binding.

I do not think my colleagues want to touch it. I think the Republicans are afraid that what they have done is so silly that it would cause more harm than good. We have offered to give it to them. We are offering it again. They can have it. They can win. Make it a law. Stop the taxpayers from having to pay the money.

But they do not dare. They do not dare. They are backing away. They are cowards. Come on. Here we are, we are willing to prevent it in a law, and they will not do it.

I think the American people, Mr. Chairman, have to recognize that the Republicans brought up this issue, they marched up the Hill and, when faced with no opposition, they raised the white flag of surrender and ran away from saving the very day that they tried to win. I say I think that defines the difference between the Republicans and the Democrats.

Mr. Chairman, I yield back the balance of my time.

Mr. HAYWORTH. Mr. Chairman, I yield myself the balance of my time to close the debate.

It is very interesting, Mr. Chairman, that just a short time ago my colleague from California came to me with an entreaty to maintain the civility and the smooth running procedures in this House and yet has attempted, perhaps, sadly, because the facts are not on his side, to goad this side of the aisle into some sort of debate when he starts his "mano a mano" type of talk, and then refers to right wing wackos and cowards.

Look, the situation is clear here, and despite all the name calling and the lack of civility, Mr. Chairman, that I hope our friends in the fourth estate noticed in the closing remarks of my colleague from California, despite all the incendiary verbiage, the facts are these: Members of the administration deceived this Congress and moved to deceive the American people. Their deceit has been found out. They have been fined. And American taxpayers should not foot that bill.

That is the sense of this Congress resolution. And all the insults hurled from across the aisle, and all the other entreaties to move to other forms of policy and change the subject are not germane.

In closing, Mr. Chairman, I would like to mention the hard work and efforts of the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Georgia (Mr. BARR) on their original investigation of the health care task force. I also want to mention the hard work of the gentleman from New York (Mr. SOLOMON), the chairman of the Committee on Rules, on publishing the names on the list.

Let us mend this breach of trust. Pass the resolution.

Mr. LIVINGSTON. Mr. Chairman, I rise today in strong support of H.J. Res. 107 of which I am an original cosponsor. I also want to thank the gentleman from Arizona (Mr. HAYWORTH), for his leadership on this matter.

Contrary to the belief of many, the administration is actually considering using taxpayer dollars to pay a court ordered fine. A fine that resulted from a misstatement of fact—a lie—by the President's National Health Care Reform Task Force.

The resolution simply expresses the sense of Congress that the court ordered fine not be paid by the taxpayer.

The case centered primarily on the status of the Task Force's employees. Under the terms of the Federal Advisory Committee Act, the Task Force should of been comprised of "full-time officers or employees" of the federal government. It was not. The Task Force convened behind closed doors and inappropriately included individuals who were not employees of the Federal Government.

The courts not only found the Task Force's declaration a misstatement, but also found that representatives of the administration engaged in "dishonest" and "reprehensible" conduct in characterizing the membership of the Task Force. The court awarded the Associations of American Physicians and Surgeons, the plaintiffs in the case, \$285,864.78 for attorney's fees, costs and sanctions.

Well, the administration is now considering paying the fine with taxpayer dollars. The taxpayers of the United States, who work hard for their money and already send too much of it to Washington, should not be forced to send more of it to cover the deliberate dishonest actions of others.

I urge the adoption of the resolution.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the joint resolution is considered as having been read for amendment under the 5-minute rule.

The text of House Joint Resolution 107 is as follows:

H. J. RES. 107

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds that—

(1) the President's Task Force on National Health Care Reform, convened by President Clinton in 1993, was charged with calling together officials of the Federal Government and others to debate critical health issues of concern to the American Public;

(2) the Task Force convened behind closed doors and inappropriately included individuals who were not employees of the Federal Government;

(3) United States District Judge Royce C. Lamberth ruled in Association of American Physicians and Surgeons, Inc., et al. versus Hillary Rodham Clinton, et al., that representatives of the administration engaged in "dishonest" and "reprehensible" conduct in characterizing the membership of the Task Force;

(4) Judge Royce C. Lamberth on the basis of such conduct ruled against the defendants and ordered them to pay \$285,864.78 in attorneys' fees, costs, and sanctions for the plaintiffs; and

(5) American taxpayers should not be held responsible for the inappropriate conduct of Federal Government officials and lawyers involved with the Task Force.

SEC. 2. SENSE OF THE CONGRESS.

It is the sense of the Congress that the award of \$285,864.78 in attorneys' fees, costs, and sanctions that Judge Royce C. Lamberth ordered the defendants to pay in Association of American Physicians and Surgeons, Inc., et al. versus Hillary Rodham Clinton, et al., should not be paid with taxpayer funds.

The CHAIRMAN. The chairman of the Committee of the Whole may postpone a demand for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the joint resolution?

AMENDMENT OFFERED BY MR. CARDIN

Mr. CARDIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CARDIN:

In section 1(1), insert after "American Public" the following: ", including the need for meaningful national quality standards for all group and individual health care plans and the need of individuals enrolled in such plans for access to an independent external appeals process which would ensure that treatment decisions are made by medical professionals whose only interest is to provide medically sound care".

In section 1, redesignate paragraphs (2) through (5) as paragraphs (3) through (6), respectively, and insert after paragraph (1) the following new paragraph:

(2) legislation has not been enacted to address such issues, including the specific needs identified in paragraph (1);

In section 2, insert after "It is the sense of Congress that" the following: "(1) legislation that provides meaningful national quality standards (such as those included in legislation introduced by Representative Norwood or by Representative Dingell) for all health care plans and assures enrollees in such plans access to an independent external appeals process (similar to that available to medicare beneficiaries) should be enacted in a timely manner, and (2)".

Mr. CARDIN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HAYWORTH. Mr. Chairman, I reserve point of order against this amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. CARDIN. Mr. Chairman, this amendment is very clear. It deals with the same action that the underlining resolution deals with, and that is the action of the health care task force that the President constituted.

This amendment would make it clear in the sense of Congress that we want to consider on the floor as quickly as possible legislation that would provide national quality standards for health care plans.

I make specific reference to two bills, and I do that intentionally, one by the gentleman from Georgia (Mr. NORWOOD), a Republican, and one by the

gentleman from Michigan (Mr. DINGELL), a Democrat, because I know that there is bipartisan support for quality standards for managed care programs. By the number of cosponsors of these bills, it is clear that the majority of the Members of this House want this body to take up standards to protect our consumers in managed care programs so that medical decisions can be made by medical professionals and not health insurance bureaucrats.

Now, the reason why I think this is so important to put on this sense of Congress resolution, and I will relay a story of someone who visited my office yesterday who was interested in an environmental bill and had a meeting with the Republican leadership and was told that it was unlikely that that bill could be brought up this year because there was not enough time. Mr. Chairman, we are in the second week of this session of Congress and we are already being told that because of the condensed schedule that the Republican leadership has brought forward that there will not be time to consider important legislation.

Well, let us go on record now to say that protecting our consumers who are in managed care programs is a priority that we want to deal with before Congress adjourns this year.

My amendment is simple. It adds to the sense of Congress resolution that we bring up basic consumer protection this year before we adjourn. Matters such as external appeal, so that consumers have a right to challenge a managed care operator as to whether health care is needed or not; matters such as access to emergency care, that I mentioned before, so that prudent layperson standards can be used so people can be reimbursed when they go to emergency rooms; to get rid of the gag rule so that doctors can talk to their patients without fear of conflicting the contract that they have with an HMO; antidiscrimination rules, so we do not discriminate against providers, that HMOs do not discriminate against providers.

And the list goes on and on and on. There is need now for this Congress to act. My amendment makes it clear that this Congress will take up that legislation.

I urge my colleagues to accept this amendment. It is a sense of Congress resolution. It makes it clear to the leadership that we want to take up and debate the issue this year. That is the least we can do as we debate this resolution, and I urge my colleagues to accept the resolution.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Arizona insist on his point of order?

Mr. HAYWORTH. Yes, I do, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. HAYWORTH. I make a point of order against this amendment, Mr. Chairman, on the grounds that it is not

germane to the joint resolution. Now, it is a good attempt to try to change the subject, and certainly we all agree that health care is a vital issue that we should debate but, Mr. Chairman, the amendment is not germane to this joint resolution.

The fundamental purpose or common thread in the joint resolution is very narrow. It is limited to expressing the sense of Congress on the fine imposed on government officials for conduct on the President's health care task force. It does not concern the subject matter of health care matters generally, therefore, the amendment is outside the scope of the bill and is, therefore, not germane.

I urge the Chair to sustain this point of order.

The CHAIRMAN. Does the gentleman from Maryland wish to be heard on the point of order?

Mr. CARDIN. Mr. Chairman, I do. My amendment has the same fundamental purpose as the resolution before us. The fundamental purpose has a long-standing test of germaneness by this body.

The resolution addresses the actions of the health care task force, so does my amendment. It was one of the major issues before the health care task force that we return to medical professionals the right to make decisions about our health, and that we should be able to express ourselves against insurance company bureaucrats making those judgments rather than health care professionals.

It is the same fundamental purpose as the underlining resolution, and I urge the Chair to rule in favor of germaneness.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The gentleman from Arizona has made a point of order that the amendment offered by the gentleman from Maryland is not germane to the resolution.

The joint resolution, H. J. Res. 107, proposes to express a sense of Congress that the award of attorneys' fees, costs and sanctions ordered by a Federal judge should not be paid by taxpayers' funds.

The amendment proposes to express the sense of Congress on the duties of a Presidential task force referenced in the resolution. The amendment also proposes that specified health care legislation pending in Congress should be enacted into law in a timely manner.

Clause 7 of rule XVI of the rules of the House require that amendments be germane to the proposition to which it is offered. One of the general principles of the germaneness rule is an amendment must relate to the subject matter under consideration. This principle is recorded on page 611 of the House Rules and Manual. The pending resolution focuses on the source of payment of various charges ordered by a Federal Court judge in a specific court case. By contrast, the amendment addresses the enactment of specific legislative pro-

posals currently pending in Congress. In the opinion of the Chair, the enactment of specific health care legislation by the Congress falls outside the ambit of a resolution focusing on a source of payment for charges resulting from a court case.

The resolution, H. J. Res. 107, as introduced, was referred solely to the Committee on the Judiciary. The health care policy legislation addressed in the amendment offered by the gentleman from Maryland does not fall within the jurisdiction of that committee. An amendment concerning a subject matter outside the committee of jurisdiction of the pending bill may not be germane.

For the reasons stated, the Chair finds that that amendment is not germane and the point of order is sustained.

Are there further amendments to the joint resolution?

AMENDMENT OFFERED BY MR. CARDIN

Mr. CARDIN. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. CARDIN:

On page 3, strike all of section 2 and insert the following:

"Section 2. No Payment of Award by Taxpayers.

The award of \$285,864.78 in attorneys' fees, costs, and sanctions that Judge Royce C. Lamberth ordered the defendants to pay in Association of American Physicians and Surgeons, Inc., et. al. versus Hillary Rodham Clinton, et. al., shall not be paid with taxpayer funds."

Mr. CARDIN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

POINT OF ORDER

Mr. HAYWORTH. Mr. Chairman, I make a point of order against the amendment on the grounds it is not germane to the joint resolution.

The CHAIRMAN. The gentleman from Arizona has made a point of order. Does the gentleman from Maryland wish to be heard on the point of order?

Mr. CARDIN. Mr. Chairman, I do. And since we cut off the reading, let me explain what the amendment does and why. It is in compliance to the Chair's most recent pronouncement on my previous amendment.

What this amendment does is what the gentleman from California (Mr. STARK) tried to do by unanimous consent.

Mr. HAYWORTH. Regular order, Mr. Chairman.

The CHAIRMAN. The Chair will entertain brief comments on the point of order from the gentleman from Maryland, and would ask that the gentleman from Maryland confine his remarks to the point of order made by the gentleman from Arizona.

Mr. CARDIN. Mr. Chairman, I was trying to do that. The amendment

deals with the payment of counsel fees. The Chair just ruled on the previous amendment that it was not germane because it did not deal with counsel fees.

My amendment has the same fundamental purpose as the resolution before us. Fundamental purpose has a long-standing test of germaneness. The resolution addresses the action of the health care task force, so does my amendment. The resolution suggests how the payment of attorneys' fees in this case should be resolved, so does my amendment. My amendment changes the sense of Congress resolution to make it effective; to change it into law. It has the same underlining purpose.

The people who have spoken on behalf of the resolution all have said that its underlying purpose is identical to what this amendment would do. Therefore, the test of germaneness has been met.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The gentleman from Arizona has made a point of order that the amendment offered by the gentleman from Maryland (Mr. CARDIN) is not germane.

H. J. Res. 107, again expresses the sense of the Congress that the award of attorneys' fees, costs and sanctions ordered by a Federal judge in a specific case should not be paid with taxpayers' funds. The amendment would convert the joint resolution from an expression of congressional sentiment to a legislative prohibition on the use of Federal funds for that purpose.

The Chair finds guidance in two relevant precedents. Under the precedent carried at section 6.20 of volume 10 of Deschler-Brown Precedents, to a bill extending the advisory functions of a governmental agency charged with conducting voluntary programs to resist inflation, an amendment directing the issuance of orders and regulations stabilizing economic transfers was held not germane.

□ 1815

Order the precedent carried at section 30.22 of volume 11 of Deschler-Brown Precedents to a section of the bill stating the Congressional intent of proposed legislation, an amendment to insert a further statement of intent was held to be germane.

Central to the Chair's ruling in that case was the view that the amendment was merely an indication of Congressional intent and "not binding on anybody."

The Chair is unable to interpret the amendment in this case as similarly not binding but rather is of the opinion that the amendment is intended to prohibit the use of Federal funds as a matter of law.

Therefore, the precedents cited earlier are relevant in supporting a decision finding that the amendment is not germane. The Chair sustains the point of order.

Are there further amendments to the joint resolution?

Mr. CARDIN. Mr. Chairman, I move to strike the last word.

I certainly understand the Chair's rulings on my past two amendments. I am disappointed by the rulings. But I am more disappointed by my friend, the gentleman from Arizona (Mr. HAYWORTH), raising points of order against these amendments. If he had not raised points of order, we could have either changed this resolution from a sense of Congress to a law and we could have tested whether we were sincere in what we are trying to do today.

And on the other amendment, if my colleague had not raised that point of order, we could have at least told the people of this country, the taxpayers of this country, which this resolution is aimed at, that we will take up this year consumer protection and managed care and health care.

The President's task force was aimed at maintaining and improving quality of care for all Americans. That was the central purpose of the task force. My amendment would have made it clear that we wanted to bring up this year quality assurances in managed care programs.

I regret that my friend from Arizona raised a point of order. But I would hope that the Republican leadership in this House will give us some commitment that we will have time to debate this very important issue on the floor of this House and then let the majority rule. Let us have an open debate. Give us an opportunity to take up these issues so that the American people know where we stand on the very important issues as to whether medical personnel should make medical decisions or insurance company bureaucrats.

I urge my colleagues to support efforts to bring these matters to the floor. The Chair's ruling confirms that this resolution does absolutely nothing. If it did something, according to the Chair, my amendment would have been made in order. I regret that. And I hope we will have another day in order to argue these issues.

The CHAIRMAN. Are there further amendments to the joint resolution?

AMENDMENT OFFERED BY MR. STARK

Mr. STARK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STARK:

On page 3, line 7, strike "." and insert ", and further, it is the sense of the Congress that Speaker Newt Gingrich and his staff should not be paid with taxpayer funds for any time that they spent convened behind closed doors with lobbyists plotting to block legislation improving health insurance and health quality for the American people."

POINT OF ORDER

Mr. HAYWORTH. Mr. Chairman, again I would make a point of order against the amendment.

The CHAIRMAN. The gentleman from Arizona will state his point of order.

Mr. HAYWORTH. Mr. Chairman, I make a point of order against the

amendment on the grounds that it is not germane to the joint resolution.

Again, despite our best efforts to maintain civility, this amendment is just totally improper. It is not germane to the joint resolution.

As we know, the fundamental purpose or common thread in this joint resolution is very narrow. It is limited to expressing the sense of Congress on the fine imposed on Government officials for conduct on the President's Health Care Task Force. Therefore, this amendment, once again, is outside the scope of the bill and is, therefore, not germane.

Again, I would urge the Chair to sustain this point of order.

The CHAIRMAN. Does the gentleman from California (Mr. STARK) wish to be heard on the point of order?

Mr. STARK. Yes, Mr. Chairman, of course.

The amendment is germane. It draws on the language of paragraph 2 in section I and extends the very purpose of the resolution to similar actions by Members of Congress.

I believe that the Parliamentarian will find that Speaker Muhlenberg, during the Whiskey Rebellion of 1793, had a precedent, saying, "Sauce for the goose is sauce for the gander." And I think Speaker Clay, in dealing with the war in 1812, said, "Take no prisoners and lie about it."

So that, I believe, this is indeed germane. I hope that the Chairman will find it so.

The CHAIRMAN. The Chair is prepared to rule.

The amendment offered concerns subject matter not addressed in the underlying resolution. Specifically, the amendment addresses persons not touched upon in the underlying resolution. For these reasons, the amendment is not germane; and, accordingly, the point of order is sustained.

Are there further amendments to the joint resolution?

AMENDMENT OFFERED BY MR. STARK

Mr. STARK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STARK:

On page 3, line 7, strike the "." and insert the following: ", and since the Task Force failed to develop a plan to ensure access of all Americans to affordable health care similar in scope to the type of health insurance available to Members of Congress, the United States Congress should develop, pass, and submit such a plan to the President of the United States prior to August 1, 1998."

POINT OF ORDER

Mr. HAYWORTH. Mr. Chairman, I make a point of order against the amendment on the grounds that it is not germane to the resolution.

The CHAIRMAN. The gentleman makes a point of order.

Does the gentleman from California wish to be heard on his point of order?

Mr. STARK. Yes, Mr. Chairman, I would like to be heard.

I believe, Mr. Chairman, that this amendment is germane. It refers to the

work of the task force, which is still uncompleted and, instead of concentrating on the mistakes of 4 years ago, calls on Congress to help all Americans obtain health security. Members, we in the Congress, have excellent health insurance; and we should support similar coverage for our constituents.

It is, after all, the nexus of what this whole resolution is about, is the issue of the task force and why it failed; and I think that it should indeed be included so that we show our resolve to show all Americans that they should have at least as good health insurance as they are paying for us Members of Congress.

The CHAIRMAN. The Chair is prepared to rule on the point of order by the gentleman from Arizona.

As mentioned in the Chair's earlier ruling, the pending joint resolution expresses a sense of Congress with respect to the award of attorneys' fees, costs, and sanctions ordered by a particular court. For the reasons stated by the Chair on the first amendment offered by Mr. Cardin of Maryland, the pending amendment urging development of a health care proposal is not germane as addressing matters not addressed in the underlying joint resolution. The point of order is sustained.

Are there further amendments to the joint resolution?

Mr. STARK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think that the amendments that have been offered, with the anticipation that they would be denied the opportunity for debate, should illustrate to the American people what we have tried to suggest here.

There is, in fact, no question that there was a serious breach of behavior on part of the administration, for which they apologized and a Federal judge assessed legal costs; and we have agreed that the American taxpayers should not pay for it. And the Democrats have offered as an amendment, as a unanimous consent request, a concrete, absolute way to see that that is denied.

My colleagues, on the other hand, have ducked that and not wanted to. Perhaps they wanted to see how it will twist in the wind a little longer.

Secondly, the other amendments have called attention to the American people that, while the President has sought to extend health care to the 40-plus million Americans who do not have it, to provide health care coverage or access at no cost to the Federal Government and at no cost to anyone else, to the early retirees, to extend health care to children, to give people who are in managed-care plans the protection from the egregious actions of the for-profit insurance companies by denying them access to emergency room care, by denying young children needed medical procedures which could save their lives, and then having these same corporate plans hide behind the skirts of ERISA as they attempt to avoid liability.

And while the Republican leadership has refused to support Dr. Norwood's bill which would accomplish this and has bipartisan support and has more than enough cosponsors to pass this House, it shows that it is the Republican leadership that is conspiring with the lobbyists in secret to keep the American people from getting the managed care protection they need, from getting the health care they need at a reasonable cost and indeed getting fair treatment by this Congress. Because that fair treatment is being denied by the Republican leadership.

Mr. Chairman, with that unhappy assessment of this rather waste of time of a resolution, I yield back the balance of my time.

The CHAIRMAN. Are there further amendments to the joint resolution?

If not, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BLYDEN) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J.Res. 107) expressing the sense of Congress that the award of attorneys' fees, costs, and sanctions of \$285,864.78 ordered by United States District Court Judge Royce C. Lamberth on December 18, 1997, should not be paid with taxpayer funds, pursuant to House Resolution 345, he reported the bill back to the House.

The SPEAKER pro tempore (Mr. BLYDEN). Under the rule, the previous question is ordered.

The question is on engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

Mr. ISTOOK. 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.

The vote was taken by electronic device, and there were—yeas 273, nays 126, not voting 31, as follows:

[Roll No. 7]

YEAS—273

Archer	Bass	Bryant
Armey	Bateman	Bunning
Bachus	Bilbray	Burr
Baesler	Bilirakis	Burton
Baker	Bliley	Buyer
Baldacci	Blunt	Callahan
Ballenger	Boehlert	Calvert
Barcia	Boehner	Camp
Barr	Boniilla	Canady
Barrett (NE)	Boswell	Cannon
Barrett (WI)	Boyd	Castle
Barton	Brady	Chabot

Chambliss	Hyde	Poshard
Chenoweth	Inglis	Price (NC)
Christensen	Istook	Pryce (OH)
Clement	Jenkins	Quinn
Coble	John	Radanovich
Coburn	Johnson (CT)	Rahall
Collins	Johnson (WI)	Ramstad
Combest	Johnson, Sam	Redmond
Cook	Jones	Regula
Cooksey	Kasich	Riggs
Cox	Kelly	Riley
Cramer	Kildee	Rivers
Crane	Kim	Rodriguez
Crapo	Kind (WI)	Roemer
Cubin	Kingston	Rogan
Cunningham	Klecicka	Rogers
Danner	Klink	Rohrabacher
Davis (FL)	Klug	Ros-Lehtinen
Davis (VA)	Knollenberg	Roukema
Deal	Kolbe	Royce
DeLay	LaHood	Ryun
Diaz-Balart	Largent	Salmon
Dickey	Latham	Sanford
Doolittle	LaTourette	Saxton
Doyle	Lazio	Scarborough
Dreier	Leach	Schaefer, Dan
Duncan	Levin	Schaffer, Bob
Dunn	Lewis (CA)	Sensenbrenner
Edwards	Lewis (KY)	Sessions
Ehlers	Linder	Shadegg
Ehrlich	Lipinski	Shaw
Emerson	Livingston	Shays
English	LoBiondo	Shimkus
Ensign	Lucas	Shuster
Etheridge	Luther	Sisisky
Evans	Maloney (CT)	Skeen
Everett	Maloney (NY)	Skelton
Ewing	Manzullo	Smith (MI)
Fawell	Mascara	Smith (NJ)
Foley	McCarthy (NY)	Smith (OR)
Forbes	McCollum	Smith (TX)
Fossella	McCreery	Smith, Linda
Fowler	McDade	Snowbarger
Fox	McHale	Snyder
Franks (NJ)	McHugh	Solomon
Frelinghuysen	McInnis	Spence
Gallely	McIntosh	Stabenow
Ganske	McIntyre	Starnes
Gibbons	Metcalf	Stenholm
Gilchrest	Mica	Strickland
Gillmor	Miller (FL)	Stump
Gilman	Minge	Sununu
Goode	Mink	Tanner
Goodlatte	Moran (KS)	Tauzin
Goss	Morella	Taylor (MS)
Graham	Murtha	Taylor (NC)
Granger	Myrick	Thomas
Green	Neumann	Thornberry
Greenwood	Northup	Thune
Gutknecht	Norwood	Thurman
Hall (TX)	Nussle	Tiahrt
Hamilton	Obey	Trafficant
Hansen	Ortiz	Turner
Harman	Oxley	Upton
Hastert	Packard	Visclosky
Hastings (WA)	Pappas	Walsh
Hayworth	Parker	Wamp
Hefley	Pascrell	Watkins
Hill	Paul	Watts (OK)
Hilleary	Paxon	Weldon (FL)
Hobson	Pease	Weldon (PA)
Hoekstra	Peterson (MN)	Weller
Holden	Peterson (PA)	White
Hooley	Petri	Wicker
Horn	Pickett	Wise
Hostettler	Pitts	Wolf
Hulshof	Pombo	Wynn
Hunter	Porter	Young (AK)
Hutchinson	Portman	Young (FL)

NAYS—126

Ackerman	Clay	Dooley
Allen	Clayton	Engel
Andrews	Clyburn	Fazio
Bentsen	Condit	Filner
Berman	Conyers	Ford
Berry	Costello	Frost
Bishop	Coyne	Furse
Blagojevich	Cummings	Gejdenson
Blumenauer	Davis (IL)	Gephardt
Boucher	DeFazio	Gordon
Brown (CA)	DeGette	Gutierrez
Brown (FL)	DeLauro	Hastings (FL)
Brown (OH)	Deutsch	Hefner
Campbell	Dingell	Hilliard
Cardin	Dixon	Hinchee
Carson	Doggett	Houghton

Hoyer	McKinney	Sanders
Jackson (IL)	McNulty	Sandlin
Jackson-Lee	Meehan	Sawyer
(TX)	Meek	Schumer
Jefferson	Menendez	Scott
Johnson, E. B.	Millender-	Serrano
Kanjorski	McDonald	Sherman
Kaptur	Miller (CA)	Skaggs
Kennedy (MA)	Moakley	Slaughter
Kennedy (RI)	Mollohan	Smith, Adam
Kennelly	Moran (VA)	Stark
Kilpatrick	Nadler	Stokes
King (NY)	Neal	Stupak
Kucinich	Oberstar	Tauscher
LaFalce	Olver	Thompson
Lampson	Owens	Tierney
Lantos	Pallone	Torres
Lewis (GA)	Pastor	Towns
Lofgren	Payne	Velazquez
Lowe	Pelosi	Vento
Manton	Pomeroy	Waters
Markey	Rangel	Watt (NC)
Martinez	Reyes	Waxman
Matsui	Rothman	Wexler
McCarthy (MO)	Roybal-Allard	Weygand
McDermott	Rush	Woolsey
McGovern	Sabo	

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 1575, RONALD REAGAN WASHINGTON NATIONAL AIRPORT

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105-414) on the resolution (H. Res. 349) providing for consideration of the Senate bill (S. 1575) to rename the Washington National Airport located in the District of Columbia and Virginia as the "Ronald Reagan Washington National Airport," which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2552

Mr. BACHUS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2552.

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

There was no objection.

REPORT CONCERNING CONTINUING NATIONAL EMERGENCY WITH RESPECT TO IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-207)

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 International Relations and ordered to be printed:

To the Congress of the United States:

I hereby report to the Congress on the developments since my last report of July 31, 1997, concerning the national emergency with respect to Iraq that was declared in Executive Order 12722 of August 2, 1990. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c).

Executive Order 12722 ordered the immediate blocking of all property and interests in property of the Government of Iraq (including the Central Bank of Iraq) then or thereafter located in the United States or within the possession or control of a United States person. That order also prohibited the importation into the United States of goods and services of Iraqi origin, as well as the exportation of goods, services, and technology from the United States to Iraq. The order prohibited travel-related transactions to or from Iraq and the performance of any contract in support of any industrial, commercial, or governmental project in Iraq. United States persons were also prohibited from granting or extending credit or loans to the Government of Iraq.

The foregoing prohibitions (as well as the blocking of Government of Iraq property) were continued and augmented on August 9, 1990, by Executive Order 12724, which was issued in order to align the sanctions imposed by the United States with United Nations Security Council Resolution (UNSCR) 661 of August 6, 1990.

This report discusses only matters concerning the national emergency with respect to Iraq that was declared in Executive Order 12722 and matters relating to Executive Orders 12724 and 12817 (the "Executive Orders"). The report covers events from August 2, 1997, through February 1, 1998.

1. In April 1995, the U.N. Security Council adopted UNSCR 986 authorizing Iraq to export up to \$1 billion in petroleum and petroleum products every 90 days for a total of 180 days under U.N. supervision in order to finance the purchase of food, medicine, and other humanitarian supplies. UNSCR 986 includes arrangements to ensure equitable distribution of humanitarian goods purchased with UNSCR 986 oil revenues to all the people of Iraq. The resolution also provides for the payment of compensation to victims of Iraqi aggression and for the funding of other U.N. activities with respect to Iraq. On May 20, 1996, a memorandum of understanding was concluded between the Secretariat of the United Nations and the Government of Iraq agreeing on terms for implementing UNSCR 986. On August 8, 1996, the UNSC committee established pursuant to UNSCR 661 ("the 661 Committee") adopted procedures to be employed by the 661 Committee in implementation of UNSCR 986. On December 9, 1996, the President of the Security Council received the report prepared by the Secretary General as requested by paragraph 13 of UNSCR 986, making UNSCR 986 effective as of 12:01 a.m. December 10, 1996.

On June 4, 1997, the U.S. Security Council adopted UNSCR 1111, renewing for another 180 days the authorization for Iraqi petroleum sales and purchases of humanitarian aid contained in UNSCR 986 of April 14, 1995. The Resolution became effective on June 8, 1997. On September 12, 1997, the Security Council, noting Iraq's decision not to export petroleum and petroleum products pursuant to UNSCR 1111 during the period June 8 to August 13, 1997, and deeply concerned about the resulting humanitarian consequences for the Iraqi people, adopted UNSCR 1129. This resolution replaced the two 90-day quotas with one 120-day quota and one 60-day quota in order to enable Iraq to export its full \$2 billion quota of oil within the original 180 days of UNSCR 1111. On December 4, 1997, the U.N. Security Council adopted UNSCR 1143, renewing for another 180 days, beginning December 5, 1997, the authorization for Iraqi petroleum sales and humanitarian aid purchases contained in UNSCR 986. As of January 2, 1998, however, Iraq still had not exported any

NOT VOTING—31

Abercrombie	Farr	Ney
Aderholt	Fattah	Pickering
Bartlett	Frank (MA)	Sanchez
Becerra	Gekas	Schiff
Bereuter	Gonzalez	Souder
Bonior	Goodling	Spratt
Borski	Hall (OH)	Talent
Delahunt	Herger	Whitfield
Dellums	Hinojosa	Yates
Dicks	McKeon	
Eshoo	Nethercutt	

□ 1845

Mr. POSHARD changed his vote from "nay" to "yea."

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GOODLING. Mr. Speaker, regrettably I was not present to vote on Roll Call Vote #7 H.J. Res. 107, concerning attorneys fees, costs, and sanctions payable by the White House health care task force. If I had been present I would have voted aye.

PERSONAL EXPLANATION

Ms. SANCHEZ. Mr. Speaker, I was unavoidably detained on February 4, 1998 for the vote on H.J. Res. 107, Fees and Sanctions Relating to Health Care Task Force. Had I been present, I would have voted 'aye.'

GENERAL LEAVE

Mr. HAYWORTH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 107.

The SPEAKER pro tempore (Mr. BLILEY). Is there objection to the request of the gentleman from Arizona?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1415

Mr. BUNNING. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1415.

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

petroleum under UNSCR 1143. During the reporting period, imports into the United States under this program totaled about 14.2 million barrels, bringing total imports since December 10, 1996, to approximately 23.7 million barrels.

2. There have been two amendments to the Iraqi Sanctions Regulations, 31 C.F.R. Part 575 (the "ISR" or the "Regulations") administered by the Office of Foreign Assets Control (OFAC) of the Department of Treasury during the reporting period. The Regulations were amended on August 25, 1997. General reporting, recordkeeping, licensing, and other procedural regulations were moved from the Regulations to a separate part (31 C.F.R. Part 501) dealing solely with such procedural matters (62 Fed. Reg. 45098, August 25, 1997). A copy of the amendment is attached.

On December 30, 1997, the Regulations were amended to remove from appendices A and B to 31 C.F.R. chapter V the name of an individual who had been determined previously to act for or on behalf of, or to be owned or controlled by, the Government of Iraq (62 Fed. Reg. 67729, December 30, 1997). A copy of the amendment is attached.

As previously reported, the Regulations were amended on December 10, 1996, to provide a statement of licensing policy regarding specific licensing of United States persons seeking to purchase Iraqi-origin petroleum and petroleum products from Iraq (61 Fed. Reg. 65312, December 11, 1996). Statements of licensing policy were also provided regarding sales of essential parts and equipment for the Kirkuk-Yumurtalik pipeline system, and sales of humanitarian goods to Iraq, pursuant to United Nations approval. A general license was also added to authorize dealings in Iraqi-origin petroleum and petroleum products that have been exported from Iraq with United Nations and United States Government approval.

All executory contracts must contain terms requiring that all proceeds of oil purchases from the Government of Iraq, including the State Oil Marketing Organization, must be placed in the U.N. escrow account at Banque Nationale de Paris, New York (the "986 escrow account"), and all Iraqi payments for authorized sales of pipeline parts and equipment, humanitarian goods, and incidental transaction costs borne by Iraq will, upon approval by the 661 Committee and satisfaction of other conditions established by the United Nations, be paid or payable out of the 986 escrow account.

3. Investigations of possible violations of the Iraqi sanctions continue to be pursued and appropriate enforcement actions taken. Several cases from prior reporting periods are continuing and recent additional allegations have been referred by OFAC to the U.S. Customs Service for investigation.

On July 15, 1995, a jury in the Eastern District of New York returned a verdict of not guilty for two defendants

charged with the attempted exportation and transshipment to Iraq of zirconium ingots in violation of IEEPA and the ISR. The two were charged in a Federal indictment on July 10, 1995, along with another defendant who entered a guilty plea on February 6, 1997.

Investigation also continues into the roles played by various individuals and firms outside Iraq in the Iraqi government procurement network. These investigations may lead to additions to OFAC's listing of individuals and organizations determined to be Specially Designated Nationals (SDNs) of the Government of Iraq.

Since my last report, OFAC collected civil monetary penalties totaling more than \$1.125 million for violations of IEEPA and the ISR relating to the sale and shipment of goods to the Government of Iraq and an entity in Iraq. Additional administrative proceedings have been initiated and others await commencement.

4. The Office of Foreign Assets Control has issued hundreds of licensing determinations regarding transactions pertaining to Iraq or Iraqi assets since August 1990. Specific licenses have been issued for transactions such as the filing of legal actions against Iraqi governmental entities, legal representation of Iraq, and the exportation to Iraq of donated medicine, medical supplies, and food intended for humanitarian relief purposes, sales of humanitarian supplies to Iraq under UNSCR 986 and 1111, diplomatic transactions, the execution of powers of attorney relating to the administration of personal assets and decedents' estates in Iraq, and the protection of preexistent intellectual property rights in Iraq. Since my last report, 88 specific licenses have been issued, most with respect to sales of humanitarian goods.

Since December 10, 1996, OFAC has issued specific licenses authorizing commercial sales of humanitarian goods funded by Iraqi oil sales pursuant to UNSCR 986 and 1111 valued at more than \$239 million. Of that amount, approximately \$222 million represents sales of basic foodstuffs, \$7.9 million for medicines and medical supplies, \$8.2 million for water testing and treatment equipment, and nearly \$700,000 to fund a variety of United Nations activities in Iraq. International humanitarian relief in Iraq is coordinated under the direction of the United Nations Office of the Humanitarian Coordinator of Iraq. Assisting U.N. agencies include the World Food Program, the U.N. Population Fund, the U.N. Food and Agriculture Organization, the World Health Organization, and UNICEF. As of January 8, 1998, OFAC had authorized sales valued at more than \$165.8 million worth of humanitarian goods during the reporting period beginning August 2, 1997.

5. The expenses incurred by the Federal Government in the 6-month period from August 2, 1997, through February 1, 1998, that are directly attributable to the exercise of powers and authorities

conferred by the declaration of a national emergency with respect to Iraq are reported to be about \$1.2 million, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of International Organization Affairs, the Bureau of Political-Military Affairs, the Bureau of Intelligence and Research, the U.S. Mission to the United Nations, and the Office of the Legal Adviser), and the Department of Transportation (particularly the U.S. Coast Guard).

6. The United States imposed economic sanctions on Iraq in response to Iraq's illegal invasion and occupation of Kuwait, a clear act of brutal aggression. The United States, together with the international community, is maintaining economic sanctions against Iraq because the Iraqi regime has failed to comply fully with relevant United Nations Security Council resolutions. Iraqi compliance with these resolutions is necessary before the United States will consider lifting economic sanctions. Security Council resolutions on Iraq call for the elimination of Iraqi weapons of mass destruction, Iraqi recognition of Kuwait and the inviolability of the Iraq-Kuwait boundary, the release of Kuwaiti and other third-country nationals, compensation for victims of Iraqi aggression, long-term monitoring of weapons of mass destruction capabilities, the return of Kuwaiti assets stolen during Iraq's illegal occupation of Kuwait, renunciation of terrorism, an end to internal Iraqi repression of its own civilian population, and the facilitation of access of international relief organizations to all those in need in all parts of Iraq. Seven and a half years after the invasion, a pattern of defiance persists: a refusal to account for missing Kuwaiti detainees; failure to return Kuwaiti property worth millions of dollars, including military equipment that was used by Iraq in its movement of troops to the Kuwaiti border in October 1994; sponsorship of assassinations in Lebanon and in northern Iraq; incomplete declarations to weapons inspectors and refusal to provide immediate, unconditional, and unrestricted access to sites by these inspectors; and ongoing widespread human rights violations. As a result, the U.N. sanctions remain in place; the United States will continue to enforce those sanctions under domestic authority.

The Baghdad government continues to violate basic human rights of its own citizens through systematic repression of all forms of political expression, oppression of minorities, and denial of humanitarian assistance. The

Government of Iraq has repeatedly said it will not comply with UNSCR 688 of April 5, 1991. The Iraqi military routinely harasses residents of the north, and has attempted to "Arabize" the Kurdish, Turkomen, and Assyrian areas in the north. Iraq has not relented in its artillery attacks against civilian population centers in the south, or in its burning and draining operations in the southern marshes, which have forced thousands to flee to neighboring states.

The policies and actions of the Saddam Hussein regime continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, as well as to regional peace and security. The U.N. resolutions affirm that the Security Council be assured of Iraq's peaceful intentions in judging its compliance with sanctions. Because of Iraq's failure to comply fully with these resolutions, the United States will continue to apply economic sanctions to deter it from threatening peace and stability in the region.

WILLIAM J. CLINTON.
THE WHITE HOUSE, February 3, 1998.

IN SUPPORT OF HMO REFORM

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I, too, rise to support the patient bill of rights and reform of HMOs because I believe it will help create a better health care system in this country.

Today as well I rise to support another project supported so strongly by our First Lady Hillary Clinton, and that is to commemorate the one-year anniversary of the Microcredit Summit, an international conference held here in Washington last year. The summit launched a campaign to provide 100 million of the world's poorest families with credit for self-employment and other businesses and financial services by the year 2005. This, in fact, was not a handout but a hand up. This House passed that Microcredit for Self-reliance Act last year to assist in that endeavor.

Microenterprises are very small, informally organized businesses, other than those that grow crops. Microenterprises often employ only one person, the owner-operator, but in some lower-income countries microenterprises employ a third or more of the labor force. The microenterprise program is targeted at the poor, seeking to help them increase their income and assets, raise their skills and productivity, increase their pride and self-esteem. It helps mostly women.

I am here to support this program and hope the Congress will continue to fund it and applaud the First Lady for her vision in helping the world improve their lives and conditions.

Microcredit is particularly important because more than ninety percent of microcredit loans

go to women, who are, along with children, hardest hit by poverty. The small loans enable women to open their own businesses and, ideally, increase their independence and status in male-dominated cultures.

The positive effects of the microenterprise program cannot be minimized. Access to microcredit helps to educate women. It raises their income level and, thus, that of their families. It has been well-documented that education women have fewer children, have more time between births, and therefore, have fewer health problems and have healthier children.

On this one-year anniversary of their convention, I commend the thousands of delegates who came together at the Microcredit Summit, dedicated to improving the lives of our world's poor. I applaud not only the significant work that has been done, but that that is yet to come. I join other Members of this body in encouraging expansion of the Microenterprise program, particularly throughout Africa. No segment of the world's unfortunately enormous, poverty-stricken population should be denied the incredible opportunities this program provides.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LUCAS of Oklahoma). 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 Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE BIPARTISAN CAMPAIGN INTEGRITY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. HUTCHINSON) is recognized for 5 minutes.

Mr. HUTCHINSON. Mr. Speaker, I rise today to speak in support of the Bipartisan Campaign Integrity Act, which is H.R. 2183. I want to express my thanks to the Speaker and to the leadership of this body for the action they took before we went home at the end of the first session in which they promised that we would have a vote in this House of Representatives on this floor in March on campaign finance reform.

I think this is a significant step that takes this body with the American people to reforming our campaign finance system that has led to so many abuses during the last election cycle. So I am grateful for the leadership of this body and their commitment, although it does not answer all of the problems. There is still a division as to exactly what we need to offer, but we need to address soft money, and that is understood by the leadership, as well as those who are committed to reform in this body.

So as momentum grows in America for campaign finance reform, I am delighted that the momentum is also growing for the Bipartisan Campaign Integrity Act. This last week we added 3 new cosponsors to this legislation. There are now 74 sponsors of the Bipartisan Campaign Integrity Act. Republicans and Democrats alike from all areas of the political spectrum can support this legislation because it is bipartisan, because it avoids the extreme, and it moves to what we can agree upon in the area of campaign finance reform, and that is really the criteria for reform that might be able to pass this bipartisan body.

I was encouraged this last week that we had the support of 189 former Members of Congress for campaign finance reform legislation. They came out and indicated their support for the proposals of former Presidents Bush, Carter and FORD, expressing the need and hope for campaign finance reform legislation that includes a ban on soft money. This range of former Members of Congress goes from Howard Baker to Mark Hatfield to Alan Simpson, to Bob Michel on the Republican side, Rudy Boschwitz, Brock Adams, Mickey Edwards, to David Pryor on the Democrat side, George McGovern, Howell Heflin, Alan Cranston, and so on. And so former Members of this body who have been taken back from the fray of politics here in the Congress can step back and say, we need this reform and they support it wholeheartedly.

So momentum is building in America for reform, but it is also building in this body and the support for the Bipartisan Campaign Integrity Act is also growing.

What does this legislation do? First of all, it bans soft money to the national political parties, and this must be the linchpin of any significant reform legislation. This last week Charlie Trie was arrested. He submitted himself after the indictment was returned, and what happened? What are the allegations? They involve the chase, the inexplicable, inordinate, exaggerated chase of soft money during the last election cycle, and that is what led to the abuses that we saw, that was revealed so extensively in Senator THOMPSON's hearings. So this proposal bans soft money to the national political parties.

The second thing it does, it indexes contribution limits to the rate of inflation, and this is important. An individual's contribution does not lose value, but it gradually increases as inflation increases. So this is important to individuals to keep the value of their contribution.

The third thing it does is that it helps the political parties to raise the honest money, the hard dollars, the individual contributions, and we need to help the political parties whenever we accompany it by a ban on soft money to them.

The fourth thing that it does is it increases disclosure, or it increases information to the American public. It increases information that is available to them on how much candidates spend, on where they get their contributions, more timely disclosure. When it comes to issue groups that influence our political process, it increases information available to the public as to who the group is and how much money they are spending if it is on radio or television. That is what is Constitutional; that is what the courts will allow us to do in a constitutional framework without violating anyone's freedom of speech. That is what the legislation does. It is very simple, straightforward and bipartisan.

What is unique about this legislation that sets it apart from other items of legislation that are being offered in this body? First of all, it is the result of a bipartisan process. We as freshmen, the Democrats and Republicans, met together for 4 months coming up with this legislation. The gentleman from Maine (Mr. ALLEN) was my Democrat counterpart that worked so diligently on this, and the gentleman from Montana (Mr. HILL) I see here in this body that supports this and helped us produce this. So it is unique legislation, we have worked hard on it, we are grateful to the leadership for giving us the encouragement and bringing this to a vote in March on the floor.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BISHOP) is recognized for 5 minutes.

(Mr. BISHOP addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BIPARTISAN CAMPAIGN INTEGRITY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Montana (Mr. HILL) is recognized for 5 minutes.

Mr. HILL. Mr. Speaker, I want to join my friend and colleague, the gentleman from Arkansas (Mr. HUTCHINSON) in rising today to speak about the Bipartisan Campaign Integrity Act. I first want to acknowledge the hard work and leadership that he has provided in helping us bring this measure forward. This process started out with 6 freshmen Republicans, 6 freshmen Democrats who decided to form a task force, study the problems with campaign finances, and definitely a bipartisan proposal and a bipartisan solution to the problem. Mr. HUTCHINSON has provided outstanding leadership in helping us bring it this far. From that group of 12 people, we now have 74 cosponsors of the Bipartisan Campaign Integrity Act.

I want to remind my colleagues what the problem is. The problem that we have is soft money. Soft money is out of control. Just 4 years ago, 5 years ago

now, both political parties, Democrats and Republicans, raised about \$35 million in soft money. In the last campaign cycle, they raised about \$270 million in soft money. Labor unions added over \$100 million more to the process. Soft money is out of control. All we have to do is read the headlines about the problems that are going on in the White House, or in both political parties, and the influence that labor unions and corporations have over the political process now because of the excesses of soft money.

□ 1900

I want to remind my colleagues what soft money is, because as candidates we cannot accept soft money. What soft money is is funds that come from corporations, from labor union dues, and wealthy individuals that is in excess of contribution limits that they can make now.

Substantially, this money is unreported. We do not know where it comes from and, for the most part, we do not know how it is spent. But we can ban soft money in our political parties and not limit the right of individuals to speak out on issues.

As candidates, we are affected by soft money, because independent groups often spend huge sums of money to try to influence the political process, either in support of where we stand or in opposition to where we stand.

What can we do? Well, we can begin by supporting the bipartisan Campaign Integrity Act. It bans soft money, and it does make it easier to raise the good money, which we call hard money.

We also need to make sure that workers have the right to choose whether or not they want to contribute to the political process and to protect them from those abuses by supporting the Paycheck Protection Act, and we can give members of other organizations that same right of protection.

Mr. Speaker, the American people want us to reform campaign finance; and if we talk to the Members of this House privately, they all believe that we need to reform it and that we ought to reform it. The problem is that the majority of the American people doubt that we actually have the courage and the conviction to get it done.

Mr. Speaker, I would urge my colleagues today to join as cosponsors of the bipartisan Campaign Integrity Act and the Paycheck Protection Act. We need to ban soft money. We need to protect workers. We can do this job when this comes to the floor in 6 weeks. I urge my colleagues to support it.

STOP MEDICARE OVERPAYMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. BERRY) is recognized for 5 minutes.

Mr. BERRY. Mr. Speaker, I rise to request my colleagues' support for leg-

islation I introduced yesterday to save the Medicare program almost half a billion dollars a year in unnecessary overpayments for prescription drugs.

As the only pharmacist in the 105th Congress, let me first state that the price of these drugs is not due to the family pharmacist. The high price is set by the pharmaceutical manufacturers.

Making the situation even worse, under current Medicare law, the program reimburses doctors who prescribe covered drugs for 95 percent of the "sticker price" quoted by pharmaceutical manufacturers, rather than the actual cost to the doctor of acquiring the drug.

Furthermore, Medicare pays doctors for the cost of their expenses, overhead, consultation time, and for administering the drugs under the practice expense system, not to mention the close to \$7 billion that Medicare spends each year to educate our Nation's doctors.

A recent analysis by the Department of Health and Human Services Inspector General shows that Medicare is wasting millions each year under the current system, \$447 million alone in 1996.

Our patients deserve better. The Stop Medicare Overpayment Act, based on the President's fiscal year 1999 budget and included in a comprehensive anti-fraud proposal introduced by the gentleman from California (Mr. STARK) last year, will go a long way toward establishing a fair and adequate payment system.

The Stop Medicare Overpayment Act is simple: Reimburse the doctors for what they paid for the drug. They already get paid for their office overhead, dispensation and "professional services" through the Medicare system. Why allow a small group of persons to reap a \$447 million windfall benefit each year?

Seventy-five percent of the cost of these overpayments are coming directly out of the taxpayers' wallet. Twenty-five percent come directly from senior citizens who are forced to pay a higher Part B premium.

My legislation will go a long way toward ending these overpayments. Unfortunately, it will not do anything to address the root of this problem: the high cost of prescription drugs charged by pharmaceutical companies.

It is indeed unfortunate that here in the world's richest nation our seniors should be forced to choose between buying food or buying prescription drugs and that our pharmacies should be discriminated against by drug manufacturers.

As Congress considers ways in which to reduce the \$23 billion in Medicare fraud and abuse, my legislation should be first on the list. It is a sensible, responsible, and prudent approach to rein in unnecessary Medicare costs.

I urge my colleagues to join me in support of this important initiative.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. SHAYS) is recognized for 5 minutes.

(Mr. SHAYS 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 gentleman from California (Ms. SANCHEZ) is recognized for 5 minutes.

(Ms. SANCHEZ addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO OFFICER DAVID LYON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, too often in Washington and in our districts we are greeted with news stories of public apathy and senseless death. It seems that we are constantly bombarded with accounts that reflect negatively upon humanity.

When we do hear stories of people selflessly helping their fellow man, they are few and far between. For that reason, I would like to take a moment to commend David Lyon, a 2½ year veteran of the U.S. Capitol Police Force.

At around 7 p.m. on January 18, Officer Lyon, who was off duty, was suddenly startled by the sound of a car careening into the river near his home on the Washington waterfront. Without hesitation, he dove into the frigid, winter-chilled water and saved the life of one of the vehicle's passengers.

Like his neighbor, Mr. Courtney Thomas, who saved the other passenger, Officer Lyon displayed enormous character and selflessness.

When confronted with someone in need, Officer Lyon unhesitatingly lent a hand; and his valor should be recognized and applauded.

As a United States Congressman, I am proud that Officer Lyon is part of the distinguished U.S. Capitol Police Force; and, as an ordinary American, I am proud that he showed such concern for his fellow man.

I think it is important to note that the Capitol Police Force who man security around this building are of the finest caliber and quality. They do serve the public and the people of the United States of America in not only protecting our guests and visitors, which number in the millions on an annual basis, but also the property that we consider sacred, this Chamber, the monuments that surround this wonderful complex.

So it is not just Officer Lyon that I speak of today who deserves a great deal of thanks from this body and from all citizens of the United States for his bravery in this very unique and wonderful opportunity to help a fellow human being but, more importantly, that we salute all members of law en-

forcement, both our Capitol Police Force and those that serve around our country.

Mr. Speaker, it is a very, very dangerous job. Many men and women who don uniforms and the badges that they wear go out of their homes and oftentimes their families do not know whether, in fact, they will return safely because of the dangers of just doing their job.

They are not the best paid in our society. In fact, they are paid far too little for the job that they do protecting the civil order of our country.

So tonight in this Chamber in our Nation's Capitol, I salute Officer Lyon for his bravery; and I salute every member of the U.S. Capitol Police Force for their protection of this great Capitol of ours and also all men and women throughout the Nation who honor us by service as law enforcement personnel for this country of ours.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. FORD) is recognized for 5 minutes.

(Mr. FORD 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 gentleman from Pennsylvania (Mr. MCHALE) is recognized for 5 minutes.

(Mr. MCHALE 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 gentleman from Texas (Ms. EDDIE BERNICE JOHNSON) is recognized for 5 minutes.

(Ms. EDDIE BERNICE JOHNSON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO THE HONORABLE RON DELLUMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DIXON) is recognized for 5 minutes.

Mr. DIXON. Mr. Speaker, I rise today to pay tribute to a gentleman who is leaving this House on this weekend. It is the Honorable RON DELLUMS from Oakland, California.

RON DELLUMS is a very unique person. We could see from the special orders last night that this gentleman, although he may have political differences with many in this House, became a friend to all in this House.

He is unique in that few people can leave this House and say they have made a real contribution to the security of our country. RON DELLUMS has fought diligently for the reduction of defense budgets and has won that battle.

Few of us can say that we have done much to spread democracy around the

world, but his diligence has been proved in Grenada, in Haiti and in South Africa that he has made his mark for democracy and to free all people.

He is unique in that most Members of this House consider him a personal friend. We should be happy for RON DELLUMS making the decision, for he leaves this House with good health and his integrity, and he leaves this House with a mark of pursuing justice for all people.

So I say to you, RON: Godspeed. You have made your mark here in Congress, and we know that you will continue to serve your country well.

Mr. Speaker, I rise today in honor of my good friend and long-time colleague, RON DELLUMS. RON has served the people of California's Ninth Congressional District honorably, ably, and with great distinction. He is a powerful champion of the progressive cause who has been at the forefront of many important efforts—from dismantling apartheid to instituting humane social policy. At a time when debate in this body has become acrimonious and at times uncivil, the loss of RON's thoughtful, respectful, calming presence will be widely felt. His voice in this chamber will be sorely missed by this member and this institution.

A product of Oakland, CA, RON DELLUMS is not only a prominent legislator, but an outstanding role model for the young people of his Northern California district. RON rose to his present stature through hard work and dedication to his beliefs and goals. Following service in the U.S. Marine Corps, RON attended Oakland City College where he received an associate of arts degree. RON went on to earn a bachelor of arts degree at San Francisco State University and a master of social welfare degree at the University of California at Berkeley. Upon graduation from Berkeley, RON embarked on a career in social work, job training, and community development. In 1967, he ran successfully for the Berkeley City Council, winning in his first foray into electoral politics. Three years later, in 1970, he was elected to the U.S. House of Representatives.

RON DELLUMS' tenure on the Armed Services—now National Security—Committee is indicative of his rise in the House. RON came to the House a strong and outspoken opponent of American involvement in Vietnam and has continued through 26 years to strongly advocate reduced defense spending. RON saw governmental neglect of the educational, economic and health needs of the urban population as a significant threat to our national security. Twenty-two years later, Chairman DELLUMS was presiding over the full Armed Services Committee in the 103rd Congress.

Some in this House were wary when RON became Chairman of Armed Services, but he soon put those reservations to rest. He set an example for fairness from which all members can take a lesson.

While his views on defense spending differed from many of his colleagues, RON faithfully constructed and reported defense authorization bills that reflected the will of his committee and of the House.

RON's leadership in the effort to end apartheid in South Africa stands as just one of his numerous accomplishments during his distinguished House career. Starting in 1971, his first year in the House, RON consistently introduced bills to impose economic sanctions on

the brutally racist apartheid government of South Africa. Fifteen years later, in 1986, Congress enacted South African sanctions over President Reagan's veto. I am proud to have worked with my colleague toward that end, and again commend his leadership on the issue.

Throughout his service in this body, Representative RON DELLUMS has earned the respect, admiration, and friendship of many members on both sides of the aisle. He has witnessed great changes, in the world, the nation, and certainly in this institution. Despite these changes, he has remained steadfast and loyal to his beliefs that our nation must care for all of her citizens if she is to survive as a nation. His has been the moral conscience of a Congress that too often has lost sight of the impact of our policies on all of humankind. As he leaves this institution, he leaves us with a legacy and a mandate to continue our advocacy for peace and for the welfare of all our citizens. His contributions to the House of Representatives, through his intellect, dedication, integrity, and collegiality cannot be overstated. While I regret the loss of a distinguished colleague, I wish RON DELLUMS great happiness and success in his future endeavors.

CONDOLENCES TO THE FAMILY OF DR. THOMAS KILGORE

Mr. DIXON. Mr. Speaker, it is also my duty to inform the House that one of the outstanding clergymen in Los Angeles, California, Dr. Thomas Kilgore, passed away this morning. He served as the minister for the Second Baptist Church from 1963 to 1987. He was a confidant of Dr. Martin Luther King. We will miss his leadership in Los Angeles, and we send condolences to his family.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

(Mr. RUSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO DR. JOHN MORTON-FINNEY, FROM INDIANAPOLIS, INDIANA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON. Mr. Speaker, I rise on a very humble occasion to pay tribute to the life and work of Dr. John Morton-Finney, a 108-year-old gentleman of my district, and for whom family, friends and admirers paid final tribute on last Saturday.

Dr. John Morton-Finney, the son of George and Mattie M. Gordon Morton-Finney, was born in 1889 in Uniontown, Kentucky. He was the son of a former slave. His ancestors migrated from Ethiopia to what is now Nigeria before becoming enslaved in America. He was reared in a family in which the old people never forgot about their African heritage.

Mr. Morton-Finney was the last surviving member of the World War I Army unit of black soldiers known as

the Buffalo soldiers. Dr. Morton-Finney was also the oldest veteran in the State of Indiana. He never spoke of his involvement as an infantryman in World War I, except to note with pride that he had a citation from General John J. Pershing. During World War II, he was cited for work in the distribution of rationing tickets.

After being honorably discharged from World War I, Dr. Morton-Finney began teaching languages in black colleges, including Fisk University, Nashville, Tennessee, and Lincoln University in Jefferson City, Missouri.

In 1922, he learned there were openings in the Indianapolis public schools. He decided to join Crispus Attucks High School, of which I am a proud graduate; and he was hired to teach Latin, Greek, German, Spanish and French, some of the languages that he spoke fluently. His career spanned 47 years as teacher, department head and administrator, enriching the lives of his students and colleagues.

Mr. Speaker, I often tell my grandsons, Andre Carson and Sam Carson, that I wish they had an intimate opportunity to meet Dr. Morton-Finney, because they certainly could have learned a lot from a man who had five earned degrees in law. He had a JD from Indiana University School of Law, AB from Butler, and the list of his earned certificates span probably most of my life.

Then he was also cited with a lot of awards for the good work that he did in touching the lives of young people. He often reflected on the tangible awards and citations that he received and his achievement.

Dr. Benjamin Mays, formerly at Morehouse and now Mr. Morton-Finney having joined him in the hereafter, once said, "How can I articulate the depth of my respect and the degree of my admiration for a young man who excelled in life beyond the reach of anyone else?"

And Dr. Mays said that, "It must be borne in mind, however, that the tragedy in life does not lie in reaching your goal. The tragedy lies in having no goal to reach. It is a calamity to die with dreams unfulfilled and it is a calamity not to dream."

□ 1915

"No vision and you perish; no ideal and you are lost; your heart must ever cherish some faith at any cost."

I think that it is imperative for the Congress of the United States to recognize the life and work of Dr. John Martin Finney, who could have easily been a Member of the United States Congress or could have easily been President of these United States, given the amount of attributes and academic achievements that he amassed in his 108 years that he was among us, a very fine individual.

I wanted to pay a special tribute to his daughter Gloria Martin Finney who taught in the Indianapolis public school system for many years and

worked in the administration of the Indianapolis public schools, but I think it is important as well that Dr. John Martin Finney from Indianapolis, Indiana, be saluted for all of the fine work that he did do during his lifetime.

Mr. Speaker, I rise on this most humble occasion to pay tribute to the life and work of Dr. John Morton-Finney, a 108 year old gentleman of my district and for whom family, friends and admirers paid final tributes on Saturday, January 31, 1997.

Dr. John Morton-Finney, the son of George Morton-Finney and Mattie M. Gordon Morton-Finney, was born June 25, 1889 in Uniontown, Kentucky. The son of a former Kentucky slave, his ancestors migrated from Ethiopia to what is now Nigeria before becoming enslaved in America. He was reared in a family in which the old people never forgot about their African Heritage.

The last surviving member of the World War I Army unit of black soldiers known as the Buffalo Soldiers, Dr. Morton-Finney was also the oldest veteran in Indiana. He never spoke of his involvement as an infantry in World War I, except to note with pride that he has a citation from General John J. Pershing. During World War II, he was cited for work in the distribution of rationing tickets.

After being honorably discharged from World War I, Dr. Morton-Finney began teaching languages in black colleges including Fisk University, Nashville, Tennessee, and Lincoln University, Jefferson City, Missouri. In 1922, he learned there were openings in the Indianapolis public schools. He decided to join the system and was hired to teach Greek, Latin, German, Spanish, and French, some of the languages he spoke fluently. His career spanned over forty-seven years, as teacher, department head and administrator, enriching the lives of students and his colleagues in the system.

He arrived from St. Louis, Missouri, newly married to the former Pauline Ray, a native of Geneva, New York, and a graduate of Cornell University. Together they enjoyed over fifty-two years of marital contentment, and a daughter, Gloria Ann, was born to their union.

A learned man, Dr. Morton-Finney's education included:

Pd.B., Lincoln Institute, 1916
 A.B., Lincoln Institute, 1920
 A.B., State University of Iowa, 1922
 A.M. (Ed.), Indiana University, Bloomington, 1925
 A.M. (French), Indiana University, Bloomington, 1933
 L.L.B., Lincoln College of Law, 1935
 L.L.B., Indiana Law School, 1944
 L.L.B., Indiana University, 1944
 J.D., Indiana University School of Law, 1946
 A.B., Butler University, 1965
 Litt. D., Lincoln University, 1985
 L.H.D., Butler University, 1989
 Diploma Trial Advocacy, NITA, 1987
 L.L.D., Martin University, 1995
 Certificate of Meditation in Indiana, ICLEF, 1992
 Certificate of Meditation in Indiana, Indiana Bar Association

In addition to the immeasurable rewards a teacher gets from touching the lives of young people, Dr. Morton-Finney often reflected on the tangible awards and citations that he received and his achievements:

Superintendent's License, 1st Grade, Life, Indiana Public Schools

Veteran, W.W.I., A.E.F., France 1918
Member of the Bar of Indiana Supreme Court, 1935
Member of the Bar of U.S. District Court, 1941

Member of the Bar of the Supreme Court of the United States, 1972

Administrator and teacher, Indianapolis Public Schools forty-seven (47) years

Member of the bar of the Supreme Court of Indiana sixty-one (61) years

Member Emeritus Club, Indiana University Faculty, 1975

Crowned Adeniran, I, Paramount Chief of Yoruba Descendants in Indiana, U.S.A. by Council of Yoruba Chiefs of Nigeria, West Africa on August 31, 1979, in an authentic African ceremony at the Children's Museum in Indianapolis, Indiana

Distinguished Graduate, School of Education Award by Indiana University Alumni Association, 1983

Certificate Award by Chief Justice of Supreme Court of Indiana for Public Service, June 9, 1989

White House Invitation by President George Bush, 1990

Certificate of recognition, Board of School Commissioners, Indianapolis Public Schools, May 22, 1990

Inducted into the Hall of Fame, National Bar Association, Washington, D.C., August 9, 1991

Sagamore of the Wabash Award by Indiana Governor

Kentucky Colonel Award by Kentucky Governor, 1994

Honorary Member of U.S. 9th and 10th (Horse) Calvary Association, 1995

Harvard University Invitation and Recipient of Harvard's Certificate of Award for Public Service

Certificate Awarded by Indianapolis City Council for Public Service, 1995

Certificate Award by Mayor of Indianapolis for Public Service

Oldest Practicing Attorney in U.S. on June 25, 1996, at age one hundred and seven years

Only surviving Buffalo Soldier of the U.S. Army

How can I articulate the depth of my respect and the degree of my admiration for a young man who excelled in life beyond the reach of anyone else. His thirst for academic excellence, his zeal for molding character and academic achievement among all who was fortunate to be his student.

He envisioned this country's move to a global economy when he mastered and taught so many foreign languages. He was one of my favorite teachers at Crispus Attucks High School.

Dr. Benjamin Mays said:

It must be borne in mind, however, that the tragedy in life does not lie in reaching your goal. The tragedy lies in having no goal to reach. It is not a calamity to die with dreams unfilled, but it is a calamity not to dream. It is not a disaster to be unable to capture your ideal, but it is a disaster to have no ideal to capture. It is not a disgrace not to reach the stars, but it is a disgrace to have no stars to reach for. Not failure, but low aim is the sin.

Harriet du Auteront has beautifully said:

No vision and you perish;
No ideal, and you're lost;
Your heart must ever cherish
Some faith at any cost.
Some hope, some dream to cling to,
Some rainbow in the sky,
Some melody to sing to,
Some service that is high

To state it another way, man must live by some unattainable goal, some goal that beck-

ons him on, but a goal so loft, so all-embracing that it can never be attained. In poetry it is expressed in many ways.

Man shall not live by bread alone. Man must live by affection and love; by forgiveness, forgiveness of man and the forgiveness of God; by God's grace, by the labors of many hands; by faith, faith in himself, faith in others, and by faith in God. And finally man must live by his dreams, his ideals, and unattainable goal, and what he aspires to be. Man shall not live by bread alone.

The SPEAKER pro tempore (Mr. LUCAS of Oklahoma). Under a previous order of the House, the gentleman from Virginia (Mr. BOUCHER) is recognized for 5 minutes.

(Mr. BOUCHER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

OPPOSITION TO RENAMING OF WASHINGTON NATIONAL AIRPORT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. BROWN) is recognized for 5 minutes.

Ms. BROWN of Florida. Mr. Speaker, I want to take this opportunity to explain my opposition to the bill passed today renaming Washington National Airport Ronald Reagan Washington National Airport.

First of all, as a member of the Subcommittee on Aviation, let me say that it is inappropriate that we reported this bill without hearing or markup in subcommittee. Hearings are a very important part of the political process here in Congress. That is where we learn what the implications of our actions might be, including the cost of renaming the airport, which includes changing signs around the region and airport designator codes around the world. Today the leadership ushered through a bill without knowing what the real costs or the impact would be to the Washington metropolitan region.

Second, naming, in this case renaming, a building or airport is a very important decision. In respect to the family and the memory of the person named, there should be bipartisan support. And there should be no opposition from the Member of Congress whose district contains the facility.

None of my colleagues would want the Federal Government to come into their district and rename an airport without the support of the airport authority. That is what happened today. That is not what Ronald Reagan stood for.

My opposition is not only with the process, but also with the fact that naming this airport after Ronald Reagan is a totally inappropriate way to honor him. President Reagan's legacy will not be for aviation or transportation. It will be for his efforts to build a strong military and, with the support, I might add, of a Democratic Congress, bringing an end to the Cold War. A fitting honor to him would, therefore, be a defense-related one.

Well, guess what? In the year 2000 a United States Air Force carrier will be named in his honor. President Reagan will join great Presidents such as Washington, Lincoln, Roosevelt and Kennedy, and this is a fitting honor. We have also named the second largest Federal building in his honor. A new Federal trade center just a few blocks from the White House bears his name for millions of tourists to see each year. What more could be done to honor a President still living?

I think for now we have done enough. History will still have to judge the Reagan era, and before we go further in naming things around the country, we should view it in a proper context, after sufficient time has passed.

But most important, why the airport? Ronald Reagan's aviation policies were controversial, and not all Americans agreed with his policy. Many Americans do not feel that running up billions and billions in deficits was good policy. We should respect their feelings and not force them to enter this great city through a controversial monument. The word national welcomes everyone, and that is what this country and city are all about.

I hate to be put in this position, when we were pressured to vote on an important issue that will be costly, involving wrongful governmental intervention into local business and renaming a public facility, something we have never done before.

This is not a time for this discussion when President Reagan is ill.

I have to say that this is a sad day in this Congress.

HCFA VENIPUNCTURE PROVISION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. CLEMENT) is recognized for 5 minutes.

Mr. CLEMENT. Mr. Speaker, as many of my colleagues know, the Health Care Financing Administration will implement a rule tomorrow that will have a disastrous impact on our Nation. To some, excluding venipuncture, blood drawing, from eligibility criteria for skilled home health care nursing services may not seem like a move that deserves national attention, but I fully disagree. An estimated 1 million home-bound Medicare recipients who receive blood monitoring services are in danger of losing their home care as a result of this provision.

To date I have received hundreds of letters and phone calls from concerned constituents who depend on this assistance. I recently spoke with a 73-year-old insulin-dependent diabetic who had suffered from a stroke. He takes 11 pills a day and is completely bedridden. This man receives home health care services to monitor his nutritional status and blood sugar levels. His family members agree that it is this personal care that he receives which promotes his general well-being. In addition, home health

currently provides trained personnel to identify and report changes in his condition. It is this provision of personal care that enables him to stay at home rather than being forced out of the home that he has lived in for 45 years and into a nursing home.

Tomorrow he will no longer be able to receive personal care at home because venipuncture will no longer be a qualifying skill.

Unfortunately, home health agencies across Tennessee and the rest of the Nation are familiar with cases just like this one. Their diseases may be different, but their circumstances are alike.

As a result, I am an original cosponsor of H.R. 2912, the Medicare Venipuncture Fairness Act of 1998, sponsored by the gentleman from West Virginia (Mr. RAHALL). This legislation would secure continued home health services to these beneficiaries. In addition, it would require a study by the U.S. Department of Health and Human Services to document any abuses in the venipuncture benefit and recommend to Congress the appropriate use of venipuncture under the Medicare home health benefit.

Some health care policymakers are concerned that venipuncture coverage has led to abuse of the home health care service. While I remain concerned about the millions of dollars that are being inappropriately spent because of the fraudulent and abusive billing practices of some home health care providers, I feel strongly that the patients are not the ones to be penalized. Individuals and institutions who knowingly defraud the government by submitting improper Medicare claims should be punished. However, it is inexcusable to penalize sick, disabled, elderly people who are innocent victims. I will continue to fight to see that this matter is addressed appropriately while allowing much needed home health services to continue for those who have an undisputed need for this care.

Mr. Speaker, I hope very strongly that the Health Care Financing Administration will revisit this issue. I think they are wrong. In the best interest of America and these people that need this service so badly, that they revisit it and extend the time and let these people get the care that they badly need at home.

FURTHER TRIBUTE TO THE HONORABLE RONALD V. DELLUMS

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. Mr. Speaker, I come to this floor today to pay homage to a great man, a great Californian and a great American, my colleague, my friend, the Honorable RONALD V. DELLUMS.

The gentleman from California (Mr. DELLUMS) has served 31 years in public

life, the last 27 in the U.S. House of Representatives, with distinction and honor. When he came to this House 37 years ago in 1971, he wore bell bottom pants and an afro perhaps larger in scale than the dome of this Capitol. Not surprisingly, he was immediately labeled as an untrustworthy radical and militant, the victim of stereotypes to which African Americans have long been accustomed. But he was here to represent his East San Francisco Bay area constituents, whose commitment to a full employment economy, equality, civil rights, quality education and peace with justice has been and remained steadfast throughout his career.

What those who stereotyped him failed to recognize was that they would be dealing with a distinguished, principled, educated man who diligently and strategically worked to understand the rules and customs of this House and to learn how to work within the construct of this House. Through his work and example, we who are new Members learned many lessons from RON DELLUMS. Policy development and lawmaking is a marathon, not a sprint. To be successful, we must be prepared to meet those who hold different points of view than our own and meet them on their own terms, carefully listening to their arguments, and struggle to find common ground and mutuality of interest.

In offering this advice, he never told us what we should do, but instead suggested what he would do. He taught us to plan and prepare, to thoroughly understand the nuts and bolts of an issue. And finally, he said, never forget the people who sent you here, the constituents who invested in us the power to represent them. They are the reason we are here.

Congressman RON DELLUMS is revered on both sides of this aisle because of his integrity and his commitment to progressive ideas. He was always on the cutting edge of the issues. California will miss him in the ninth district, but the State has been enriched by RON DELLUMS. While he towers above most of us physically, this attribute is matched by his intellect, faith in the process and optimism for peaceful resolution of conflict.

Mr. Speaker, I came to Congress during the midterm of the 104th Congress, having won a special election. My path to Congress did not provide me the opportunity to bond with the Members of my class during the heady days which normally follow a general election victory. I did not have orientation for Members-elect, as is the practice of getting acquainted with your colleagues before sitting for a new Congress. Nevertheless, RON DELLUMS' gentle smile, kind words and unreserved support, willingness to listen without prejudice and accessibility qualities have contributed to my development as a Member and my ability to better represent the constituents of my California's 37th Congressional District.

Congressman RON DELLUMS' intellect, keen grasp of the issues, knowledge of the process and impeccable style are attributes to the people of California's Bay area, the United States House of Representatives and the Nation which will mostly miss him. And while we will miss him, we all recognize that life goes on, and the only constant in life is change.

□ 1930

RON DELLUMS' contributions to this House, indeed his greatest legacy, will be that he used his service in Congress as an instrument for change in the pursuit of jobs, peace and justice.

I wish him the very best as he pursues his future endeavors and wish to convey my thanks as a colleague, a friend, and an American to his family for their sacrifice and generosity in sharing this unique man with us. And I thank my brother, the honorable RONALD V. DELLUMS, for his friendship and his unreserved brotherly support on my behalf.

TRIBUTE TO THE HONORABLE RONALD V. DELLUMS

The SPEAKER pro tempore (Mr. LUCAS). Under a previous order of the House, the gentleman from North Carolina (Mr. WATT) is recognized for 5 minutes.

Mr. WATT of North Carolina. Mr. Speaker, I have neither the eloquence or the thoughtfulness to find the right words to express my feelings for my colleague, RON DELLUMS, who is leaving this House this week. How does one say "thank you" to someone who has had their phones tapped, who has been subjected to experiences in committee, on the floor, that we could not now imagine as Members of Congress?

About 15 years ago, when I was not involved in Federal politics at all, to the extent I had any involvement in politics it was at the local or State level, most of my time was being spent making a living learning how to practice law, someone invited me to attend in Washington a Congressional Black Caucus weekend. It was at that weekend that RON DELLUMS was the keynote speaker. He spoke for about 45, 50 minutes, and the entire audience never uttered a peep. It was at that point that I started to admire and respect RON DELLUMS.

Fast forward to 1992 and imagine how it felt to me to be elected to Congress and to have the honor and privilege of serving with this powerful man; to have him come to me and say, I have heard you speak on the floor and I like your passion, when I had admired his passion for so many years; to receive from him constructive suggestions about how to be an effective Member of Congress; to receive from him constructive suggestions about how to express myself on the floor, when I had heard him be one of the few people who could rise on the floor of Congress and actually change opinions of his colleagues during the course of a debate.

Those are the things that I am indebted to RON DELLUMS for.

But my respect goes beyond that. My admiration goes beyond that, because RON has been willing to share with people and to spend time with young people. I will never, ever forget eating lunch in one of the House facilities here with my son and a friend of his from his college class. We had almost finished eating when RON entered the dining room, and RON came over and sat down with us as we were about to leave, we thought. And about an hour later he was still mesmerizing these two college students with stories about how he had gotten involved in politics, how he had come to understand the principles and commitment that one has to make to gain the respect and admiration of others, and how he valued the opportunity to serve his constituents and the people of America.

There is nobody in this body that I admire and respect more than I admire and respect RON DELLUMS. I am going to miss him immensely. It has been wonderful over the last several days to hear the tributes that have been made to RON DELLUMS and to learn more and more about this powerful, beautiful man.

I wish him well. I wish him success in everything that he endeavors. I understand the circumstances under which he is leaving this body, and I hope that he will have much success with those circumstances. I just simply want to take this moment to express my respect and admiration for this powerful, powerful man.

HEALTH CARE IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from Texas (Ms. SHEILA JACKSON-LEE) is recognized for 60 minutes as the designee of the minority leader.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am pleased to be able to discuss what I believe is a very important issue and need in this country, and I could first start speaking generally about the value of good health care and how health care touches all Americans, how health care is bipartisan, not a respective race or agenda or region. It really is the desire of all people to have good health care, good and safe and viable and, yes, reasonable health care.

But even as we talk about reasonable health care, I think it is important that that word be put in the context of the right kind of medical professional-patient relationship and interaction. Just a few hours ago there was an extensive debate on the floor of the House regarding attorneys' fees for the White House Task Force on Health. During that debate I indicated that I thought my colleagues were moving in the wrong direction, a punitive direction rather than a helpful direction, and, in fact, the question of who should pay attorneys' fees for a challenge to that task force really begs the question

and really took up the time of the American people in the wrong way.

We passed no effective health legislation by that vote. And I voted against it because I thought that it simply missed the point of the House Health Task Force that, in fact, did not conclude with a decision as to which type of health care this whole Nation would buy into, but they did do something very important. They put in the minds of the American people that we had a health system that needed repair and, in fact, all was not well and there were other options that we might look at.

Whether it was universal service or access universally to health care, or whether or not it had to do with physician assisted plans, or whether or not it had to do with the professional health maintenance organizations, which have now about taken over the country, it still raised the debate. And, yes, it talked about the importance of making sure that all aspects of our community, our children, our infants, our senior citizens, our working families had access to health care. And today we find that we do have and still have a broken system.

Many of us can rise to the floor of the House and share personal stories. For example, my father, who suffered from cancer, not unlike many families in America, a senior citizen who, in fact, had been healthy every day of his life and was shocked that there was now something wrong with him. In the family's eyes there was nothing wrong with him. He was ill and we wanted him to be better. But in his mind there was something wrong, and we needed a sensitive and responsive health maintenance organization. I am sorry to say we did not get that.

How many times I have heard from constituents who indicate that it seems like the question of cost was more the priority of their health maintenance organization than it was quality of service and the wellness of the patient.

I do not believe Congress can proceed any further without assessing the need for better health care and good health care. We already have noted that 88 percent of the American public supports a consumer Bill of Rights as it relates to HMOs. Eighty-two percent support tax breaks and grants and subsidies for child care that also has an impact on how our children are cared for and also a better quality of life. But always the health care rises to the level of importance.

The attractiveness of a tobacco settlement focuses on opportunities to improve the health of Americans, to ensure that we diminish the opportunity for Americans to suffer through smoking and the illnesses that come about. But no matter how much we tell Americans to be healthy and to participate in wellness programs, if we have a broken health system, if we have HMOs that are governing and controlling all of the health systems around this Nation with little sensitivity to the im-

portance and the sacredness of the patient-physician relationship, or the patient-professional medical practitioner relationship, then we do not have a system.

So Americans are very interested in this consumer protection Bill of Rights, and I believe we must drive this to the end and it must be passed. And so I call upon my colleagues and the leadership of this House, the Republican leadership, to let us stop dividing along the lines of party when it comes to health care. No one in America goes to their physician and asks for their voting card. They want a good physician. They want the kind of physicians who carefully guided into this world those wonderful septuplets in our Midwest now, as we watch each healthy baby leave the hospital.

Those two young physicians, young women, in fact, might I say, cared enough about those lives and the good health of both the mother and those babies to meticulously and carefully and without any question of cost to proceed to bring and to help as God's creations were being born.

And so it is important that we understand what Americans want. No, they do not want fraud and abuse. But if there had to be a question of whether or not they could readily and carefully and with expertise help bring those septuplets into this world, help them be born, help create a unique time in history, I do not think Americans would want HMOs standing outside the door of that young couple saying, well, you know, you have to make a decision.

□ 1945

The cost is too much to get and to have septuplets. What an outrageous thought. But that is what many Americans are feeling with the kind of HMOs we have in America. Calls being made to incorporate institutions by physicians and physicians saying, "No, they cannot have that transplant. How old are they? There is not enough money in their coverage. How old are they?" And as the decision is being deliberated and the arguments are being made long distance, someone, your loved one, is dying. Americans are saying, enough is enough.

I am gratified that we have this opportunity to fix this system, that we have not gone too far. Coming from an area that has the Texas Medical Center and premier hospitals, in particular one that I happen to serve on the advisory committee for prostate cancer, M.D. Anderson, I know that most of the health officials want to do their job efficiently, effectively, with great recognition of cost; and they want to save lives; and they want to go to any length to save lives. We must give them that opportunity. Our HMOs are stifling good health care in America.

Oh, yes, there are some that provide easy access by way of the cost that one pays for an office visit. But, in many

instances, the physicians are overloaded, having to match a certain number of visits per day, having to move patients out in a certain period of time, some tell me 15 minutes or less, sort of a factory type sense, being penalized if they take a longer period of time to ask questions of that senior citizen who may have a difficult time communicating, that person who does not speak English, that child who is younger and has a difficult time explaining to the physician and to mommy or daddy where the pain is. I have heard these stories.

My colleague from Tennessee has said that we even have some difficulties in administrative regulations relating to home health care. We find that these agencies are proliferating, but we understand as well that there is a need.

Many of our health needs revolve around home-bound patients who need to be with family and in warm surroundings, as opposed to the possibility of a sterile hospital; and they need these visits from home health care officials. Yet we are creating hassles, if you will, for those businesses to survive, many of them small businesses; and we are creating financial hurdles for them to jump through, so that they cannot have that kind of care.

If I may personalize this again, at the time of the height of my father's illness, he needed around-the-clock, 24-hour care. It was much better for him to be at home than it was for him to stay at a hospital of which there was at that time, very sadly, not much to be done. But yet, we find ourselves in controversy because these kinds of opportunities and choices are being denied.

So I am delighted to be able to support the Democratic Health Task Force proposal for a patient bill of rights, to have been able to work through this and work with the task force as it looked first at child health care. We saw in the last budget fiscal year 1998 \$24 billion that was allotted for children's health, to see the numbers of immunization rise and the numbers of preventable diseases that would, in fact, be destructive of our children's health, to see those diseases go down because our children are being immunized.

So we see what can happen when we turn our attention effectively to the whole question of good health care.

What does the patients bill of rights, the access to care, what does it really mean for America? Well, let me tell my colleagues what it means.

And I can simply say that it means a smile on every American's face. It means a comfort level for some daughter who is worried about her elderly mother in another State and where she only has the ability to consult with that mother's medical professionals by telephone and is not really aware of what kind of care that mom is getting or whether or not she is being short-changed.

It means a choice of plans. We have found that giving consumers choice, al-

lowing them to pick what fits their needs, enhances consumer satisfaction.

So, we, as Democrats, would allow a limited point of service option for employees who were only offered one health plan and that health plan was a closed panel HMO. The health plan, not the employer, would be required to make available another point of service option for those beneficiaries who wanted it. Being released, unshackled, if you will, taking a breath of relief that they would actually be able to express dissatisfaction with their HMO and still have good health care. They are not boxed in.

I just want us to think for a moment. Maybe the American public is not familiar with how far we have come and how low we sunk in health care in America.

Just a year or so ago, we had the drive-by maternity hospitalization. Mothers were being dispatched out of the hospital in 24 hours, and those who had what we call a Caesarian section were cast out in 4 hours. Drive-by deliveries. It took Congressional legislation, working with the Senate, that time Senator Bradley and others, working with the Women's Caucus and many others.

I remember cosponsoring and working on that legislative plan to extend the time that mothers who were delivering their precious baby to be cared for with the right kind of care in the hospital that they were in.

Only those of us who may have firsthand experienced all of the excitement and the doubt and the needs of care of giving birth would be able to fully appreciate, along with, of course, the father and relatives, the need for care.

I heard terrible stories from constituents of their fear and apprehension of that moment of delivery and then the next moment when they barely have had a chance to be able to be cared for, to be able to be stabilized, the baby stabilized and because of their HMO they were dispatched, turned away if you will, out of the hospital.

Have any of my colleagues heard of postpartum depression? Most females will be able to share that with you, a serious condition. Is anyone able to detect that in a 24-hour time period? Well, that is what we had just a short period of time.

What about the story of this daughter whose elderly father was delivered home in a taxicab from a hip replacement surgery to a mobile home in Florida and left at the doorsteps with a walker, no home health care, no training as to how to use the walker, no one to help him use the bathroom facilities, no knowledge of how he would fix his food, because he had to be removed from the hospital because of his HMO?

These are just the tip of the iceberg of the stories that you have heard because cost has been the ultimate decider of health care rather than the care, nurturing and then the eventual wellness of the patient. So choice of plans. Because, "If your HMO cannot

provide you with the guidance and necessary physician care, then go somewhere else."

What about the quality and the expansiveness of the providers? We say plans must have a sufficient number, distribution and variety of providers to ensure that all enrollees receive covered services on a timely basis. This way, again, you are not confined or boxed in; and you do not have a sense that you are not able to get the breadth of diversity that one might need.

I would probably give it away if I talked about my admiration for that TV doctor that used to carry the little black bag and visit people in their homes. I would really be dating myself if I said that my first doctor visited us in the home. What a special privilege to be home sick from school, warmed in a bed, and to have your physician travel all the way to your house.

Those were, in fact, the good old days of which we will not return. But I think Americans want the old-fashioned medicine, that their care and their nurturing is the first priority, not some bottom-line figure where someone is arguing that the red ink overcomes the need for the care of your loved one.

So we are looking to have specialty care. Patients with special conditions should have access to providers who have the records and expertise to treat their problems.

Our particular proposal of the patients bill of rights allows those patients with special needs, diabetes, MS, special forms of cancer, to be treated, liver disease, to be treated at the level that they have need. Those who need various specialists with relation to allergies, something very unique and isolated sometimes. But if they suffer from that and their HMO says, no, you cannot go to a specialist, it is not life-threatening, or let me say to them that it may not be life-threatening to someone in corporate America in a cubicle in New York, but certainly I would say to them that it totally damages and takes away the quality of life and the kind of health care that we have come to appreciate.

So that specialty care is something that I frequently heard from constituents, "I have been denied the right to see a specialist. They told me I could not do it. My HMO refused. I could not get a second opinion." You develop a relationship with that physician, and you certainly develop a relationship if you have a chronic illness.

In many instances, chronic is not terminal. But it does mean that they need to be under constant care. They are seriously ill. They require continued care. So we are saying that if that is the case and they require continued care by a specialist, the plan must have a process for selecting a specialist as the primary-care provider and assessing necessary specialty care without impediments.

What that means is that, rather than them going to a general practitioner,

who certainly does an enormous job in our community, and I encourage the further training of general practitioners, but if they have such a degree of chronic illnesses that they need a specialist more than they need the general practitioner, they should be able to utilize that as their primary physician, and there should not be, again, the hoops and the wagons and the races that they would have to run to get that done.

I have heard in many cases as we have made progress in the detection of breast cancer and other women-related illnesses that part of the success of that has been early detection. Yet, in many instances, women have not been able to, under the present HMO provisions and what HMOs have been willing to pay for, they have not been able to get OB-GYN services. So it is extremely important and we think it is vital that women have the ability to designate an OB-GYN as a primary-care provider.

Why should that be outside the loop of medical care? Might I say, in this day and time, what a blatant form of discrimination that necessary health care services had to be argued for rather than automatic. How many times we have heard our surgeon generals preach wellness prevention; and, in essence, without a complementary system to be able to provide for that, there is no wellness, there is no care.

□ 2000

So we have a provision that deals with women's protections, and that is extremely important.

Continuity of care. There is nothing more frightening than to have care and to lose it and to need it, and that has come about to many of us because of a change in a plan or a change in a provider's network status. So we thought it was extremely important in our task force to lay out guidelines for the continuation of treatment in these instances, and particular protections for pregnancy, terminal illnesses, and institutionalization.

It is a horrific impact on families when all of a sudden someone loses their job, and they have a child or a loved one who is suffering and has a terminal illness or some other condition that needs constant medical care. What an overwhelming burden on the family.

Already many of us have heard of situations in our community where there are barbecues or fish fries or fire departments and police departments and communities rallying around families who need transplants. I frankly am outraged about that process. Those are particular incidents where there is a great need to be able to have the money, where money is not, and communities rally.

Well, imagine yourself caring for a very ill loved one and you lose your job. How many of us have had the experience of some bad times or hard times come in the midst of the caring for a

loved one who needs a great deal of care?

We think it is imperative that there are guidelines that will carry you as a bridge over troubled waters so there is never a point where you come to the flat Earth theory, you get to the edge, and you completely fall off the edge; no hope, no safety net, no ability to carry that care forward. Believe me, my friends, that is not an isolated set of circumstances.

So that is why I am moved to say debates like who is paying the White House health task force attorneys' fees is tomfoolery to a certain extent, when we have Americans who are without good health care, and we have really got to get on the ground working on this consumer protection bill, this patient bill of rights, because as I listened to those who are seeking help from the government to make health care accessible, but the best it can be, these are the kind of hard issues that these providers face every day.

When I say that, the health professionals in our public hospital system, the health professionals in our private hospital system, every day they are dealing with life-or-death issues, questions of how do you pay for health care, how do you utilize Medicaid in the best way it possibly can be used.

So as we balance HMOs, we must also look at making sure that Medicaid is effectively utilized, and that it, too, reaches the necessary patient base that goes without health care if they do not have coverage under Medicaid. Frankly, that is many of our children.

So I would like us to look both at those of the very poor, those who are in need of coverage of Medicaid, as well as those individuals who are operating under HMOs.

Another point that we want to see HMOs improve on is emergency services. Individuals should be assured that if they have an emergency, those services will be serviced by the plan.

Let me give you an example of just some problems that sort of relate to emergency services. It is the question, one, of denial. That means you are not covered. You think it is an emergency, you are driven to the emergency room, but in fact your HMO will not allow that. I guess tragically, unless you come with a bullet wound and unable to speak, that is not always the kind of emergency that occurs.

I heard tell of tragic stories where patients have driven themselves to the emergency room with a near heart attack, needing immediate assistance, and the first thing that the emergency room is forced to ask is, do you have health insurance. Might I say that I have heard of tragedies that have resulted in death because hospital emergency rooms had to be too engaged in finding out whether this patient, who has come into the emergency room, has the necessary health coverage.

Part of that certainly is the way our whole system has been structured. Part of it is the overwhelming fear that

HMOs instill in all kinds of health providers, we are not going to pay for this. And in many instances it originally started with good intentions. The whole idea is to make more cost-effective our managed care system, but in actuality it became the death knell for many who needed good health care.

There is a big debate about research and clinical trials. Not when you go to the National Institutes of Health, and many of our research hospitals. Talk to the community that suffers extensively, any community, from HIV, those both infected and affected. They realize how important clinical trials are and the fact that many people could not participate if they did not have such participation covered or allowed by their health insurance.

So they should be able to engage in clinical trials because that treatment may be the only treatment that is possibly able to cure their tragic illness, and certain approved clinical trials we believe should be allowed under the HMOs. And right now you are more than climbing through hurdles, you are swimming rivers, climbing mountains, and then jumping off and flying like an eagle to even think of getting the approval of an HMO for clinical trials.

We believe that drug formulas, prescription medication, should not be one size fits all. There should be plans that allow beneficiaries to access medication that is not formulary when the medical necessity dictates.

We also think that there should be nondiscrimination against other health care services. We should not be discriminating against our enrollees on a variety of factors, including genetic information, sexual identity and disability.

Very serious point that raises a great deal of consternation is preexisting disease. That has always been a problem, and I believe that the patient bill of rights has to rein in this whole issue of preexisting disease and any bar that it gives to the whole idea of not being able to get good health care.

We want this to be an encompassing package. We want to be able to take away the aura around health care, the fear. In the early stages, or the good old days, as I have mentioned, it was merely the respect that most Americans had for their physicians and the great belief that they did all they could for them, so it was sort of an accepted posture, if you will, where there was sort of this great, great elevation of our physicians.

That is all right, that is voluntary. That came about through competence and trust. Now, however, much of the relationship is out of absolute fear, fear of losing your health insurance, fear of being told you cannot get this surgery, fear of waiting long periods of time for approval to come from some corporate office, some insensitive, non-knowing analyst that has to respond to the HMO's criteria of selection.

This is not an indictment of those professionals who work in the corporate structure. They are guided by

the numbers that have come down that they must respond to.

So we want to make sure that we break the aura of fear, devastating fear, and provide health plan information so that you can have and make informed decisions about your health care options and know what is in your plan, and not have pages and pages of small print that someone passes out to you in your corporate mail and you have no knowledge of what you are accepting or rejecting.

Medical records need to be kept confidential, and that has to be a key element of the patient bill of rights. Patients should be able to accept the fact that their medical records are confidential so that they cannot be used against them by their HMOs. Many times there must be that link, that ombudsman, or woman, that you can comfortably go and show your confusion as a consumer of health care and be able to have answers being given to you.

We will not get a health system that works if we act in fear. We will not get one that works if we do not act. We simply will not have the kind of health care that all Americans can be proud of if we do not take a stand on behalf of the millions of patients, far more than the numbers of HMO organizations that dominate our country.

We are told that some States have nothing but HMOs. We have seen our physicians hover in fear because of HMOs. I have had physicians from certain communities, in particular the Indian community, that have acknowledged seemingly the lack of cultural understanding, the needs of their patients, the intrusion of the HMO into the kind of care that they need to give.

The one thing we pride ourselves about here in this country is freedom, freedom of choice, the ability to go where you feel most comfortable; certainly not to do damage to anyone else, not to tread on anyone else's freedom, but certainly the freedom to get what you desire and need.

We think it is important that as we break this aura of fear, that we assure the American public that they have quality health insurance, that the plans are working the way they should, doing what they should, that the caliber of physicians are at the level that they should be, so we support quality assurance, monitoring the HMOs and their service over a period of time. We think it is important to collect data, to be able to see how many success stories, how many cure stories, if we might, what are the surgeries and their success rate. Are we looking at the kind of plans that have the kind of health professionals and hospitals that provide the best care.

I think it is very important that we have HMOs that reflect the community. I have been very much a strong advocate in my own district, in Houston, of encouraging Hispanic and African American physicians, Asian physicians, to organize and serve those

inner-city populations, or populations that will be inclined to feel comfortable with the service that these particular physicians are rendering.

Does it limit the service to one community over another? Absolutely not. But what it does say is that these kinds of PPOs in particular give comfort level to the consumer, if you will, and reinforces the key element of good service.

We must also be fiscally responsible, and I think a utilization review. Which our patient bill of rights agrees to, is worth having so that we can review the medical decisions of practitioners. What do they need most? What helps them serve their patients best?

I think it is extremely important that we give the consumer a right to a process of grievance. Patients voice their concerns about the quality of care, and an outside process that allows that matter to be handled even before any court action is necessary. Sometimes these processes need to be done so that they are working internally and without a court structure.

□ 2015

Certainly, we would want to have what I call the antigag and provider incentive plans. Consumers have a right to know all of their treatment options. Again, that goes back to the key element of a sense of confidence, breaking the fear, not having a zip mouth in the physician's office, because I do not want to ask this question. He or she said I only have 15 minutes, and maybe they will cancel my health insurance if I ask too many questions. We need to lay down the options. There should be no bell ringing, to say now your time is up and one certainly cannot be engaged in this decision of wanting to know more treatment options, and that is it. Take it or leave it.

So I believe that it is now time that we have the right kind of HMOs and therefore, it is extremely important that we get off the dime, if you will, and really respond to what Americans are talking about, is an unentangled, caring health system that allows the best and the brightest of our health professionals to do their thing.

As I see my colleague who has joined me who has been a real leader on these issues; in fact, he might be called Mr. Health Care, because it has not just been reforming this HMO revolution. Whenever there is a revolution, we get excited and it is a new toy to play with, but sometimes we have to go in and direct the revolution. But my colleague was there on the Medicare fight when we thought a number of our seniors would be denied care, he was there on the Medicaid fight, and each step of the way we have seen a better system come about.

So for all of those people now hovering in the corner on the patient's Bill of Rights, hold your calmness and listen to what we are saying, that it is of great necessity that we open the doors to patients so that patients might feel that the system works for them.

With that, I would like to say to the gentleman from New Jersey (Mr. PALLONE) let me thank him for organizing this Special Order and allowing me to share with you what I think has to be one of the most important issues that we really need to face in the next 30 to 60 days. Somebody might say this year or over the next 2 years. I think we have a crisis that we have to deal with, and we need to pass the patient Bill of Rights that deals with HMO reform. I yield to the gentleman from New Jersey.

Mr. PALLONE. Mr. Speaker, I wanted to thank the gentlewoman for being here tonight. I think the gentlewoman is the one that organized this Special Order, but I thank my colleague for saying that.

Ms. JACKSON-LEE of Texas. Mr. Speaker, we shared in it.

Mr. PALLONE. Mr. Speaker, I know that the gentlewoman has been on the floor before talking about this issue and many other health issues that the Democrats have tried very hard to bring forth in the House of Representatives.

One of the concerns that I expressed today earlier in the day when there was a resolution that the Republicans brought up with regard to President Clinton's health care task force, and they were criticizing that, and they brought up some procedural matter related to it. I took to the floor at the time because I wanted to express my concern that we not waste our time here in the House of Representatives dealing with procedural matters about who had a task force and who paid for the task force and what happened with the task force, but rather, we spend our time on substantive ways to try to achieve health care reform.

We know that there are about 40 million Americans now that have no health insurance, and we know that there are problems with managed care and with HMOs, quality problems, which the gentlewoman talked about when she talked about the Patient Protection Act and the consumer protections that we all feel should be addressed with regard to HMOs and managed care reform.

All I wanted to say today, and I will say it again this evening, and I am sure both of us are going to be saying it a lot more over the next few months to the Republican leadership, because they control the floor and what measures come up and what bills pass, and let us bring up these health care reform issues, let us bring up the patient Bill of Rights so we can reform managed care and HMOs. The President, when he spoke in his State of the Union address the other night, was very clear that a major priority for him was managed care reform and the patient protection concerns that the gentlewoman talked about. The public overwhelmingly, not only the Congressmen and women in the room, but the public in general overwhelmingly said that that was a high priority for

them. But it is not going to come up and be debated on this floor unless the Republican leadership allows that to take place.

One of the concerns I had today, and that is what this chart is, and I am not going to dwell on it, because we talked about it a lot today, but there is a concerted effort now by certain special interests to fight against the Patient Protection Act, to fight against these managed care reforms and not allow them to come forward, to move forward here in the House of Representatives. Today, the National Association of Manufacturers was actually here lobbying Members and telling the Republican leadership and getting them to go along with this idea of fighting against managed care reform.

What we have up here, I will just mention it briefly, this is a blow-up of a memo from the staff person at the Health Insurance Association of America, the for-profit health insurance lobby, and it talks about the Speaker's aides calling up lobbyists to Capitol Hill and giving them marching orders to trash the bill providing consumer protections in HMOs. I think one of the most egregious things that I see where it says here the message we are getting here from House and Senate leadership is that we are in a war and need to start fighting like we are in a war. Well, the reason we are in a war is because we know and the President knows and the Democrats know that people want managed care reform, they want these patient protections, so the war is to fight against that. They are talking about the war because they know that there is so much support for it.

Then later on, I think it is Senator LOTT, who is the majority leader in the Senate, he said that the Senate Republicans need a lot of help from their friends on the outside, and he says that they should get off their butts, I hate to use that expression, and get off their wallets, reference obviously to the need to finance and provide money, if you will, for campaigns and special interest money, if you will, to support those who fight against the health care and the patient protection reforms.

So we have a battle here. I think the gentlewoman and I said the other day that this is going to be a battle. Well, the Republican leadership claims it is a war. Whether it is a battle or a war, I do not know, but we have our work cut out for us.

But I wanted to mention very briefly if I could, there were a group of family and health care advocates, organizations that are in favor of these patient protections and the managed care reform.

Ms. JACKSON-LEE of Texas. Absolutely.

Mr. PALLONE. And they sent a letter to Members today, Members of Congress, because they knew that the National Association of Manufacturers was coming down here and lobbying against this managed care reform. So

they sent a letter, and this is from Families USA, American Federation of Teachers, United Church of Christ, Women's Legal Defense Fund, AFL-CIO, a number of groups that are involved in this.

They said to the Members in their letter, when these people come that are against these managed care reforms and they come to your office today, why do you not just go through the checklist that we will provide you of what this managed care reform does and ask them whether or not—why these are bad things, why they are against these things. If I could just briefly, I have the other chart here, go through this. I know the gentlewoman mentioned a lot of these things earlier today. But I think it is very interesting to sort of pose the question in that way.

Ms. JACKSON-LEE of Texas. Absolutely. If the gentleman will yield just for a moment, it is interesting, and the checklist is important, that this group would want to go up against 88 percent of the American public that wants a consumer protection bill as it relates to health care. They want a patient Bill of Rights.

So the war is on. I think the clarion call is for the 88 percent of the American public to stand up and say what they want loudly and clearly. I think they can overcome any of those who would want to detract away from what they need, and of course that checklist will be the real test as to whether or not these folks who are opposed to it even know what they are opposed to: Simple, basic assurances, if you will, that we in this country believe that everyone should have access to good health care. I yield to the gentleman.

Mr. PALLONE. Mr. Speaker, the reason I would like to go through it quickly together, if the gentlewoman would like, is because a lot of times I worry that we deal in abstracts. Even when we talk about patient Bill of Rights, I am not sure that the public necessarily understands what we are talking about.

The great thing about debating this issue of managed care reform and the patient Bill of Rights is that when one sees what we are actually talking about, and then one hears the stories about people who do not have these benefits, then the public becomes even more aware of why it is necessary.

The first one says that health care consumers can appeal denials or limitations of care to an external, independent entity. I have had a lot of my constituents, in other words, they seek certain care, they want to stay in the hospital a couple of extra days, they want to see a certain specialist, they want to use a certain kind of equipment for a particular medical procedure, and they are either denied or they are told well, we have to go and it has to be reviewed by a certain party. What we are saying here is that if it is denied or limitations are put on a procedure or access to a doctor, that there

has to be some way of externally independently reviewing that decision and overturning it in a quick fashion. Obviously, that is very important.

The second thing is, consumers can see specialists when needed. Again, I think one of the biggest problems with HMOs is the fact that increasingly, the gatekeeper, whoever it is, whether it is the primary care physician or more often some bureaucrat with the insurance company that says that one cannot see a specialist, and people need that type of specialty care, so this is an issue.

The third thing is that women have direct access to OB-GYN services. Another one is the physician decides how long patients stay in the hospital after surgery. That I think is so crucial. We had this with the drive-through deliveries where women were released from the hospital the same day that they had a child; people that had C-sections were allowed to stay only 2 days in the hospital, and the bottom line is that that decision about how long one stays in the hospital at a particular time after surgery, that should be made by the physician, in cooperation with the patient, not by the insurance company.

Health care professionals are not financially rewarded for limiting care. This is the biggest problem that we face. Increasingly, the doctors and the method of payment they receive is dependent on them putting limits on how they care for patients and what kind of care patients receive. How could one possibly have quality health care with those kinds of limitations? It is okay to say, for a doctor to say, okay, this is the number of days that you should have for this particular activity, or this particular surgery, but to have there be a financial incentive for the doctor to do that I think opens the door to abuse, and this is what we keep hearing over and over again is occurring.

Then, consumers can see my provider if the providers in their plan do not meet their needs. Again, in many cases where the HMO does not have the specialist or even does not have certain types of hospital facilities that are covered by the plan, well, if they are not covered by the plan, if someone needs a certain type of care or a certain type of specialization, they should be able to have access to it if the plan does not cover it as part of their network. That is essentially what we are saying.

Then, consumers have access to an independent consumer assistance program to help them choose plans and understand programs. This is the ombudsman concept. What I find more and more is that the average person does not even know what their plan consists of. They do not know what is in it, they do not know what is covered, they do not know what care they are allowed to have, because there is no requirement in many States for any kind of disclosure when one enters into one of these networks, one of these HMOs,

and obviously, it would be a good idea to have someone to go to to provide that kind of assistance.

Then we have health plans demonstrate that they have inadequate number mix and distribution of health care providers to meet consumer needs. Consumers get information on plans including how many people drop out of the program each year, amounts of premium dollars spent on medical care and how providers are paid, just basic disclosure. People should know what they are getting into.

Finally, this is just of course the most important aspects, is that doctors, nurses and other health care workers can speak freely to their patients about treatment options and quality problems without retaliation from HMOs, insurance companies, hospitals, and others. I think the gentleman mentioned before about the gag rule and how we have to eliminate that as well.

This is what we are talking about. This is not any abstract science here. It is just simple things that I think most people probably think that they are getting until they actually find out that the HMO or the managed care plan does not provide it and has these limitations. We get this out to the American public, people understand this. That is why better than 80 percent of the people support these kinds of managed care reforms.

□ 2030

Ms. JACKSON-LEE. Mr. Speaker, I keep raising the 88 percent, because the gentleman is right. If we get the message out as to the Patient Bill of Rights, it is not even out the way it should be, because, as the gentleman has said, the Republican leadership has not yet seen the wisdom of getting it on the floor of the House.

Can my colleague imagine if the American public saw the value of what we were offering and realized in many instances that they did not have those privileges if they had a crisis or real health need? The good thing about what happens in this country is that as many sick people as we have, we have a lot of well people who pay for health insurance and never have the real opportunity, which is very fortunate, to maybe have a serious illness.

Of course, as we age, there are times when we do have, through age, serious illnesses. But, in fact, these persons who are in their prime of working do not have major illnesses and, therefore, are not even aware that there are limits on the kind of treatment that they might be able to get that maybe someone who has children who are all 10 and 12 did not come through the time when in 24 hours you had to be out.

Just think as we educated individuals how they would want the numbers or the numbers would show 100 percent supporting this. If we emphasized the drama of what occurred today. Leader GEPHARDT indicated a "fly-in" of the friends of our colleagues to swat down

any kind of interest in the Patient Bill of Rights. If we could just have the American public see a swarm of bees swarming in to just stop it in its tracks, I would say we would have 120 percent because health is such a sacred part of the quality of life and what we have come to expect in this country.

I cannot imagine why this would not be a bipartisan effort to really run to support the Patient Bill of Rights, because, in doing so, we would be responding to what all of America would want, irrespective of whether or not they are Democrat, Republican, Independent. They clearly want to be able to count on their health plan.

So the gentleman has highlighted several of the major points. I had the opportunity to emphasize some of the other aspects. And it is quite extensive, but it is not redundant, it is not costly, it is certainly recognizing that what we have is a broken system.

We started out with it. It was new. We organized it in a manner that had more of a dominance of the insurance companies as opposed to the health care providers. We see that is wrong; and so we are now going back to fixing, which is a good concept. But the wrong direction. The head is not leading. The tail is leading. I think we need to get it in order so that the health care of this country can be what we would like it to be.

Mr. PALLONE. Mr. Speaker, and I know we only have a couple of minutes left, and I just wanted to say that I know what some of the arguments are that are coming from the opponents. They are saying that it will cost too much. Well, most of these things do not cost anything; and if there is a slight cost from some of them, it is so slight in terms of the benefits that a person is receiving that I think overwhelmingly people would support these patient protections.

The other thing, of course, we hear is that the Democrats, they are trying to move towards national health insurance or socialism. The reason HMOs have become so predominant in the insurance market is basically through the capitalist system. This is not the government. They have actually worked and they have competed and a lot of people have joined them, a majority of people have joined them, but we know that there are times when the system gets out of hand and the government has to step in with some modest restrictions.

These are modest restrictions. That is all we are talking about. This is not major tinkering with the system. HMOs will still be out there, and managed care will still be out there. They can still compete, but we are saying that these basic provisions have to be met to provide some semblance of quality health care.

Mr. Speaker, I yield back to the gentleman, because she, in fact, organized this special order this evening. But I thank the gentleman for having me participate in it.

Ms. JACKSON LEE. Mr. Speaker, it was certainly my pleasure. And, as we close, I certainly want to thank the Speaker for this time. I think this was an important discussion on the floor of the House, and I am delighted to have the gentleman from New Jersey join on the kinds of issues that we will be facing. We have a plan. Our task force has a plan. It is certainly appropriate for the leadership to move forward on this issue of good health care.

THE AMERICAN WORKER AT A CROSSROADS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Michigan (Mr. HOEKSTRA) is recognized for 60 minutes as the designee of the Majority Leader.

CONGRATULATIONS TO THE CONGREGATION OF GRAAFSCHAP CHRISTIAN REFORMED CHURCH ON THEIR 150TH ANNIVERSARY

Mr. HOEKSTRA. Mr. Speaker, to begin with tonight, I rise today to recognize the congregation of the Graafschap Christian Reformed Church of Graafschap, Michigan, as they celebrate 150 years of service to God, family, and their community.

On April 4, 1847, 14 pioneers left Rotterdam, the Netherlands, with the hope of finding religious freedom and economic opportunity in America. They arrived in New York harbor on May 23 and settled on the south shore of Macatawa beach in Holland, Michigan, on June 20.

The settlers soon founded the Graafschap Christian Reformed Church, dedicating their first log church in 1848. As Graafschap Christian Reformed Church grew in numbers and strengthened her spiritual roots, its vision expanded beyond its own congregation and extended into its community. In the past 150 years, the church has been a strong supporter of Christian education. As a leader in community ministry, the congregation has supported and participated in mission projects around the world.

The past and present members of the Graafschap Christian Reformed Church have had a profound impact on the Holland, Michigan, area. Now with more than 500 members, the church is dedicated to continuing its spiritual mission far into the future.

I would like to extend my thanks to Graafschap Christian Reformed Church for 150 years of service and commitment to God and the community, and offer my congratulations on the celebration of their anniversary. May God continue to bless the congregation and their work in the years to come.

THE AMERICAN WORKER AT A CROSSROADS

Mr. Speaker, I would like now to move on to another topic, a topic that I feel very strongly about and that I have a high degree of interest in. The project is called the American Worker at a Crossroads, because I think we recognize that the American worker is at the heart of our economy. It is not

what Congress does, it is not what the President does, it is not what the Federal Reserve does, it is the American worker that is at the heart of our economy and determines whether we will have a thriving economy and whether we will move forward or whether we will move backward.

What is the purpose of the American Worker at a Crossroads project? Very simply, we want to promote the most effective workplace on the planet. We want to develop a system of laws and rules and regulations, an environment where the American worker has the opportunity to thrive and to be successful and to truly develop and contribute with all of their skills.

We want a workplace and a workforce and an economy that provides for the American worker when they assume their responsibilities, that when they step forward and assume their responsibilities that they will have security, that they will have flexibility, and because of the opportunity that is provided and because of their taking advantage or their taking responsibility for their future, they can have prosperity well into the 21st Century.

The process that we are going through as we take a look at developing a strategy is we are stepping back and we are taking a look at where the economy was in 1938, the 40s and 50s, but we have picked 1938 as a classic year because this is when many of the labor laws were originally developed. And we are saying, what was 1938 like and what was the environment and what was the economy like in 1938 and how does that compare to where we were in 1988 and where we are in 1998 and where we expect to be after the year 2000? And as the set of laws and rules and regulations that developed out of the 30s and 40s is that the kind of framework that is going to allow the American worker to be successful in the future?

We are also taking a look at whether the programs and the activities that are currently taking place in the Department of Labor, an agency that has a budget of somewhere in the neighborhood of \$35 billion per year, which makes the Department of Labor bigger than all of the expenditures in the State of Michigan, are the expenditures in the Department of Labor helping the American worker to achieve their dream and their vision, or is it a barrier to the American worker to compete in this new environment?

So, under the Results Act, which says we are going to every agency in government, and I have oversight specifically for the Department of Labor, we are asking them to meet the Results Act. Where are they going? How are they going to get there? And how will the Department know whether they got there or not?

Those are some very basic questions that we should be asking of any agency that gets over \$30 billion per year.

Also, as we take a look at the future of the American worker, we are going

out into America and we are taking a look at the American workplace. In the last 2 months we have had 22 roundtables in five different cities where management and where workers, where academics, where public policy experts, business owners, managers, workers, union members, nonunion members, locally elected officials, have all told us about what is working and what is not working in the private sector, what is working in regards to American labor law and what is not working, where we are facilitating and where we are a barrier.

We have had a great response. We have learned a lot, and I will share a little bit of that with you as we go through the special order tonight, but it has been fascinating. American workers are being successful. They are competing on an international basis; and many of them are doing it very, very successfully.

That is what this project is about. It is about each and every American worker. It is about each and every American who wants to work and to contribute to this country.

It is about the single mom. It is about the young father. It is about the young couple who are saving for their first house or for the middle-aged couple that is facing the task of helping their children go through college. It is about the kids who are in college, the skills that they are going to need to make sure that they can become successful. It is about the young people that are out there that are making the decision as to whether they are going to go to college or whether they are going to go into a trade or technical school, because we need a balance of those occupations filled in this country if we are going to be successful.

This is about the real world. This is not about sitting in Washington and reading documents. This is about going to the actual workplaces, going to the American worker and going to the different communities around this country to find out what is working. This is about trying to connect what Washington is doing to what is going on at the grassroots level.

□ 2045

It is about trying to see whether there is a connect or whether there is a disconnect between Federal labor policy, Federal labor law and what we really need to do to be successful. As we go through this process, I think it will lead to a dialogue about change, about how do we create a more favorable environment for the American worker that recognizes perhaps that the economy of 1998, but more importantly the economy of the year 2000 and beyond, is very, very different than the economy and the society that we had in 1938 and 1948 when many of these laws were first created.

Let us take a look at 1938. What was 1938 like? Remember, this is the era when the Federal Government started to exert a more powerful role in to the

relationships between employer and employee. You really cannot judge whether that was good or bad. That was 60 years ago. But let us take a look at 1938 and recognize that many of these laws are still on the books and take a look at 1938, take a look at 1998 and say, would you, is there still a match or have we changed?

In 1938, 20 percent, 20 percent of all American workers were unemployed. Today the national unemployment rate is in the neighborhood of 4 to 5 percent. What kind of workers did we have in 1938? What were the American people doing? The employment picture for America in 1938 reflected that one out of every five, 22 percent of the American workers, were agrarian, worked in agriculture, 78 percent were nonagrarian.

Where are we in 1998? Today we have 2.5 percent of the American work force involved in agriculture, and 97.5 percent of us work in something other than agriculture. What about in manufacturing? Well, man if we lost all these jobs in agriculture, they must have moved into manufacturing. No. In 1938, 33 percent of the nonagrarian population, the nonagrarian work force, 33 percent worked in manufacturing. What is it in 1998? It is 15.4 percent. We went from 33 percent of our work force in 1938 working in manufacturing to today where it is 15.4 percent. Where did they go? Retail is up from 15 percent to 18.1 percent. Services is up from 11.4 percent to 28.8 percent. So we have seen a dramatic increase in services.

Another fast-growing compared to manufacturing or agrarian which went down in employees is the size of government. In 1938, 13.1 percent of all American workers worked in some level of government. In 1998, it is 16.3 percent.

What else is different about 1938 versus 1998? In 1938, the average life expectancy for Americans was 59.7 years. Today it is 75.8 years. Interestingly enough, 70 percent of the Members of the United States Congress were born after 1938. Most of the Members or a good number of the Members in this chamber were born after some of the most significant labor laws were developed in this country. Those laws are still in effect today. In 1938 is when the Fair Labor Standards Act was signed.

Also if you take a look at 1938, there was no television, no computer chip, no personal computer, no e-mail, no nylon, no compact disk, no Home Depot, no Intel, no Wal-Mart, no Microsoft. For some there was also no Bill Gates. Probably also no telemarketing, which probably would have been a blessing for all of us.

The question now becomes do those changes encourage us to take a look at labor law and say, does it fit or does it need to change? Since American workers are doing different things in different types of occupations, do we really need to take a look at whether the labor laws that were put in place still match these new industries?

What is one of the fastest growing sectors in our economy today? It is the high tech industry. It is about \$866 billion per year. It is 50 percent higher than the construction sales. How big is it? It is bigger than the sale of all food products. It is bigger than the automotive industry. The high tech industry is 866 billion; the automotive industry is about 433 billion.

What we need to do, this is what the American worker project is about, is we are stepping back, we are taking a look at American labor law. We are taking a look at the agencies that have oversight over our workers and over the workplace. What we are intending to do as we step back and analyze what we have, where we want to go, we are deciding that we are going to develop a plan and a strategy to create a playing field that is clearly proworker, taking into account what do we need to do to provide security and flexibility, recognizing that workers first have to step up and assume some responsibility themselves, but provide security and flexibility also in a rapidly changing world. How do we make sure that employees today, where rather than the expectation being you are going to be in one job and you are going to be there for 30 years and retire from that firm, you may go through four career changes in your lifetime, in your professional career?

It means that we really need to take a look back and say, how do we prepare or how do we provide and encourage or create a greater opportunity for workers to participate in training, for education to make sure their benefits move with them from one job to the next? How do we allow them to prepare for anticipated technological changes? How do we provide an environment where the American worker can prepare himself or herself to compete in a global economy?

We need to create a proworker agenda because it is the American worker that is the driving force in our economy. We have to create an environment where the American worker has the opportunity to be successful so that as companies choose where they are going to locate their plant, whether they are going to locate it in Michigan or whether they are going to locate it in California, which is the decisions that many times are being made today, but we also know that in a global economy, companies are going to be making the decision as to whether they locate in Michigan or whether they are going to locate in England or whether they are going to locate in China.

We need to make sure that as organizations go through the process of making those decisions that it becomes very difficult for them to come anywhere, to go anywhere else but the USA because we will have the best-skilled workers. We will have the best infrastructure in place. We will have the best learning environment. It is where people will want to work. It is where organizations will want their

products and services produced because we will have the most talented work force. We will have labor law in place which allows those workers to be the most productive workers on the planet.

That is what a proworker agenda is about. It is not an agenda that is supporting business. It is not an agenda about supporting unions or bashing businesses or bashing unions. The focus needs to be on the American worker because it is the American worker that each and every day gets up and goes to work and works under the rules and regulations that we have put in place. And we need to make sure that those rules and regulations enable that worker to be the best-trained and the most productive worker in the world.

Let us take a look at some of the other trends that are going on, that have implications for the American worker. What kinds of trends do we see going on? We know that by the year 2000, the American, the population will reach about 270 million people. But we also recognize that the annual growth rate of our population continues to decrease. Back in the early 1900s, we were growing at roughly 1½ percent per year. By the year 2020, 2030, we will be growing at about 6/10 of a percent per year. What this means is that if we want to continue to grow and to expand economic opportunity, we are going to have to work to make sure that our workers can increase their productivity.

A second trend that will have implications for the American work force is that in 1995, we have about 4, 4.1 workers for every person who is over 65. So that means for the people who are between the ages of 25 and 64, we have about 4.1 for every person who is over 65. In 35 years, that ratio will switch. That ratio will move from 4.1 to about 2.3, meaning that there will roughly be 2.3 workers for every person who is over 65.

Obviously as the number of people in the work force versus the number of people who are over 65 creates a number of different challenges. There is an inevitable explosion in the cost of entitlements such as Social Security. The need for greater participation rate of people over 65 in the work force, that is a possibility. Do they want to work after they are 65? Does American labor, does American tax law encourage participation of people over 65 in the work force? Do we provide a neutral situation where there is really no tax advantage or disadvantage to participating in the work force or not participating in the work force? This tells us that perhaps by 2030, we ought to provide tax incentives to encourage seniors to participate in the work force.

Today the situation is much different. I do not know what the answer is, but I believe it is a dialogue that we ought to be having in 1998 rather than in 2025, because the sooner we start discussing this issue, the sooner we can start reaching a consensus on how we want to evolve tax law and American

labor law in a way that will enable us to be productive in this country.

What is another trend that we are aware of? I think this is a positive trend. There is going to be a greater diversity in the American population. There will be a decrease in the number of white non-Hispanics from 76 percent of the population to 68 percent. There will be an increase in Orientals from 4 percent to 6 percent of our population. The Hispanic population is projected to grow from 9 percent to 14 percent. This can be a challenge, or it can be an opportunity. But I believe a growing diversity of the Nation's population in the work force is likely to create some very interesting opportunities. We will bring a greater diversity of skills and backgrounds into this country for us to learn and grow from.

What is another trend that we see? A change in the traditional family structure. In 1940, 67 percent of families consisted of a husband who worked and a wife who did not. Only 9 percent of families had two working spouses. By 1995, the man was the sole earner of only 17 percent. So from 1940 to 1995, we went from 67 percent to 17 percent. Two parents working in the family now is the reality for 43 percent of our families.

□ 2100

In 1970, 11 percent of our families with children under 18 were headed by a single parent. By 1996 that number had risen to 27 percent. By the year 2005, women are expected to represent 48 percent of the work force. More than 70 percent of mothers today are in the work force.

It is not a value judgment about whether those statements are right or wrong, good or bad. It is kind of like this is the reality that we have in America in 1998 and we need to take a look at what used to be nontraditional families or work styles or work patterns in the family and does American labor law recognize that kind of reality? Or was it set up to support and reflect the reality that most of the time there was a parent at home. That is not the case today.

Do we provide the flexibility, the opportunity for adults to have flexibility in their job schedules so that they have a greater degree of latitude in making sure that a parent is home with a child, if that is what they choose to do, so that parents can adjust their work schedules perhaps to a greater degree of flexibility in relationship to when their children are at school, when their children are on vacation or perhaps when their children have a day off of school? Do parents have the kind of flexibility to match their work schedules to their children's schedules? Those are some questions that we ought to ask. How do we support a family to make different kinds of choices about how they will support their family?

There is a couple of other interesting trends. This relates to how we work. I

mean technology is going gang busters. It is unbelievable what technology is doing in the workplace. I have been out of the private sector for a little over 5 years, and going back and touring different plants and going through different facilities it is amazing that even in 5 short years how much technology has changed work environments and really enhancing the skills and the capabilities of American workers.

What has happened to the cost of telecommunications? They have decreased significantly. What used to cost \$9 in 1950, this is a charge for a 3-minute call from New York to the United Kingdom, in 1950 that 3-minute call cost \$9. By 1996 we were down in the neighborhood of \$3.

But I think even more interesting than the reduction in the cost of telecommunications is the change in processing capability. How many transistors can be packed onto a single microchip? It doubles every 16 or every 18 months. It is expected to reach 125 million by the turn of the century. What that means is the number of transistors packed onto a single Intel microprocessor. In 1971, a little over, roughly 2,000. By 1978, model number 2, we moved up in the area of perhaps 50,000. By 1997, we are approaching 10 million. And they are expecting by the end of the century to reach 125 million. And that has a very huge impact on the workplace. And the amazing thing is they keep packing this stuff onto a transistor while lowering costs.

We would all like to own a Rolls Royce, perhaps. Coming from Michigan, I would prefer to own a car built in Detroit. But if Rolls Royce or anybody who makes a hundred thousand dollar car had applied the same increases in productivity to producing a car that Intel and other chip manufacturers have put into their processing, a hundred thousand dollar car in 1975 today would cost \$4.50. The cost of technology is going down, which is enabling us to increase the productivity, the effectiveness of the American workplace and will have a significant impact on the workplace of the future.

Let us talk about some of the places that we have visited. We have gone to a number of high-tech areas. We have been in Seattle, we have been in Silicon Valley, we have been in Dallas and Houston and Atlanta. Twenty-two roundtables. I think we have talked to 187 different people, most of the time in the area where they work, if not specifically in the facility that they work.

One message keeps coming back. We need skilled workers. We need a system that allows our workers to receive training, training, training, training, because the very nature of their jobs continues to evolve. We need an environment where we have skilled people entering into the work force and when they are in the work force they keep enhancing their skills.

Now, some workers may think that that's threatening, but in the workers we talk to it is exhilarating. The abil-

ity to take a job and grow it and grow it and grow it rapidly is exciting, because each time they learn and expand their job it is an opportunity to more fully utilize their God given skills.

What numbers do we see? Occupations requiring a Bachelor's Degree or above will average a 25 percent growth, or double the projected growth rate for occupations requiring less education and training. We need more skilled workers: Systems analysts, computer engineers. These are the third and fourth fastest growing occupations from 1994 to 2005. We need systems analysts; we need computer engineers. This is a fast growing industry. There are great opportunities.

This is also a kind of an interesting thing. When we are talking about software and we talk about the nature of competition, if you are a software engineer, we need you. And if we do not provide skills and opportunity for individuals to get those skills, what happens? We will have software engineers in other parts of the world, because when you are writing software, you are not limited by time or distance. If you write a program in Indonesia, if you write it in China, if you write it in India, you can probably get your product to the office next door faster than I could if I was in the office next door and just kind of walked over. You can get it over.

Remember the cost we talked about in telecommunications? Right now 11 semiconductor companies they had open requisitions for 17,000 employees. Nearly 40 percent of surveyed manufacturers said skill deficiencies prevented them from introducing new technology or enhancing their productivity. Manufacturers are saying we can increase productivity, lower the cost of our products, increase the value of the American worker but we need workers with more skills. Twenty percent of surveyed manufacturers said that they are potentially stopping business expansion because they do not have enough workers with the skills that they need. Eighty-eight percent of surveyed manufacturers reported a shortage of qualified workers in at least one job category.

What have we found in our site visits? We have gone there, we have invited people on the other side of the aisle to participate with us. The Department of Labor has been at all of our events. Remember the opportunity and what we are trying to do is obtain input from individual Americans on how they view their jobs, their companies and their workplace to better understand what is working and what is wasted. All of this with the intent of getting more money back into the pockets of the American worker and developing an American worker agenda; to encourage candid discussions; to make sure that America is globally competitive in the 21st century; to pinpoint and identify innovative practices; to identify emerging trends; to make sure that we can measure those

trends versus the restrictions that may be placed on them in labor law; and to obtain an overview of the future.

We have had some wonderful success stories. One of the places we visited, we met with a group of management and union employees dealing with the maritime industry, an industry that has seen its work force decline from 30,000 to 3,000. They are going to come back to us with a proposal and say, you know, some of the labor law and some of the Federal restrictions, some of the problems were self-inflicted but some of it was the result of American labor law. We are going to come back to you with a recommendation from labor and from management on how we might modify that labor law because we would like to get those jobs back in America.

We have gone to a job training site and we have heard success stories about people who have gone through this. A welfare mom, for 13 years, tried to get into an apprenticeship program, constantly excluded. Finally got into another job apprenticeship program. She is 33. She is off of welfare. She has bought her own home, has her child enrolled in a private school. She is now living the American dream. She got the skills that were required, moved into a job, bought a home and is helping her child now get an education.

Here is an example one of the corporations we visited and one of the colleges that we visited. There is a lot of good stuff going on in America's community colleges. But this community college said before we do anything to give them, our students, advanced skills or college level skills, 60 percent of our students who are coming in are not ready for college level work. Think about this. How can we be globally competitive if 60 percent of our students who are entering community college do not have the basic skills to do college work?

The constant theme we get is the shortage of workers. Another success story. A small waste management, wastewater management plant, an excellent story of union and management coming together creating an innovative work environment, a team environment. We hear about participation, teaming, blurring the lines between management and employees to focus on the success of the corporation. Employee involvement. The result? The gain sharing plan. Because of this team effort between union personnel and management, \$2,000 in the pocket of each worker in 1996.

Another thing people are talking about, different work styles. Telecommuting. People working from their home because of the change in technology. The need for flatter, more flexible work environments. The nature of work in many industries is changing and management and workers are recognizing that they need to work together to be successful in a global economy.

Another community college that we visited talks about in their program

they formed a partnership. Key word: Partnership, teams. Whether it is between business and college, whether it is between management and workers, whether it is between unions and management, the marriage of labor and education is their theme, recognizing that the skills that they teach within their community colleges have to be directly translated and transferable into a job.

□ 2115

Talk about rapid change. We visited with a company, a high-tech company. Their planning year, they talk about a web year. I did not know what a web year was. They told me, "Well, our planning horizon is about 90 days." I said, "That is kind of short-sighted. Why do you not plan longer?"

In their industry they have as much change going on in 90 days as perhaps other people have going on in a year. As a matter of fact, this company, this high-tech company, 80 percent of their product volume in 1998 will come from products that were introduced in the last 3 months of 1997.

Talk about a rate of change. Think about this: 80 percent of your product volume comes from products that were introduced in the last 3 months of 1997.

And you say, it must be a small start-up company. Wrong. They have 15,000 employees, 15,000 employees, who now recognize that they have to compete in four areas. They have to be the most advanced and most skilled in technology. They have to be very good at marketing. They have got to keep their costs down. And they have got to develop an organizational capability. Because not only do they have to get it right, but they have to do it over and over and over again because of the shortness of the life cycles in the products that they are dealing with.

Does American labor law recognize this kind of environment when we go back to 1938 and it took, like, five and a half days to build a car? Today, General Motors can build a car in 26 hours; and a company like this recognizes that they have to produce new products because, next year, 80 percent of that volume will come from the products that they just introduced and they have the future of 15,000 employees in their hands.

Another corporation talked to us about areas of low unemployment. They have new challenges. Drugs in the workplace. We need to address and solve the drug problem. Workers who enter the workforce with a drug problem are not fulfilling their key responsibilities to their employer when they have this problem.

Workers need more flexibility. Different family styles, two parents working, they need more flexibility to be able to support their children at home.

What does that mean? That is something we are going to have to debate and work through. Every place that I have gone to has had a low unemployment rate. They take a look at our

Federal programs and they say, have you got training programs for this and for that, training programs for this group? It is not what we need. We need the opportunity at a local level to address the workers' skill issue, that for those communities that have low unemployment the issue of training workers is very different.

When we have got 4 percent unemployment, the type of work, the type of skills and the type of effort we need to bring to those 4 percent in the workforce may be very different than if we are in an area that has 8 or 10 percent unemployment, may be very different in an area where we just had a major manufacturer leave and we are trying to retrain the workers that were in this business and attract new businesses.

It is a very complex economy that we work in, and we need to design flexibility within our programs so that the leaders at the local level can identify the problems and the opportunities that they have, and we have to recognize that they are best able to identify what they need to do about that.

Again, we have seen wonderful examples. Sometimes they say we are not maximizing what we can do because we have got so many rules and regulations coming from Washington.

A lot of talk about alternative work styles. What I am talking about here is we have got full-time permanent employees, we have got part-time permanent employees, we have got temporary workers, we have got contract employees, we have got leased employees. There are all kinds of different work arrangements. Should Federal labor law reward one or recognize one as being better than others?

Some of the highest paid workers in the high-tech industry love being contract employees or love being independent contractors. They love being independent workers who maybe work from their home and go and work for certain companies on a specific project for a specific period of time and then move on to another challenge or do that as perhaps they are developing a business. Is that better or worse than being a full-time permanent employee? Current labor law would lead us to believe that one is better than another. I am not sure that is the right case.

We need to recognize that people want different work styles because the type of jobs and the type of family structure and the type of challenges that they want and what is important to them may be very different than what they were in 1938 or 1948.

We met with a group of individuals who have disabilities. We have a decreasing rate of population growth. We should do everything we can to enable those people to be fully employed as well. Whether we have high growth rates or whether we have low growth rates, they deserve an opportunity to contribute in our society.

Then why is it that current Medicare and Medicaid assistance provides disincentives for these people to go to work?

One person mentioned that he has the opportunity to do this, to take a \$30,000 a year job. If he takes the job, he will lose \$29,000 a year attending care assistance.

Maybe there is a better way to do that, a compromise that says, we really want you in the workforce. You want to contribute. We know that this is not a good trade-off for you. As a matter of fact, this trade-off does not work for you, that if you go out and take a job and earn \$30,000, the first \$29,000 goes to replace what otherwise you would have got from Medicare or Medicaid. How do we fix that? How do we solve that?

It is the best solution for this individual. I think we can reach a compromise that would save taxpayers money.

Why are some of these things happening? It comes back to technology. Technology is opening up a whole new world for individuals with disabilities to contribute. We need to recognize that, and we need to modify American labor law to take that into account.

Finally, we cannot go around America and talk to workers and business without hearing about bureaucracy, red tape, and the Federal Government wasting money. Too often, these companies are burdened with costs placed on them by the Federal Government that add no value.

We have got to recognize that there are American workers and American businesses that are trying to be globally competitive, who each day are going out there; and they are pinching pennies; and they are finding pennies; and they are saving nickels; and they are glad they do it. And when they do it, that money either goes to the employee or it goes back in investment or it goes to a shareholder or goes in lower prices. But that is a positive thing to do when we find waste.

What we are saying with the American working project is saying to the American worker and to American business, help us find that waste in government regulations. How can you save pennies and nickels in Federal rules and regulations that add costs to your business but do not add any value? What would you like to do in your business but cannot because Federal labor laws are in the way?

We need help to identify what works and what is wasted. We need help in identifying where we need to go and how we are going to get there, and we need help from the American worker. We need help because we are developing an agenda for you that will help you be successful, will help you be competitive and will enable you to be the most productive worker on the planet.

When we combine high productivity with high skills and a favorable economic climate, those high-paying jobs will be in America. That is where we want them to be. That is where we need them to be. And, by partnering together, that is where we will be.

My colleague from Pennsylvania (Mr. WELDON) is not here. I was going to yield the last 10 or 15 minutes of this special order to him.

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

EDUCATION IMPROVEMENT IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes as the designee of the Minority Leader.

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

Mr. OWENS. Mr. Speaker, I also would like to compliment the gentleman from Michigan (Mr. HOEKSTRA), who spoke before me, a fellow member of the Committee on Education and the Workforce. I found his presentation fascinating.

I would certainly like to be a part of discussion on the items that he outlined there and hope that the committee itself officially can take up some of that discussion also. We will all benefit greatly from the kind of macrovision that he brings. And I salute the gentleman.

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

Mr. OWENS. I yield to the gentleman from Michigan.

Mr. HOEKSTRA. I would very much look forward to working with my colleague. I realize that it is a complex issue, and I really think that where we are beginning with a macropicture really allows us to go through a learning process in very much a bipartisan way. So thank you very much, and I look forward to working with you.

Mr. OWENS. Mr. Speaker, reclaiming my time, I salute the gentleman; and I congratulate him on his vision. I hope he understands also that a part of what he is talking about cannot be separated from education, what happens in our schools. He did mention the kind of training the workers will have to have, and that is what I want to talk about again tonight.

Education for the next 3 or 4 months is certainly on my agenda; and I hope to put it on the agenda of most of my colleagues, especially those who are on the Committee on Education and the Workforce. I hope that all the Members of Congress will not let the present discussion that has been launched by the President in his State of the Union address, a list of items that he gave there related to education, I hope that that wonderful list will not get lost. I hope that we will not have a fragmentation of the discussions about education to the point where we have all these tiny, separate discussions going on and there is no focus, no unity and no sense of priorities.

I want to hold on to a sense of priorities within that education list that the President offered. Some things are

more important than others. One thing is key to everything else. Unless we understand that, I think we are going to lose out in our efforts to improve the schools, those schools that need improvement; and the great majority of American schools do need improvement, some more than others.

In the inner city communities, like the ones in my district and in many other big cities, inner city schools are on the verge of collapse. They have lost their education mission already. There is a ceremony going on where the kids come to school. But, for a number of reasons, education of the kind needed to prepare youngsters for the complex society that we live in is not taking place.

So I really want to focus finally on that. I think that some of the other things I have to say are very much related; but, most of all, I want to keep the drumbeat going for the improvement of education. It must be kept on center stage.

There is a dangerous education emergency in the inner city communities of America where most African-American students attend school, and I want to send that message to my constituents and to other representatives of African-American districts and to the people who live in these districts. We have an emergency which is far greater than anything else that exists in American education.

Other schools are in trouble. There is a need for improvement everywhere. Rural schools and schools where poor children attend are probably in similar difficulties to the schools of the inner city where most African-Americans attend school. But all schools can stand some improvement.

□ 2130

The emergency must be recognized, however, in the African American community, with leaders of the African American community. Members of the Congressional Black Caucus, everybody in a position which has any influence must be made to understand that our schools are falling behind at a more rapid rate every day.

The indicator of the African American education emergency, which has the highest visibility and the most obvious exposure of neglect, is the dangerous and counterproductive condition of school buildings.

I focused on construction, education and infrastructure, because that is most visible. If we cannot deal with that which is most visible and most obvious, then I have no hope that we are going to deal with the more complex in a meaningful and productive way.

There are a lot of people who want to micro-manage the schools and have an answer for every problem that exists in the schools. Most of the people who have all the answers never took a single course in education at any college anywhere or never read a book on education, but every adult in America has ideas on how to improve education.

But it is important that all of us, leaders and laymen, experts in education, et cetera, admit that there is something obvious that has to be corrected before we go forward on any other level. We cannot improve our schools with respect to the ratio of teachers to pupils in the early grades. That is one of the items on President Clinton's list, and I welcome that item, and we all should. It just makes a whole lot of sense. It is supported by a whole lot of research.

It is not the solution to the problem. Automatically children do not learn by being placed in a situation where there are fewer children with one teacher, but it does improve things a great deal.

However, you cannot have a better ratio of students to pupils unless you have more classrooms. You have got to construct more classrooms. You cannot have a situation where the teacher with the lower ratio of pupils to teacher can do anything, if the classroom that she has to teach in is unsafe, if it is poorly lighted. It is counterproductive with respect to education, and you are going to have no result from the initiative to produce more teachers and smaller classes.

There are many other problems which result in a denial of the opportunity to learn to inner-city, rural and poor children all over America. There are other problems, other than construction, other than the physical infrastructure problem. But the physical condition of the schoolhouse itself tells the story of inadequacy with a loud and clear example.

We do not have to go into abstract reasoning. We do not have to go into syllogisms, deductive or any other kind of reasoning. We do not have to use boolean algebra. It is quite obvious when a school is 100 years old; it is quite obvious when a boiler in a school has a coal burning boiler and it is 70 years old. It is quite obvious there is a problem. It is quite obvious if you have coal burning furnaces in schools, you are contributing to a pollution problem that you are teaching children every day in the classroom should be eliminated. Some things are obvious, and, because they are obvious, it is a good place to start.

So I want to start to continue the drum beat today on this theme. But before I do that, I want to talk about two other items that still relate back to the central theme of we have an educational emergency, and the place to begin to deal with that emergency is to deal with school construction and improvement of the infrastructure, to be real about it, to follow through on the President's proposal that we have \$5 billion for 5 years, which is totally inadequate, but it is a beginning, to use his initiative; to call upon the President to use the bully pulpit of the White House; to call upon the governors and the mayors in cities and states where they have a surplus now, a budget surplus, to let them take the initiative at the local and state level

and deal with this problem of construction and physical infrastructure.

But before I add my new evidence to my argument, the evidence beyond what I stated last week, I do want to take time out to do two things.

One is I want to pay tribute to RONALD DELLUMS. I am very frustrated as one of the admirers of RONALD DELLUMS, my colleague from California, who is resigning from the Congress. I am frustrated because we have had several opportunities to have statements made on the floor on behalf of Mr. DELLUMS, and all of those occasions, the first hour, the second hour, the extra half hour, the extra time made today, all that time has been crowded, and it has been impossible to get the statement in, because so many people from both sides of the aisle have wanted to come forward and praise RONALD DELLUMS.

He is a magnificent human being, he is a magnificent leader, he has been a magnificent Congressman. Certainly whatever RONALD DELLUMS decides to do in the future, he will be a magnificent person in that arena also.

He is leaving the Congress, and his life and record, in my opinion, is a profound statement, and that statement sends a message of inspiration to all ages, including school age students. If I wanted to stay on the theme of education, I could certainly do it in discussing the life of RONALD DELLUMS.

I am by profession a librarian, an educator. As a librarian, I saw how popular biographies were with young people. Probably the section of the library most popular with young people is biographies. The fiction section, of course, is very popular.

Girls, I notice, read a lot of fiction, but girls also read biographies, and boys read a lot of biographies. So, in combination, biography, the study of the life of people, was the most popular section that I saw among young people when I was a librarian. I think it is good that that is so.

I have seen the development of channels on cable television which deal with a lot of biography, the History Channel, the Discovery Channel, the Biography Channel, and I think they are very entertaining and a very good way to pass on knowledge of our history and our culture.

The biography of RONALD DELLUMS is one that fascinates me. In my next career I want to be a writer, I want to write many things of many kinds, but I never was inspired to think of writing somebody's biography until the past few days when I have heard people making statements about RON DELLUMS. I have learned a great deal more about him as a result of these statements and some of his responses to these statements that I never knew before. I had quite a bit that inspired me that I observed on my own, but I have learned so much more.

RON DELLUMS' life is the kind of life you would like to have between the pages of a book on a shelf in a library

where young people come in to read. In terms of being a role model for inner-city African American youth, I can think of no better role model than RONALD DELLUMS, an exciting role model. His life has been an adventure, an adventure of ups and downs and taking great risk and getting pretty close to the edge of the precipice in many cases.

He is a man who is an ex-marine, and young men like the whole macho nature of the Marine Corps and what that means, a guy who is a marine. He also in the crowning achievement of his career became the chairman of the Committee on Armed Services. The Committee on Armed Services is responsible for the legislation relating to the defense of the United States, the defense of the free world, the maintenance of some semblance of law and order in the entire world. That is where this marine rose to, the point that he was at at the height of his career.

How fascinating that is. He recently was given a Medal of Honor at the Department of Defense, and that, too, I am sure is an exciting story for many young people.

But we have learned from RON DELLUMS' own mouth that he was like a lot of inner-city youth out there today, on the precipice, walking on the edge of the cliff in many cases.

He was always very bright in high school and was slated to go places, and there was a chance for him to win a scholarship that would have paid for his entire college education, 4 years in college. But according to RON, in his junior year began to slack up and become interested in girls and the kinds of things and pitfalls that many youth fall into, not only in the inner-city but elsewhere, too. But he was very bright, began to take things for granted, slacked off, and he missed off on winning that scholarship that would have paid his way to college, and his parents were very poor. So he had to begin college working. And like a lot of young people out there, it was tough to work and try to go to college, so he dropped out.

There are a lot of dropouts out there, and they ought to know the story of RON DELLUMS. He dropped out. He could have just kept dropping, but he wanted to make something of his life, and he saw military service as an opportunity. This relates to something my colleague was saying before, it was an opportunity to get an education. Go into the military service, and you come out using the provisions of the GI Bill, and you get an education. You can have an education paid for.

That GI Bill was a revolutionary bill in the history of this country. They gave returning veterans an opportunity. They kept it going for quite a long time after that. So RON DELLUMS decided to join the Marines in order, really, his ultimate goal was to go to college and get an education. When he came out of the Marines, he was true to his dream and went to college and got his bachelor's degree.

While he was in the Marines, his experience there is a good example also to hold up to a whole lot of minority youth out there, African American, Hispanic, Asian, who from time to time, and I know, because I have been there, are going to face outright ugly immediate discrimination staring you in the face. Something is going to happen, and it happens all too frequently, that is going to make you seethe and boil, want to hit somebody, or give up.

RON DELLUMS had that kind of experience while he was in the Marine Corps. He had the highest score on a battery of tests that were given in his battalion. He came out with the highest score of all of the members of his battalion. So naturally there was interest in him. When they saw the score, people who were interviewing people for officers school, candidates for officer's school, wanted to interview RON DELLUMS.

Somebody had made a mistake and had not appropriately noted on the statement recommending that he be interviewed that he was not white, and RON was told by his sergeant to go down to the quonset hut where they were interviewing candidates for officer's school, and, of course, he was thrilled and went down and reported. The officer looked up at him and said, you know, what race are you? They noticed that he looked a bit darker than most whites. And they corrected the error, the omission that had been made, and they told him, you know, we thought you were white. I am sorry, we don't need you. I am not sure they said, I am sorry. They said, we don't need you, we can't use you.

That was one of those points in his life where he could have blown up on the spot and done something outrageous and gotten into serious trouble, or he could have crumbled away into a mass of suffering and feeling sorry for himself and hating the world and given up, but he didn't.

That incident, and many others like that, of course, only gave RON greater strength. So he went on, finished the Marine Corps, finished his college career.

RON DELLUMS came to politics in a very strange way. He was not seeking to run for office, he was just known among some young people to be a person of considerable leadership ability, and one day he was sort of tapped when they were considering a person to run for the city council, and he was a person who impressed them most as being most independent and caring the least about the glory or the patronage or spoils that might come with the job. He cared only about the fact that he wanted to speak his mind.

He so impressed the people making the selection that they chose him to run for the city council, and he spent a lot of time trying to run away from that call of the people. But he finally succumbed, and he ran and he won.

A similar call came later on for him to run for Congress against an incumbent in the Democratic primary, and

he ran there and came to Congress as an African American from a predominantly white district. That is the way RON DELLUMS came to Congress.

He came to Congress as an advocate known for his stance on peace, an advocate for peace and the environment. He came as an advocate for those principles that had been enunciated in the Berkeley movement. He came and found a lot of people waiting for him with all kinds of insults and traps.

□ 2145

His office was bugged and his phone was tapped and a number of things happened because RON DELLUMS was considered a great radical. RON DELLUMS came as the advocate for peace and saw that peace and the kind of life that was needed, the kind of resources that were needed to create a just society where people could live in peace and want to live in peace was being blocked by the humongous military budget and the amount of resources and dollars going into the military. So RON DELLUMS did another amazing thing, contradictory, the peace advocate became a member of the Committee on National Security. The Committee on National Security had on it a peace advocate that they did not welcome so much, so he had to endure quite a number of hardships there also.

I could go on and on, but there are a whole lot of things that we could write in a special book just for young people as we often write biographies and shelve them in young adult section and the children's section; there are biographies written particularly for children, particularly for young people, and there are numerous examples of the kinds of problems faced by young people today that would be very inspiring for young people if they were to read them. There are numerous things that also should inspire all of us.

Adults confronted with difficulties should take a page, a few pages from RON DELLUMS's book, adults who want nice, tidy lives and see things in straight formulas should understand how this man's life is so admired and has become so productive as a result of dealing with these contradictions.

The advocate of peace who went on to the Committee on National Security. The advocate of peace who stayed on the Committee on National Security long enough to become a chairman of the Committee on National Security. The advocate of peace who would come to the floor and make a presentation reporting what his committee had decided and the votes of his committee, and usually the votes of his committee were overwhelmingly in favor of whatever had been decided and alone in the center would sometimes be the Chairman himself. The Chairman of the Committee on National Security often would have to vote, feel compelled to vote against his own committee's proposals on the floor. The authorizing legislation for defense often received a no vote from RON DELLUMS.

RON DELLUMS set us free. Those of us who always saw the military budget and the discussion of military strategy and security of the Nation as being off limits to laymen and felt we were sort of dependent on the experts, RON became an expert, an expert with the point of view of a man of peace. RON could explain the military budget in as graphic detail as any person in America. RON could discuss military strategy with the same kind of precision and sense of vision and understanding of what had to happen, what resources had to be matched with what forces, et cetera, in order to guarantee that America was prepared to defend itself. RON DELLUMS set us free and made it clear that a person who was a proponent of peace and a person who wanted to cut the military budget in order to create more resources for the education budget or for health care or for child care, that person was not unpatriotic. He sat there and talked about the defense of America first and talked about national security in terms which did not require a lot of wasteful spending that gobbled up and devoured resources that could go somewhere else.

RON DELLUMS set us free to understand the *Trident* submarine and many other kinds of submarines and the warheads on the submarine versus the warheads on the land base, versus the warheads of the air, and when we put it all together in terms of being able to defend ourselves against anyone, and how when we start adding to that we were just adding more expensive weapons that added nothing to our defense. He made us understand and set us free from the mystery and the mystique that most people like to bring and surround the whole matter of the military defense of the Nation with. RON DELLUMS was the kind of person who could come on this floor and actually change the minds of his colleagues. There are not many Congressmen who can do that. I have seen it happen over and over again. We make wonderful speeches on the floor, but we seldom change the minds of our colleagues. RON DELLUMS had the capacity.

Some people have said, some people that believe in democracy, who are not cynical about democracy, have said that the Representatives and Members of Congress are the tribunes of the people in our democracy, they are the tribunes. If we are tribunes, then RON DELLUMS was a tribune for the Members of Congress. He would summon us to do things that we normally might not have done. He could provide leadership and he could change minds and he could make those who disagreed with him always respect him.

In summary, I would say that in one single body RON DELLUMS carries the capacity for great passion as well as great wisdom. He was a person who felt—he is, this is not his eulogy, he still lives. He is a person that cares about whatever he undertakes with a great deal of intensity. He cares and lives with a great deal of intensity. But

he also has a great deal of wisdom behind that intensity. I can think of no more noble mixture to describe and that I think all human beings should aspire to, the mixture of great passion and great wisdom, and that is the kind of person that we have been saluting for the last 3 days here in Congress. He deserves all the accolades that he has received and many more. RON DELLUMS is a model for all Congressmen and Congresswomen.

RON DELLUMS cared about education and he made a great sacrifice when he left the arena of education and social service. He was a trained social worker. He left that arena to go on to the Committee on National Security because there was no one else to go from the peace movement. There was no one who had the peace perspective who was willing to go, so he was a social worker, he was very much concerned about education. He wrote, authored several bills related to education as well as to health care and some other items not related to defense, and he would certainly agree with the kind of proposals that I have been making here related to our education agenda for 1998.

Before I go back to that agenda directly, there is one other item that I want to also mention, and that is the fact that tonight, I came here from an exhibit called the African-American Odyssey. The African-American Odyssey is an exhibit across the street in the Library of Congress. It opened tonight and will be running for quite some time, about just that, the African-American Odyssey from the time the first slaves were brought into this Nation to the Civil War, and—not the Civil War, civil rights movement, past the Civil War to the civil rights movement. I think it is an exhibit that everybody in Washington ought to take a few moments to go over and take a look at. I think it relates very much to the President's initiative on race.

The President's initiative on race is one of his farsighted initiatives where he deliberately started a discussion of race and the implications of race relations in this Nation before there was a crisis and before there was a crisis, he wanted some basic items put on the table, he wanted Americans from all walks of life and all ethnic and racial groups to talk about race, talk about relations between groups, and I think that this African-American Odyssey exhibition and items like this have a major role in this discussion.

What has been absent in the discussion on race, the President's initiative so far, is a set of facts, pieces of history that everybody agrees to and understands on a just simple, factual basis. So much is not known about slavery, so much is not known about one of these raises that evolved from this discussion. Perhaps the race that is at the center of all of these discussions are African-Americans. Our relations with others, our relations certainly with the majority population is the most complex one. It has the most tangled roots,

the roots are more tangled than any others in terms of history.

There are many reasons why this discussion of race has to deal first of all and most of all with African-Americans and their experience here and their experience in relation to the majority, the white Americans who are in the majority. So we need to, in this effort, and I would strongly recommend this to the President, I will do it in writing soon, we need to have a grounding, a scholarly grounding as we go forward in these discussions now and for the future.

The future may be 10 years, it may be 20 years. Nobody expects to solve any profound problems related to race as a result of initiating these discussions. It is where they have directed us, it is a sense of where we can go with these discussions that is most important.

So I would urge the President to commission a group of Nobel Prize winners from all over the world. Maybe 10 Nobel Prize winners who would be charged with the job of laying out a study of the history of slavery and race relations starting back to the beginning of mankind and bring it right up to the rape of Africa where large levels of human beings for the first time were uprooted and hauled away. They were not involved in a war where it was a result of a war and losing a war; they became slaves. They were not involved in a situation where the conqueror, despite the fact that he was in power, respected them as human beings. They were not involved in a situation like the Romans and the Greeks where the Romans chose to learn a great deal from the Greeks, although they had the power to enslave them; they were involved in a situation where because of the fact that basically the European nations were Christian, they had to justify what they did by reducing these slaves to a category of being subhuman. The rape of Africa, the Atlantic slave trade and the fact that so many were transported across the Atlantic in subhuman conditions and the fact of exactly how many. If we try to find out exactly how many or anything close to a reasonable discussion of how many, and we read the books that are written and find that they are ridiculous. We cannot find anything which really has substance on some of these fundamental issues like exactly how many people were on the continent of Africa, not exactly, but approximately how many people were on the continent of Africa when the slave trade began.

If we took a certain percentage out of Africa, what did that percentage look like? If we had the same ratio in today's population terms, what percentage of Africans were hauled away and what would the numbers be like if they were percentages of populations that exist now, so we would have a better idea of what terrible thing was done to a continent, black Africa, part of a continent.

I would like to see scholars who are more or less objective, who have been

cited as being great scholars by Nobel Prize, the Nobel Prize process; I would like to see them be given the charge of assembling a body of people, other scholars and historians and sociologists like Gunnar Myrdal, the Swedish scholar did a study called the American Dilemma. He did it on one person and it had a lot of value at that time. There is a great deal of value having someone who is not immersed in the situation take part in a process of really trying to lay out all of the problems and having us look at the facts, the history surrounding the problems.

□ 2200

I do not think the government should pay for this. I do not think we should get into government paying for it, because it will lead to a whole series of restrictions and political decision-making about the results and the final product that would probably jeopardize the whole project.

I think foundations, and we have many rich foundations in this country and throughout the world. We do not talk much about the fact that there are a lot of big foundations in a few other countries, but certainly in this country foundations could pay whatever had to be paid to support this process. They could finance it.

So if we have a combination of top scholars recognized all over the world, being able to buy the best expertise available, they could pay for a staff of historians, anthropologists, sociologists, and write a total history. It may be encyclopedic and be quite long and take 5 or 10 years, but write a history that more or less every civilized human being everywhere in the world could respect because of the process that produced it.

From that history we could make some deductions. We could begin to see the truth. We could see a little part of that truth by going to visit this exhibit that I just mentioned.

It is a beginning of opening the eyes of a lot of people who take for granted a lot of myths about slavery and the process of slavery, the process of arriving to the point where a Civil War had to be fought, the role of the abolitionists. There are a lot of young black men who ought to know the role of the white abolitionists and other whites, including the white soldiers who gave their lives on the battlefields in the process of setting them free, of setting their ancestors free, and of standing for the principle that all men are created equal at a time that they could not do it for themselves.

That is one thing ought to bring us together and lessen the animosity among young blacks who feel that they have been victimized, is understanding the history that the whole flame of freedom and the whole insistence that every man is created equal.

What we see in the movie, "Amistad," the principle that John Quincy Adams sets forth, it was not self-evident at all because a great deal

of propaganda and a great deal of rationalization, including bringing the Bible in and the myth of Ham, and Ham being cursed by Noah and told that his descendants had to serve everybody else. All of those myths can be laid to rest if we had a really factual history of slavery from the beginning, a history of the freedom struggle here in this Nation that began with whites insisting that the institution of slavery was an evil institution.

The African-American Odyssey talks about that. It is a presentation at the Library of Congress which will have parts that will go on line. We can get it on the Internet. There are certain parts of this African-American Odyssey that will go into any school, college, library anywhere in the country because they have put it on line and we can get it from the Internet.

The Library of Congress is proud to announce it. This is paid for by gifts from Anheuser-Busch, the Philip Morris Company, Citibank, Fannie Mae Foundation, Home Box Office, James Madison Council, Library of Congress. In addition, a major gift from Citicorp Foundation to the National Digital Library of the Library of Congress allows this 5-year effort to transmit portions of the African-American Odyssey and some related rare and unique items from the Library's vast African-American collections to the classrooms, libraries, and community centers on the Internet electronically.

I think that if we interject this profound note into the discussions that are going on as a result of the President's initiative on race, it will lift up the discussions to new levels. I am not criticizing what has happened before. There are a lot of important things happening in small ways.

By the way, on the Internet there is a site called Promising Practices, and on that site one can find out what is being done in the race initiative, the President's initiative on race.

They also have a section which, from day to day, lists the kinds of activities that are going on related to the initiative; and another section called Promising Practices, which delineates results that have been reported, the kinds of things they recommend all over the country.

So this discussion of race and this understanding of race relations is not unrelated to my discussion of education in general.

Because I am now going to conclude by discussing the collapse of the school system in New York City literally. School construction, the dangerous nature of going to school in New York right now, February, 1998, and how the danger has mushroomed and why we are in a state of paralysis because people making decisions in New York City are not the same people whose kids are in those schools.

There is a difference in race. There is an element of racism combined with incompetence and bureaucracy that make it impossible to move forward

on providing a decent place to study for the schoolchildren in New York City.

Even when the money is available, the evidence is that they cannot move. Nobody has a sense of urgency. There are not enough people in leadership who really care, so millions of dollars are sitting there waiting for something as simple and obvious as a conversion of a coal-burning furnace to a gas-burning furnace which does not pollute.

Mr. Speaker, we have 300 schools that have coal-burning furnaces. Of the 1,100 schools in New York, 300 have coal-burning furnaces. That is the statistic given to me. Some say 274, some say 284.

Mr. Speaker, would the gentleman from Maryland (Mr. CUMMINGS) like to speak? I would be happy to yield to the gentleman.

Mr. CUMMINGS. Mr. Speaker, I thank the gentleman from New York very much for yielding.

I want to, first of all, compliment the gentleman. I was listening to him a few minutes ago as he talked about education.

I also heard him talk about our distinguished colleague, Congressman RON DELLUMS; and I just, when I look at the gentleman's career and I look at that of RON DELLUMS' and I look at other congressmen and women who came before I did, it is sort of a sad day to see him go. And I know the gentleman from New York feels the same way.

But as I listen to the gentleman's comments, and I listen to others, there is one element that I wanted to add, tack on to it, and I really appreciate the gentleman giving me this opportunity.

When I was a student at Howard University here in Washington, RON DELLUMS was one of my heroes. We were at Howard protesting all kinds of things, and a lot of us saw government as not something we wanted to get into. We felt that it would be very difficult to go into government and not have to sacrifice our feelings, our concerns and our convictions.

RON DELLUMS was someone who was a hero for us. When we saw this man come into the Congress, a man who stood tall, who refused to bow to anything that was not consistent with his conscience, it made us feel good.

He also, as the gentleman well knows, is a man who is, like the gentleman from New York, consistently pursuing excellence, always standing up for what he believes in, always synchronizing his conduct with his conscience.

So, Mr. Speaker, I just wanted to take this moment to not only compliment the gentleman from New York for all that he has been doing, and he has been certainly a tremendous leader in the area of education. I have long followed his career, and I want to thank the gentleman for constantly pounding the podium, constantly standing up for children and constantly

making the case known about African-American people as they struggle through very difficult times.

I was pleased to hear the gentleman talk about the exhibit, because that is very important, too. As was said a little bit earlier, we have to make sure that all Americans know the story of African-Americans and know the story of all the people and what part they played in creating this country.

So I take this moment not only to salute RON DELLUMS, but I also salute the gentleman from New York.

I thank the gentleman for yielding.

Mr. OWENS. Mr. Speaker, reclaiming my time, I thank the gentleman for his remarks and would like to certainly say that RON DELLUMS used to frequent special orders when he first came to Congress and was first frustrated. He spoke repeatedly about defense issues, Armed Services issues. The things that he was not allowed to say in the committee and could not get time to say on the floor, he came to say them in special orders.

So I am here because I am inspired by his record; and I hope that, on the matter of education, we will achieve the same results so that somewhere down the line we are going to make a breakthrough to the conscience of Americans and they will understand as much about the fact that education is the number one national security issue as we now understand about certain more obvious defense issues.

I thank the gentleman from Maryland (Mr. CUMMINGS).

Mr. Speaker, I think it is important to note that it is not only a national security issue, what happens with education. As my colleague, my Republican colleague, was talking about before, the workforce is going to be determined by the quality of education that we produce today. The workforce of tomorrow will be determined by that effort now.

It also is important for us to understand that we are subjecting our children to conditions. And I say we because, regardless of where you live, you may have a suburban school which is perfect, but if you are a decision maker here in Congress then you are part of the problem, too. Any Congressman who does not wake up to the fact that we have an education emergency in our inner-city communities, that emergency begins with something as basic as buildings, as basic as bricks falling from school buildings and striking children.

I talked about Yanahan Zhao last week. Just a week ago last Wednesday, I talked about Yanahan Zhao who was killed after bricks fell from a scaffolding that was being repaired by careless contractors who allowed that to happen.

I talked last week about East New York Transit Technical High School. That is a high school building where the back wall, the whole wall, a wall that weighs 10 tons and was 500 square feet collapsed into the school yard. And

the only reason large numbers of children were not injured or maybe killed was that the wall collapsed on Martin Luther King's birthday when school was out. It was a holiday.

I talked about that was only the beginning. I gave some examples from across the country where other kinds of accidents are happening that are endangering children and teachers in schools, and I invited all of my colleagues to begin the process of collecting examples of mishaps that have endangered children or injured children or certainly that have taken the lives of children.

There are many that never get reported. There are many that may get reported in the local paper and we may never know about nationally, but I think we do ourselves a great favor. It would be very useful for all of us to start collecting examples of where we fail children in the most basic way.

We can debate a long time about whether we are teaching them reading properly. There is a great debate whether we should use the whole word method or phonics. There are debates about the importance of technology versus the importance of fewer teachers. There are all kinds of debates raging around instruction and pedagogy which will not be settled easily.

But, Mr. Speaker, we can see a building where the ceiling has fallen in many classrooms. We can see the walls on the top floors of many schools. We can look at the age of many schools that are 100 years old and know the problems they are going to have.

We know they have lead pipes in the plumbing and that if the children are drinking water and the pipes have not been changed and they have lead pipes, that may be a danger.

We know if they have been built in the last 50 years that they have large amounts of asbestos in the walls for various purposes, not just the roof but also in the insulation.

We know certain things are directly related to the age of a building, and we know that certain buildings cannot be wired with new technology because the facts are the wires will not take it. We know these things are happening.

So let us document it for ourselves. Let us document it for all of those who do not believe it.

The sight in New York is more obvious. We have The New York Times, which goes all over the country, which reports the most dramatic local news when children are killed by bricks falling; and the New York Times, along with other local papers, reports another incident that took place this Monday. Those who are skeptics and do not believe it, listen: Seventy-five children, three teachers and a custodian were stricken with nausea, dizziness and headaches; and 1,250 people were evacuated as carbon monoxide and other poisonous gases from a 70-year-old coal-fired furnace drifted through an elementary school in Queens.

□ 2215

This is a report from the New York Times dated yesterday, February 3. Seventy-five children, three teachers and a custodian stricken. Every child was traumatized. They had to be marched out of the school. There were ambulances and fire trucks. Every child experienced that, I assure you; whether they vomited or fainted or were clutching their throbbing heads and churning stomachs or not, they still were affected in a very negative way by this experience. So it is impacting everybody.

The cause of the fumes were still under investigation on Monday night, but the board of education suspected human error. On the morning of chaos that raised questions about the safety of coal-fired furnaces in the city's schools and about funding and priorities and rehabilitating an aging, often crumbling school system, the pupils of PS 127 and its staff of 100 were evacuated twice. First they had a terrible smell that took the kids out, but it did not smell bad enough and it was not obvious enough, so they took them back in. But on the second time when they came out, there were ambulances and fire trucks, and many had to be treated at a hospital.

I talked about Yanahan Zhao as one of those heroes that we do not want to see repeated. We do not want to see any more children killed as Yanahan Zhao was killed. I do not want to see any other kid like Jodyann Sibbles, 10 years old, a fifth-grader who said that the school smelled like rotten eggs, or any of her colleagues who found themselves, her fellow students who found themselves vomiting. Francine JOHNSON who stood with her daughter Yolanda, I do not want to see children like that who think that they might have been killed. Her mother said maybe she was overreacting, but carbon monoxide can kill you.

I do not want to see children subjected to bureaucratism of the kind that has appeared in today's paper where you have officials of the board of education using very strange language. If you want to know exactly what I am talking about, listen closely to these statements. The officials say that the incident was the result of human error and not caused by the age of the furnace or the crack in it that was discovered during the investigation. The furnace is 70 years old and fumes were escaping, and they have some explanation about a new man that was putting the coal in, left a door ajar, and that interfered with the way the fan was blowing the air, et cetera. But during the investigation they discovered that there was a crack in the furnace and they said, no, there is a crack in the furnace, but do not worry about it. That is not the cause. Why would not a crack in the furnace, where the furnace is 70 years old, not be a possible cause?

These same school officials admitted that they had made a mistake last month when they investigated the

school heating system, and they put in a request for funding for a heating system upgrade. They did not put in a request for a new boiler. The money is available to replace the coal-burning furnace, the boiler that burns coal. All they put in for was an upgrade of the radiators and the ventilation system, not the boiler.

The spokesman for the board of education says that now they are going to put the school on the list to have a boiler replacement. What reason does she give? Parents are alarmed. It is not that they made a mistake, not that they were callous, it is not that they are guilty of child abuse and neglect, they do not care enough to use the money available in the right way. No, parents are alarmed, and since parents are alarmed, rather than just make repairs, they decided to go ahead and do the full conversion. Almost half of the students stayed home yesterday because the parents felt the school is still not safe despite the fact that it is now open again.

The city council has agreed this year to fund 21 boiler conversions in 279 city schools that are still heated by coal-fueled furnaces. Those numbers continue. Another 63 conversions are being funded with State bond money and board of education funds. Not all the schools have been identified.

The board of education officials say there was no serious health problem at this school, PS 127, as a result of the exposure to carbon monoxide which was three times the acceptable levels on the school's first floor. Seventy-five children, four adults were treated at area hospitals for headaches, nausea and symptoms. The board of education said there was no serious health problem. The air quality returned to normal, they said, with a level of carbon monoxide measurable three parts per million, well below the acceptable level of 34.

It has not been mentioned at any time by any official of the board of education that if a furnace has a crack in it or if there is something wrong with the ventilation system, the employees make mistakes and more carbon monoxide comes up into the school than should come from the basement where the boiler is, that children may be harmed if it happens on a small scale every day, and you cannot detect it because it is not so dramatic and obvious. I would not want to send my child back to that school until the coal-burning furnaces were replaced or something happened to remove that danger.

It is highly probable that if the boilers, all three of them, this is one of three boilers, all are 70 years old, that there is enough carbon monoxide or other pollutants escaping on a small scale every day to cause harm to the health of the children because children are very susceptible to pollutants. They are the most endangered. So if you have that condition, you do not have to talk about three parts per mil-

lion, well below acceptable levels of 34, if you know seepage is there.

I do not think any member of the school bureaucracy would want their child to go to that school. I do not think any person with any common sense would want their child to continue to go to that school. Yet this is the kind of condition which probably exists in all of the coal-burning schools.

The efficiency of a coal-burning boiler that is 70 years old, and most of them are about that age, is such that you know you have the leakage. Even the most efficient coal-burning boiler is spewing pollutants high into the air which fall back and create other problems like the high rate of asthma in New York City.

Let me just close my argument. These things are happening in a city that has the money to make the repairs and to convert the boilers. There are three sources of money. The school, the City Council of New York City several years ago appropriated \$1 billion to start the process of converting the coal-burning furnaces to oil or gas, less polluting substances. They made the money available. The board of education has no explanation as to where the money went.

We had an environmental bond issue at the State level, and part of the money raised from a more than a billion-dollar environmental bond issue was dedicated to the conversion of coal-burning boilers in the schools to updated, more efficient boiler systems. The power authority, the New York power authority, was given money even before that to start the process of converting the boilers in the schools. That money came from a consent decree which showed that one Exxon was not doing some things properly. They had to agree to compensate for it by making a lot of money available for some projects designated, related to energy. So the power authority was given the authority to spend money to convert the boilers. The money is there.

For some reason they say it costs \$1.3 million for the conversion of each school heating system; 1.3 million seems like a lot of money to me but I will not quarrel with that at this point. If you divide 1.3 million into the amount of money that has been appropriated, I told you a billion before came from the city council, 28 million came to the school construction authority from the State environmental bond issue in fiscal year 1997, another 50 million in fiscal year 1998, this year, and the power authority had a large amount, several million before that. With all these millions, if you divide them by 1.3, you will find that the number of schools, eight schools, they are working on eight schools, they have not fully converted any, eight schools.

So I close by saying the fact that bureaucrats who do not feel any sense of urgency are in charge of the schools impedes the process of improving the

infrastructure even when you have the money. Nothing is more important, and we feel that there is a state of emergency and that we do what is necessary to take control from these bureaucrats and upgrade our school infrastructure as rapidly as possible.

REPUBLICAN AGENDA

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). Under the Speaker's announced policy of January 7, 1997, the gentleman from Colorado (Mr. BOB SCHAFFER) is recognized for 60 minutes.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, this evening I wanted to come before the body tonight and talk a little bit about the freshman Republican class, that group which was elected in 1996 and has now finished 1 year serving here in Congress and is embarking on the second year. I recently became elected President by that body, and tonight is one of those opportunities where I wanted to talk about our agenda and some of the things we are trying to accomplish here in Washington as a new freshman body.

This group is 34 Members strong, and over the 3-month break that we took recently, from which we just returned, the 34 Members of the Republican freshman class endeavored to spread out across the country in our respective districts holding a number of town meetings and visits and so on. I wanted to talk about some that I had occasion to conduct and also those that had been reported back to me, and other Members perhaps will be here.

The 34 Members also have been involved in putting together a number of projects and proposals that we are trying to push through this Congress. One of those which we unveiled just 3 weeks ago entails a Republican freshman tax relief package. It is spearheaded by the gentleman from Pennsylvania (Mr. PITTS), and this package has four basic provisions that I would suggest that the House ought to consider quite seriously, and in fact these proposals are becoming the basis for further discussions of tax relief that are occurring in the Committee on Ways and Means, by the chairman, and being supported with the effort of our Speaker and other Members of leadership.

The first of those provisions is a provision that involves 100 percent deductibility of health care programs or the benefits that small employers provide for their employees. Under today's current tax structure, section 106 of the Internal Revenue Service code, section 106 provides for a 100 percent deductibility of health insurance benefits for large employers, but small employers, the small entrepreneurs, those individuals who provide the majority of jobs and entrepreneurial spirit of our country, have not achieved that parity yet. That has been a long-term stated goal, but at this particular point in time, again taking a look at where the real strength of our economy comes from

and where the expected growth is likely to occur, it is quite clear that this benefit, this tax advantage, ought to occur to all entrepreneurs in America, all those who would propose to create economic activity, create opportunity to create jobs in fact for our country.

This second provision of the bill is the elimination of the marriage tax penalty. The notion that families should suffer additional tax burdens simply due to their decision to become married is one that is particularly onerous and seems in many ways to be un-American certainly and really violates our strong regard for the strength of the American family as the most basic central and essential social unit in our Nation. Eliminating the marriage tax penalty is a goal and an objective that we take quite seriously, and we will be pushing for it quite vigorously in the coming months until we achieve success in arriving at moving the legislation forward and eventually putting it on the President's desk.

□ 2230

The third provision is one that involves education. Currently, there are many States throughout the country that are setting up educational accounts where parents are able to pre-pay college tuition for children. Now, on a State level, and certainly at the Federal level there are significant number of advantages that are companion with that goal and objective, too, but in many cases seems to be isolated.

This provision is one that, in fact, broadens the number of choices of educational institutions that families might choose for their children in setting dollars aside now while their children are very young and allowing these funds to grow in a way that is unmolested by our tax code to that point in time when they would decide to go ahead and go to college and get accepted at the school of their choice. That is an important provision of the overall tax bill that we have moved forward.

The fourth provision is one that really moves us toward our goal of encouraging savings and investment. The Republican Congress last year provided significant advantages for those who do save money and savings on earnings, but the tax on interest earnings still, in our opinion, is prohibitive.

And there is a lot more that this Congress can do to relieve the tax burden on savings and investments and the earnings of those investments in a way that will allow our economy to grow, to encourage more and more people to put more money into savings, and to providing capital for other entrepreneurs and others who are in the business of creating wealth, creating jobs and moving our country forward economically.

Those four provisions outline the proposal that we have put forward and is one that has been warmly received here in Washington but, more impor-

tantly, has been warmly received by the taxpayers throughout the country and throughout the districts that are represented by those Members who have put the plan forward and others who have joined us in the effort.

I want to tell my colleagues about some of the things that I had heard over the three months that I traveled throughout my district in the eastern plains of Colorado. There were a number of news stories that occurred over that time period suggesting that, it was some polling data actually, that revealed that young people in America have somehow lost interest in citizenship and the whole concept of their role as citizens in our country.

Here are some articles I brought with me, one from the Washington Times that says that college freshmen have the blahs, survey indicates. Academic civic apathy reached record levels. Student poll finds soaring apathy levels. College freshmen aiming high for marks in income but developing a philosophy of life can wait. This article in The New York Times.

The National Report further highlights this apparent trend that some pollsters seem to have found that young people are interested in other things but not civic virtue in contemplating their roles as actual leaders of our country.

USA Today reports that money, not learning, is freshmen's top goal, a freshman in college. And it talks about how the research again confirms, according to USA Today, that young people are not focusing on their eventual roles as leaders of the country and do not think in patriotic terms.

Los Angeles Times, freshmen get high marks in apathy and so on. And there are several more here too from Boston. Boston Globe, college freshmen called more detached.

I have to tell my colleagues that I found just the opposite in my travels, to the places I went. I spent a lot of time visiting local schools and talking with lots of young people. I want to talk about one person in particular, who I have had a chance to get to know. She lives in Limon, Colorado, which is a small town out in the eastern plains of my State.

Amanda King is her name. She is 16 years old. I had a chance to go visit her school and spoke with a number of her classmates and acquaintances and teachers as well. They are very proud of her. She is one who has been involved very directly in the political process and one who does take her role as citizen quite seriously.

Her goal is to go on to college and, in fact, to learn about government, to learn about political science, and to learn about the political system that allows each and every individual, including individuals her age, to play a meaningful role in moving our country forward. When I asked her what her goals and objectives are, what she wants to do with this degree at some point in time and how she wants to

serve the country, she said she just generally wanted to help make government better, to make life in America a little more positive than it is today.

She said that she believes that there are great opportunities for young people to be involved in the political process and to set high standards for themselves and establish ambitious dreams and to achieve them.

I asked her what motivated her in that regard; what gave her the interest and how was she inspired in such a way to think in such terms about her country. She credited her teacher, Mr. Fiedler, who was the 7th grade teacher, at Limon High School. Now, Mr. Fiedler is no longer the 7th grade teacher, he has become the principal. And it is teachers like that, I have met several of them over the course of the several years I have been privileged to serve in public office, to meet individuals like this who have inspired young people, who have found ways to use the lecture forum of their classrooms to talk about our great country, to talk about how academic success in a classroom leads to economic success for the country over time.

Several other places that I visited, a lot of other classrooms that I visited in Fort Collins and Loveland and Greeley, Colorado, out in Sterling and Flagler, in Limon, down in the town of Las Animas, in the southern part of my district in Colorado, had similar experiences with many of these young people. And it was, in fact, refreshing. It was something that suggests that these polls, while they may be true in some quarters and some segments of the country are certainly not true in rural America. Again, indeed it was very gratifying.

People are concerned about taxes, Mr. Speaker. Most of the town meetings that I attended and the people that I spoke with believe that at a point in time when our economy seems to be most productive and our economy seems to be very good, that this is the time we ought to consider not only reforming our prohibitive Tax Code, one that is a confiscatory strategy that, from the regulatory perspective, treats taxpayers as though they are guilty until they prove their innocence, if they are questioned and audited on tax matters, but also, again, in addition to reining in the abuses that seem to occur at the Internal Revenue Service on the enforcement side, was a call for wide scale reform of our income Tax Code.

The graduated system of income tax collection that we have today and income tax assessment is one that punishes hard work and punishes those who seek to achieve more economically in our country. And those who have been confronted with that kind of a tax system for so long are crying for relief and demanding that politicians take them quite seriously and commit themselves to devoting the time and the attention and the energy to reforming the tax system.

As the Speaker knows, we have two prevailing proposals for wholesale reform of the income tax structures, a national consumption tax that has been supported by the other gentleman from Colorado (Mr. DAN SCHAEFER), another SCHAEFER from Colorado, and promoted primarily by the gentleman from Texas (Mr. BILL ARCHER), the Committee on Ways and Means chairman, here in the House; and also a competing version of tax reform pushed primarily by another gentleman from Texas (Mr. DICK ARMEY), our majority leader, and that provision calls for a flat tax. That tax would flatten out the graduated nature of our income Tax Code as we know it today and eventually arrive at one low, flat, fair rate which would treat all taxpayers equally and begin to reward entrepreneurial success, reward investment and so on.

Both tax proposals try to achieve the same thing in that regard, and it is a matter of strategy and tactics as to how we move them forward and which seems to be the most successful in earning overall support here in the Congress and throughout the country.

These discussions ought to take place right now, especially when we have headlines that we have seen about a supposed budget surplus that we are anticipating and expecting. Over the 10-month period from November of 1996 until November of 1997, we actually accumulated an approximately \$2.4 billion surplus. This is the first time this has occurred in many years, certainly in the length of time that I have been involved in the political process and following politics. And so the question occurs as to whether this is the right time to strike, while the iron, as they say, is hot.

Sustaining our economic growth seems to me to be the most important thing that we as Americans can do to move toward not only balancing the budget but getting us toward real debt relief. Resolving our question of a mounting Federal national debt is a far bigger problem that looms over us and costs us more than anything else in terms of jobs and in terms of economic growth. Sustaining the level of economic growth that the American taxpayers have been able to achieve and the American entrepreneurs have been able to sustain in spite of poor tax policy that we maintain right now is an objective of a very high order, in my estimation.

The fact of the matter is that the impact of high Federal debt is no different than high Federal taxation. With the debt-based currency that we have in the United States, high debt effectively reduces the value of every single dollar that every American carries around with them today. And manipulating the management of that debt has the ability to effectively tax citizens to higher or lesser degrees, depending on decisions that are made, in many cases, without any scrutiny of elected officials or Members of Congress or people in the White House, for that matter.

But there is a very positive side to strong economic growth that we see right now. I want to share with Members who may be watching a few comments that appeared in our local papers. There was an article back at the end of December how economic success in America today is filtering its way down to local charities. There was a man named Jerry Langley, who is vice president of a McDonald's corporation, this is in Illinois, and he said he helped soften the tax bite on his investments by donating shares of stocks to selected charities. Now, his business seems to be doing fairly well at the present time and he is finding that his ability to engage in charitable contributions is better now than it has been in some years.

For instance, here is another example. The American Red Cross said that contributions were up 120 percent to that organization over the previous year. And the United Way noted that they had realized a 17 percent growth in gifts of more than \$1,000. Don Struke, who was a spokesman for the United Way Foundation, says what we are seeing is definitely an upturn in giving.

Now, I would point out, Mr. Speaker, that when it comes to real humanitarian and compassionate concern that we have and that we express here on the floor of the House from time to time, that this is real charity. When individuals are able to put the fruits of their economic growth, their productivity toward the charities of their choice, a number of things occur. One is there is no bureaucracy.

When Mr. Langley here makes a contribution directly to the American Red Cross, these dollars are not filtered through Washington, they are not filtered through various State capitals, they are not filtered through various bureaucracies that are involved in the distribution of public funds for government charities. No, these dollars go directly from charitable donor to charitable organization and make their way directly to the individual who is in need, the poor person who is the beneficiary of some of these organizations or those who are confronted with the tragedy in the case of the Red Cross.

It is without question a time in which we are able to help more people with fewer dollars and less government. That ought to be our message that we move forward in this Congress when it comes to how we deal with budget surpluses, how we deal with a huge bureaucracy that still needs to be dealt with, and a strategy toward shrinking the size of Washington's influence in the lives of Americans.

Here is another story. Workers coming off welfare to get job help. Volunteers in new county program to provide circles of support for 2 years. This is a story out of Larimer County, Colorado. There is a program that has been established by county commissioners at a local level called Larimer County Builds Community, and it will match

former recipients of welfare with advocates from local faith-based organizations, service groups, and help these recipients make the transition into sustaining employment.

□ 2245

Now imagine that, Mr. Speaker. Imagine a welfare system that utilizes faith-based and spiritual organizations and charitable groups in a way that is helping people come off of welfare and achieve self-sufficiency.

A strong economy is certainly making this possible. Individual contributions and donations that come directly from these groups and organizations is adding to the momentum that welfare reform has established in the country.

But, more than anything else, the message that the Republican Congress has sent by crafting a responsible welfare reform provision is this, that self-sufficiency makes more sense, it is more rewarding, it is by far a better way to achieve a high degree of human dignity than any more levels of government spending, higher levels of spending, or greater degrees of bureaucratic management of the way in which people live.

This is a great story. This is an American success story. This is a real testimonial to the strength of local governments and local entities getting involved in welfare reform that they were never allowed to do previous to welfare reform coming out of Congress.

By providing that level of freedom and liberty at the local level, we are helping real people get on their feet, helping them re-enter the job market, helping them become self-sufficient, helping them enjoy life in America as Americans ought to be able to. It is a real cause for celebration, not only by those that are associated with welfare programs and with these charities but for the actual individuals themselves who are no longer dependent on bureaucrats, no longer dependent on taxpayer subsidies, no longer are dependent on a welfare system that over the last several years has been so cruel and so heartless.

A strong economy, a compassionate welfare reform program is by far more humanitarian, more charitable, more compassionate than large government and the solutions of big bureaucracy.

"Consumers Are Upbeat" is another news story that many people in my district were talking about. "Consumers were upbeat so much so that it is a high," the article says. This is an Associated Press story that made big news out in Colorado.

Consumer confidence surged to a 28-year high in December, a milestone for an economy embarking on its eighth year of expansion. Growth is up. People are employed. We are competitive with the rest of the world. What's not to be confident about?

That is again something that we had heard repeated over and over again at our various town meetings and voiced as a strong indicator of why we ought to move forward on further tax relief

for our country and do so in a way that will sustain economic growth and allow us to bring down our looming debt that looms over us even today.

Here is another one, Mr. Speaker.

Today Colorado income studies shows that the poor did better. Did you hear that, that the poor did better? What a strong economy does in a capitalist society like ours is allows those who have been struggling for years and years to move from one income category to another, a final chance to actually achieve that. The average income of Colorado's poorest families increased faster than the average income of the State's richest family over the last decade, a new study says.

Now, this is a national study that focused on every State and highlighted the particular features of this study in all States. But in Colorado, where we have enjoyed wonderful economic growth for a number of years, we have seen that this has not been something that only benefits the rich, as we will sometimes hear the left and the Democrats here in Congress suggest, but a strong, vibrant economy and, in this case, actually raised the income of the poor faster and more conclusively than income levels for the rich.

The average income for the poorest 20 percent of Colorado families increased by \$4,050, from \$10,280 to \$14,330, or a 39-percent increase in income for the poorest 20 percent of Colorado families. Average income for the middle 20 percent increased by \$5,150, from \$42,650 to \$47,800, or a 12-percent increase. And average income for the top 20 percent increased again over this 10-year period by \$17,860, from \$113,510 to \$131,370, or 16 percent.

Again, the wealthiest and middle-income families saw income increases over the last 10 years between 12 and 16 percent, but the poorest 20 percent of our economy in my State realized income growth of 39 percent.

Once again, when we think of how this Government and this Congress can exercise real compassion, can exercise real humanitarianism, can exercise real concern for those that we care most about, our friends and our neighbors, those who are in need, those who face certain unfortunate occasions in their life that make economic participation difficult, the best way to assist those individuals and to be concerned about them is by fighting for a strong economy, by fighting to remove the impediment to economic growth, by fighting to remove the tax disadvantages toward job creation and instead replace them with advantages that motivate and move job creation forward.

In response to all of this, of course, over at the White House they suggested that no tax cuts will be considered, that providing additional tax relief for American families is something that they are not interested in discussing. We suggest that we can expect a vigorous debate and ensuing battle that will take place over whether we ought to continue to tax the American people at high rates, tax American job producers at high rates and continue to force the

jobs overseas in a way that does not allow us as a country to achieve the economic progression parity that we ought to, to the degree that we ought to.

Failure by this Government and our Congress to move forward on tax relief and relieving debt will erase stories like this.

It will in the end be cruel to individuals who are today realizing greater income. It will be cruel to those who are presently upbeat and excited about our economic promise. It would be cruel and heartless whether it comes to those who are leaving the welfare roles, finding jobs on their own. It will be cruel to those charities who are finding great economic success because of that certain amount of progress that we have made.

What we need is more economic growth. What we need are lower levels of tax rates. What we need are more provisions in our business laws and regulatory laws that make entrepreneurship more within the grasp of more and more Americans.

People out West are also very concerned, Mr. Speaker, about an executive order that has been put forward by the Clinton administration called the American Heritage Rivers Initiative. This is an initiative that is established by executive order without the consent, without the review of the Congress.

Water in the West is one of the most precious natural resources that we have. If you take my State, Colorado, for example, it is one of two headwater States in the entire country. All of our water, all of our usable water and that which has been appropriated flows out of our State. The other one is Hawaii, by the way.

Managing, reusing, conserving water is something we know an awful lot about in the West. Colorado's water law has been developed over the entire history of our State. It is a model that the rest of the country has used in developing their water law.

It is based on the notion that water and a water right is a property right and that if you want to acquire water or purchase one of those rights you need to stand in line and purchase it from a willing seller.

The Federal Government does not understand that, Mr. Speaker, when it comes right down to it. The United States Forest Service, other Federal agencies, are very envious of the precious resources that are held in many cases by private owners, by ranchers and farmers, by private conservationists, by foresters, by municipalities, by industry and by other private water users.

The Federal Government would like to have their hands on that water, and they try with a voracious thirst to try to acquire it. They do not understand that you have to stand in line like everyone else, that you have to put up the cash to purchase water rights like everybody else. They have devised

many ingenious strategies to impede the ability of water rights owners, water users, to use their own water in a way that they see fit and that is of beneficial use for their economic activities.

The American Heritage Rivers Initiative put forward by the Clinton administration is one more example of this lack of understanding that we see coming out of Washington and threatening the West. It is the next stage being waged in the war on the West. It is one that makes people in the West quite nervous, in fact quite angry; and we do not intend to sit by and watch the administration by executive order, I remind my colleagues again, to move forward in a way that will only constitute confiscation potentially of such a precious resource.

The American Heritage Rivers Initiative would establish 10 rivers per year that would be designated by the Federal Government as Heritage Rivers, and that sounds like a nice thing. But it is not, I assure you, once you get into the details and review the testimony that was given by the Clinton administration in front of the Committee on Resources and in other correspondence that took place between various members of the Congress and the administration itself.

Certainly it sounds like the American Heritage Rivers Initiative suggests that we are going to feature and preserve some unique quality of river systems throughout the country, perhaps clean up river front, perhaps remove various levels of pollution or degradation in streams. And some of that, in fact, may occur. That is a very positive thing.

The fact of the matter is that all of those can occur today. There is no need for this initiative being put forward by the Clinton administration unless you buy their silly notion that there is so much regulation that their agencies, their Federal Government, their bureaucracy has created that we need to hire more bureaucrats to help local communities untangle all that red tape and assist them in that way.

Well, we are concerned about a number of things, first and foremost that this initiative seems to have gone forward without any level of meaningful scrutiny by the United States Congress. An executive order is not a law, it is not a law suggested, as the Constitution lays out, that is to be established by the Congress on such an important topic. An executive order is a set of instructions to the executive branch, its bureaucracies, and its agents to behave in a certain way, in this case to behave in a way that has the ability in a way that enables these agencies to restrict not only water rights but property rights, usages and to elevate priorities in the distribution of these assets through a certain level of Federal meddling and intervention.

What the Clinton administration is proposing is not only to designate these rivers but to hire somebody

called a river navigator, that would be their job title, have a river navigator actually move into your State, move on your river system and manage the resources associated with river management and water management.

This person would be employed at a cost of approximately \$120,000 per year, and I assume there will be staff associated with that. There is a pending proposal here in the Congress that has made its way right here to the floor that would pull the cash out from underneath this expenditure, again bearing in mind that this new function of government has not been approved by Congress ever. The attempts in the White House to direct the taxpayers' cash towards this new activity is inappropriate. That proposal ought to be taken up swiftly on the House floor and hopefully passed.

But, in the meantime, I would suggest that we ought to be charged, as a conscientious body, with seeing to it that the administration is not permitted through the appropriations process to draw funds from the various and several agencies associated with water management in order to implement the American Heritage Rivers Initiative.

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We ought to make absolutely certain that no dollars are appropriated by this Congress unless we first of all approve of the activity that is taking place and upon which those dollars would be spent.

Western states, most States, Colorado in particular, understand very well how to manage water in our State. Our law is good. It has a long tradition of working well.

We secure agreements with neighboring States through interstate compacts on the distribution of water and the allocation of shares. Those agreements are negotiated at the State level, under Federal guidelines, and insured through a Federal water court system. But they are devised by States, nonetheless, by Governors and their agents, who sit down and negotiate these agreements, sometimes at great cost.

Then they are signed, they are approved by States, and they become effectively the law, a contract on how water ought to be distributed.

The very notion that the Federal Government will elevate its level of meddling in that age-old traditional process is one that Westerners are not willing to stand for. Time after time after time, when I asked constituents in my district what they really care about and what they want to be addressed here by this Congress, over the last 3 months that I conducted these kinds of hearings and these kinds of meetings, maintaining and preserving and protecting Colorado water was always high on the list.

There are four Members of Congress, myself included, who have chosen to file a lawsuit against the President himself as a defendant over the Amer-

ican Heritage Rivers Initiative. That lawsuit has been filed in the District of Columbia Federal Court. We also filed an injunction recently and in fact expect a judgment to be rendered within days on an injunction. It is hopeful that that injunction will allow Colorado's water rights laws and history to stand while the lawsuit that is pending is considered.

We also have a big crisis out in the State when it comes to forestry and forest health. People are very concerned about what would happen if we have another dry summer, as some suggest we may. The level of forest fire potential in Western States is higher than it has ever been before. The state of forest health is very poor.

There are large problems with infestations and disease that are spreading across western forests, and this is no accident of nature. In fact, it is a very understandable response, when you take into account the poor management strategies that the Forest Service has been responsible for over the last several years.

In fact, there is a great battle going on internally within the Forest Service presently, where foresters are quite concerned. Their ability to apply accurate scientific data and knowledge about how to manage our National Forests is something that the Forest Service here in Washington, D.C. seems to be disinterested in.

There is another agenda that seems to be driven by economic goals and objectives that would suggest to the White House and the people here in the Clinton Administration that forests should not be managed, that they should be allowed to be confronted with infestation, with continued disease.

When this occurs and when overgrowth occurs as well, another big problem, forests are not properly thinned and cared for, these trees become stressed. They run out of water, they compete for nutrients, they compete for water resources. They do get stressed, they do get infested and get diseased. They become brittle, they become very dry, and all it takes is one flash of lightning or one careless activity of a camper or somebody watching wildlife or a hunter or somebody along those lines, or somebody who happens to be living in a forested area, and these fires burn far more intensely, and they burn with such intensity, as a matter of fact, that they effectively sterilize the soil.

These are forests that have a much more difficult time recovering and coming back from these kinds of devastating fires. It is much different than the natural fires that occurred long before humans showed up. These are fires that burn far more intensely, precisely because they have been poorly managed and poorly treated by our Forest Service when it comes to public lands.

That is another big problem that I had heard of, another big concern that people suggested to me over the

months that I was able to travel throughout the district.

Mr. Speaker, let me conclude once again by talking about the freshman class. When I first got elected to Congress, I had heard a little bit about this class status, I heard a little bit about the freshman class, the sophomore class and so on.

It works almost like high school. Those that got elected in a certain year, they would come here and have to go through the orientation process, learn about the institution at the same pace and learn about it together. But they are also elected under the pretense of a certain set of issues.

Every election year seems to define for itself a certain mood that is prevalent throughout the country. What we discovered is that 34 Members came here from throughout the country, unified in our belief that the American people are taxed in excess, that our government at the Federal level is far too big, and, as such, threatens real freedom and real liberty throughout the country, and that the best way to ensure real freedom and real liberty and real participation, economically and politically, is not through bigger Federal involvement and a bigger Federal Government, but by a smaller one, one which defers to the wisdom of states, all 50 of them, including territories, and local governments, and, even more so, defers to the people themselves.

We are unified in our vision that the size of the Federal Government needs to be contained, it needs to be reduced, and that we do need to empower people back home in ways that historically and traditionally we know leads to more prosperity in the country.

Those are the issues that define our class, the 34 Members that got elected in 1996. Those are the issues that define the projects that we are moving forward on, that define the issues that we fight for passionately here on the House floor, and it defines the issues that we speak about frequently and that we discuss often.

Our agenda is one that we are very committed to. It is an agenda that we believe is playing a primary role in driving the overall message we are sending as a majority Republican party here in Washington, and it is one that we look forward to engaging in vigorously with those on the left side, the Democratic side of the floor, who would disagree.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCKEON (at the request of Mr. ARMEY) for 4 p.m. today and February 5, on account of official business.

Mr. HERGER (at the request of Mr. ARMEY) for today and on February 5, on account of family matters.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legis-

lative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. STUPAK) to revise and extend their remarks and include extraneous material:)

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. BISHOP, for 5 minutes, today.

Mr. BERRY, for 5 minutes, today.

Ms. SANCHEZ, for 5 minutes, today.

Ms. JACKSON-LEE, for 5 minutes, today.

Mr. WATT of North Carolina, for 5 minutes, today.

Mr. FORD, for 5 minutes, today.

Mr. MCHALE, for 5 minutes, today.

Ms. EDDIE BERNICE JOHNSON of Texas, for 5 minutes, today.

Mr. DIXON, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Mr. BOUCHER, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

Mr. CLEMENT, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

(The following Members (at the request of Mr. FOSSELLA) to revise and extend their remarks and include extraneous material:)

Mr. HUTCHINSON, for 5 minutes, today.

Mr. HILL, for 5 minutes, today.

Mr. SHAYS, for 5 minutes, today.

Mr. WELDON of Florida, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. TALENT, and to include extraneous material, notwithstanding the fact that it exceeds 2 pages of the RECORD, and is estimated by the Public Printer to cost \$1,161.

(The following Members (at the request of Mr. STUPAK) and to include extraneous matter:)

Mr. RAHALL.

Mr. BERMAN.

Mr. SCOTT.

Mr. MANTON.

Ms. HARMAN.

Mr. ETHERIDGE.

Mr. HAMILTON.

Ms. MCCARTHY of Missouri.

Mr. WISE.

Ms. WOOLSEY.

Mr. DELLUMS.

Mr. DIXON.

Mr. BONIOR.

Mr. SERRANO.

Mr. ENGEL.

Mr. SKELTON.

Mr. GORDON.

Mr. TOWNS.

Mr. KIND.

(The following Members (at the request of Mr. FOSSELLA) and to include extraneous matter:)

Mr. GOODLING.

Mr. BEREUTER.

Mr. SMITH of Oregon.

Mr. WALSH.

Mrs. MORELLA.

Mr. FRELINGHUYSEN.

Mr. GEKAS.

Mr. GALLEGLY.

Mr. NORWOOD.

Mr. GILMAN.

Mr. SHAW.

Mr. HOUGHTON.

Mr. CALVERT.

Mr. ROHRABACHER.

(The following Members (at the request of Mr. BOB SCHAFFER of Colorado) and to include extraneous matter:)

Mr. COYNE.

Mr. PACKARD.

Mr. SANDLIN.

Mr. LATOURETTE.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1271. An act to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 and 1999, and for other purposes.

H.R. 3042. An act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1564. An act to provide redress for inadequate restitution of assets seized by the United States Government during World War II which belonged to victims of the Holocaust, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

On February 4, 1998:

H.R. 1271. An act to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 and 1999, and for other purposes.

H.R. 3042. An act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes.

ADJOURNMENT

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 9 minutes

p.m.), the House adjourned until tomorrow, Thursday, February 5, 1998, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

6970. A letter from the Chair, Defense Environmental Response Task Force, Department of Defense, transmitting the Defense Environmental Response Task Force Annual Report for Fiscal Year 1997; to the Committee on National Security.

6971. A letter from the Under Secretary (Acquisition and Technology), Department of Defense, transmitting the report of determination to combine multiple depot-level maintenance and repair workloads, pursuant to Public Law 105—85, section 359(a); to the Committee on National Security.

6972. A letter from the Secretary of Defense, transmitting the report entitled "Acquisition Workforce Reductions," pursuant to Public Law 105—85, section 912(b); to the Committee on National Security.

6973. A letter from the Director, Federal Deposit Insurance Corporation, transmitting the 1997 annual report on the activities of the Affordable Housing Advisory Board, pursuant to Public Law 103—204, section 14; to the Committee on Banking and Financial Services.

6974. A letter from the Secretary, Federal Trade Commission, transmitting the Individual Reference Services Report; to the Committee on Commerce.

6975. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend the Federal Food, Drug, and Cosmetic Act to provide for improved safety of imported foods; to the Committee on Commerce.

6976. A communication from the President of the United States, transmitting the bi-monthly report on progress toward a negotiated settlement of the Cyprus question, including any relevant reports from the Secretary General of the United Nations, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

6977. A communication from the President of the United States, transmitting his annual report reviewing all activities of United States Government departments and agencies during calendar year 1996 relating to the prevention of nuclear proliferation, pursuant to 22 U.S.C. 3281; to the Committee on International Relations.

6978. A letter from the General Counsel, Arms Control and Disarmament Agency, transmitting copies of the texts of Amendment X to the Memorandum of Agreement Regarding the Implementation of the Verification Provisions of the INF Treaty; to the Committee on International Relations.

6979. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the report regarding certain forms of United States assistance to countries that have contributed to the Korean Peninsula Energy Development Organization; to the Committee on International Relations.

6980. A letter from the President's Pay Agent, transmitting a report justifying the reasons for the extension of locality-based comparability payments to categories of positions that are in more than one executive agency, pursuant to 5 U.S.C. 5304(h)(2)(C); to the Committee on Government Reform and Oversight.

6981. A letter from the Administrator, National Aeronautics and Space Administra-

tion, transmitting the calendar year 1997 report on "Extraordinary Contractual Actions to Facilitate the National Defense," pursuant to 50 U.S.C. 1434; to the Committee on Government Reform and Oversight.

6982. A letter from the Secretary of Education, transmitting a report concerning surplus Federal real property disposed of to educational institutions in fiscal year 1997, pursuant to 40 U.S.C. 484(o)(1); to the Committee on Government Reform and Oversight.

6983. A letter from the Chairman, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting the Management Reform Plans covering eight District of Columbia government departments and four City-wide functions, pursuant to Public Law 105—33, section 11103; to the Committee on Government Reform and Oversight.

6984. A letter from the President, National Endowment for Democracy, transmitting the 1997 annual report in compliance with the Inspector General Act Amendments of 1988, pursuant to Public Law 100—504, section 104(a) (102 Stat. 2525); to the Committee on Government Reform and Oversight.

6985. A letter from the Director, National Science Foundation, transmitting the FY 1997 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

6986. A letter from the Chairman, U.S. Merit Systems Protection Board, transmitting the report in compliance with the Government in the Sunshine Act for 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

6987. A letter from the Postmaster General, U.S. Postal Service, transmitting the Annual Report of the Postmaster General for Fiscal Year 1997, pursuant to 39 U.S.C. 2402; to the Committee on Government Reform and Oversight.

6988. A letter from the Chairman, United States Postal Service, transmitting the report in compliance with the Government in the Sunshine Act for 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

6989. A letter from the General Manager, Washington Metropolitan Area Transit Authority, transmitting the FY 1997 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

6990. A letter from the Chair, Board of Directors, Office of Compliance, transmitting notification that the Board of Directors has approved Gary Green to serve as General Counsel of the Office of Compliance for the statutory five year term; to the Committee on House Oversight.

6991. A letter from the Secretary, Federal Trade Commission, transmitting the report on antitrust mutual assistance agreements required by Section 11 of the International Antitrust Enforcement Assistance Act of 1994; to the Committee on the Judiciary.

6992. A letter from the Administrator, Federal Highway Administration, transmitting the Administration's status report entitled, "Progress Made in Implementing Sections 6016 and 1038 of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)," pursuant to Public Law 102—240, section 6016(e) (105 Stat. 2183); to the Committee on Transportation and Infrastructure.

6993. A letter from the Secretary of Transportation, transmitting the report on the commercial feasibility of high-speed ground transportation, pursuant to section 1036 of the Intermodal Surface Transportation Efficiency Act; to the Committee on Transportation and Infrastructure.

6994. A letter from the Chairman, Barry Goldwater Scholarship and Excellence in Education Foundation, transmitting the annual report of the activities of the Goldwater Foundation, pursuant to 20 U.S.C. 4711; to the Committee on Science.

6995. A communication from the President of the United States, transmitting the second report on the Operation of the Andean Trade Preference Act, pursuant to Public Law 102—182, section 203(f) (105 Stat. 1239); to the Committee on Ways and Means.

6996. A letter from the Secretary of Labor, transmitting the thirteenth report on trade and employment effects of the Caribbean Basin Economic Recovery Act, pursuant to 19 U.S.C. 2705; to the Committee on Ways and Means.

6997. A letter from the Secretary of Labor, transmitting the Department's fourth report on the impact of the Andean Trade Preference Act on U.S. trade and employment from 1995 to 1996, pursuant to Public Law 102—182, section 207 (105 Stat. 1244); to the Committee on Ways and Means.

6998. A letter from the Secretary of Energy, transmitting notification of the conditions of the proposed sale of the United States' interest in Naval Petroleum Reserve Numbered 1, Elk Hills, in California, pursuant to Public Law 104—106, section 3414(a); jointly to the Committees on National Security and Commerce.

6999. A letter from the Secretary of Energy, transmitting the Savannah River Site Nuclear Material Stabilization Activities report for fiscal year 1998, as requested in the Conference Report 105—27; jointly to the Committees on Commerce and Appropriations.

7000. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a report authorizing the transfer of up to \$100M in defense articles and services to the Government of Bosnia-Herzegovina, pursuant to Public Law 104—107, section 540(c) (110 Stat. 736); jointly to the Committees on International Relations and Appropriations.

7001. A letter from the Chairman, Federal Election Commission, transmitting the FY 1999 Budget Request, pursuant to 2 U.S.C. 437d(d)(1); jointly to the Committees on House Oversight and Appropriations.

7002. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Secretary's certification to the Congress regarding the incidental capture of sea turtles in commercial shrimping operations, pursuant to Public Law 101—162, section 609(b)(2) (103 Stat. 1038); jointly to the Committees on Resources and Appropriations.

7003. A letter from the Secretary of Health and Human Services, transmitting the sixth annual report entitled "Monitoring the Impact of Medicare Physician Payment Reform on Utilization and Access," pursuant to Public Law 101—239; jointly to the Committees on Ways and Means and Commerce.

7004. A letter from the Acting Assistant Secretary for Force Management Policy, Department of Defense, transmitting notification of determinations that institutions of higher education have been deemed ineligible for certain Federal funding, pursuant to section 514 of the Omnibus Consolidated Appropriations Act, 1997; jointly to the Committees on National Security, Education and the Workforce, and Appropriations.

7005. A letter from the Director, Office of Management and Budget, transmitting a report identifying accounts containing unvouchered expenditures that are potentially subject to audit by the Comptroller General, pursuant to 31 U.S.C. 3524(b); jointly to the Committees on the Budget, Appropriations, and Government Reform and Oversight.

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. LINDER, Committee on Rules, House Resolution 348. Resolution providing for consideration of the bill (H.R. 2846) to prohibit spending Federal education funds on national testing without explicit and specific legislation (Rept. 105-413). Referred to the House Calendar.

Mr. SOLOMON, Committee on Rules, House Resolution 349. Resolution providing for consideration of the bill (S. 1575) to rename the Washington National Airport located in the District of Columbia and Virginia as the "Ronald Reagan Washington National Airport" (Rept. 105-414). Referred to the House Calendar.

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. CAMPBELL:

H.R. 3152. A bill to provide that certain volunteers at private non-profit food banks are not employees for purposes of the Fair Labor Standards Act of 1938; to the Committee on Education and the Workforce.

By Mr. CAMPBELL:

H.R. 3153. A bill to establish a uniform closing time for the operation of polls on the date of the election of the President and Vice President; to the Committee on House Oversight.

By Mr. CANADY of Florida (for himself, Mr. McCOLLUM, and Mr. GOSS):

H.R. 3154. A bill to provide for the appointment of additional Federal district judges in the State of Florida; to the Committee on the Judiciary.

By Mr. GOODLING (for himself and Mr. MANTON):

H.R. 3155. A bill to amend title 18, United States Code, to impose stiffer penalties on persons convicted of lesser drug offenses; to the Committee on the Judiciary.

By Mr. HOUGHTON (for himself, Mr. GINGRICH, Mr. GEPHARDT, Ms. WATERS, Mr. GILMAN, Mr. HAMILTON, Mr. BEREUTER, Mr. MENENDEZ, Mr. CHABOT, Mr. PAYNE, Mr. SANFORD, Mr. HASTINGS of Florida, Mr. CAMPBELL, Mr. DELLUMS, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. HALL of Ohio, and Mr. McDERMOTT):

H.R. 3156. A bill to present a congressional gold medal to Nelson Rolihlahla Mandela; to the Committee on Banking and Financial Services.

By Mr. PAXON (for himself, Mr. BLILEY, Mr. LIVINGSTON, Mr. HOEKSTRA, Mr. SOUDER, Mr. GIBBONS, Mr. GRAHAM, Mr. SMITH of Michigan, Mr. RILEY, Mrs. LINDA SMITH of Washington, Mr. SESSIONS, Mr. HAYWORTH, Mr. ENGLISH of Pennsylvania, and Mr. ENSIGN):

H.R. 3157. A bill to improve education in overcrowded classrooms by increasing the number of teachers; to the Committee on Education and the Workforce.

By Mr. ROHRABACHER (for himself and Mr. ROYCE):

H.R. 3158. A bill to provide that the President may not waive, with respect to the Socialist Republic of Vietnam, the statutory prohibitions on nondiscriminatory trade treatment, commercial agreements, and participation in programs of the United States

Government which extend credits or financing guarantees and certain other forms of assistance; to the Committee on Ways and Means, and in addition to the Committees on Banking and Financial Services, and International Relations, 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. ROYCE (for himself and Mr. ROHRABACHER):

H.R. 3159. A bill to provide that the President may not waive the provisions of title IV of the Trade Act of 1974 with respect to the Socialist Republic of Vietnam; to the Committee on Ways and Means.

By Mr. SCHUMER (for himself, Ms. SLAUGHTER, Mr. LAFALCE, Mr. McNULTY, and Mr. HINCHEY):

H.R. 3160. A bill to enhance competition between airlines and reduce airfares, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of New Jersey (for himself, Mr. LANTOS, Mr. GILMAN, Mr. WOLF, Mr. SANDERS, Mr. KING of New York, Ms. KAPTUR, Mr. MINGE, Mr. SABO, Mr. EVANS, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. SHAYS, Ms. WOOLSEY, and Mr. RAMSTAD):

H.R. 3161. A bill to fully implement the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and to provide a comprehensive program of support for victims of torture; to the Committee on the Judiciary, and in addition to the Committees on International Relations, and 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. WATKINS (for himself and Mr. WATTS of Oklahoma):

H.R. 3162. A bill to amend title XVIII of the Social Security Act to delay implementation of the interim payment system to home health agencies for home health services provided under the Medicare 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. LAZIO of New York:

H. Con. Res. 208. Concurrent resolution expressing the sense of the Congress regarding access to affordable housing and expansion of homeownership opportunities; to the Committee on Banking and Financial Services.

By Mr. BEREUTER (for himself, Mr. HAMILTON, and Mr. BERMAN):

H. Res. 350. A resolution congratulating the people of Sri Lanka on the occasion of the fiftieth anniversary of their nation's independence; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. BRYANT and Mr. DAVIS of Illinois.

H.R. 65: Mr. DAVIS of Illinois.

H.R. 107: Mrs. MALONEY of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STARK, Ms. DEGETTE, Mr. COBURN, and Mr. HANSEN.

H.R. 132: Mr. CALVERT.

H.R. 169: Mr. PETERSON of Minnesota.

H.R. 303: Mr. DAVIS of Illinois.

H.R. 476: Mr. LANTOS and Mr. MANTON.

H.R. 543: Mrs. JOHNSON of Connecticut, Mr. PASCRELL, Mr. MANZULLO, Ms. KAPTUR, Mr.

MOLLOHAN, Ms. KILPATRICK, Mr. SUNUNU, Mr. SANFORD, Mr. STENHOLM, and Mr. CALVERT.

H.R. 604: Mr. ROTHMAN.

H.R. 617: Mr. MOLLOHAN and Mr. RUSH.

H.R. 619: Mrs. ROUKEMA, Mr. PRICE of North Carolina, Mr. OXLEY, and Mr. SHERMAN.

H.R. 716: Mr. FOLEY and Mr. SESSIONS.

H.R. 738: Mrs. CLAYTON.

H.R. 920: Mr. COOK.

H.R. 922: Mr. RILEY, Mr. KNOLLENBERG, Mr.

POSHARD, Mrs. ROUKEMA, Mr. THORNBERRY, Mr. BLUNT, Mr. SHIMKUS, Mrs. MYRICK, Mr. HOEKSTRA, Mr. BEREUTER, Mr. DUNCAN, Mr. LEWIS of Kentucky, Mr. BARCIA of Michigan, Ms. DANNER, and Mr. RYUN.

H.R. 923: Mr. RILEY, Mr. KNOLLENBERG, Mr.

POSHARD, Mrs. ROUKEMA, Mr. THORNBERRY, Mr. BLUNT, Mr. SHIMKUS, Mrs. MYRICK, Mr. HOEKSTRA, Mr. BEREUTER, Mr. DUNCAN, Mr. LEWIS of Kentucky, Mr. BARCIA of Michigan, Mr. NEY, Ms. DANNER, and Mr. RYUN.

H.R. 1055: Mr. KUCINICH.

H.R. 1126: Mrs. THURMAN.

H.R. 1130: Ms. STABENOW.

H.R. 1151: Mr. HUNTER.

H.R. 1231: Mr. HULSHOF and Mr. FAZIO of California.

H.R. 1241: Mr. HUNTER and Mr. GALLEGLY.

H.R. 1281: Mrs. THURMAN.

H.R. 1320: Mr. POSHARD.

H.R. 1322: Mrs. EMERSON and Mr. LATOURETTE.

H.R. 1330: Mr. BEREUTER.

H.R. 1356: Mr. ROYCE, Mr. GIBBONS, Mr. HALL of Texas, and Mr. ROMERO-BARCELÓ.

H.R. 1375: Mr. DEUTSCH and Mr. LANTOS.

H.R. 1390: Mr. SHERMAN.

H.R. 1415: Ms. MILLENDER-McDONALD, Mr. GEJDENSON, Mr. FORBES, Mr. WATT of North Carolina, and Mr. WYNN.

H.R. 1425: Mr. STOKES and Mr. CLAY.

H.R. 1500: Mr. FORD and Mr. KUCINICH.

H.R. 1524: Mr. ALLEN, Mr. SKEEN, Mr. FORD, Mr. MINGE, Mr. HOLDEN, Mr. PETERSON of Minnesota, and Mr. KIND of Wisconsin.

H.R. 1577: Mr. FOLEY.

H.R. 1628: Mr. SHAYS.

H.R. 1754: Mr. KUCINICH.

H.R. 1813: Mr. WATT of North Carolina, Ms. WOOLSEY, Mrs. KELLY, Mr. SANDLIN, and Mr. McNULTY.

H.R. 1891: Mr. HULSHOF, Mr. COOK, Mr. COLLINS, Mr. CRAPO, Mr. PETERSON of Minnesota, Mr. GOODLING, Mr. BILBRAY, Mr. ACKERMAN, Ms. PRYCE of Ohio, Ms. LOFGREN, and Mr. CHRISTENSEN.

H.R. 1984: Mr. REDMOND and Mr. INGLIS of South Carolina.

H.R. 2009: Mr. BROWN of California, Mr. OBERSTAR, Mr. MCGOVERN, Mr. NEAL of Massachusetts, Mr. DIXON, and Mr. GEJDENSON.

H.R. 2023: Mr. MALONEY of Connecticut.

H.R. 2094: Mr. ANDREWS, Mr. MILLER of California, Mr. DELLUMS, and Ms. DELAURO.

H.R. 2110: Mr. BALDACCI.

H.R. 2122: Mr. PETERSON of Minnesota and Mr. MCHUGH.

H.R. 2124: Mr. SESSIONS, Mr. CALVERT, Mr. PAPPAS, Mr. STUMP, Mr. INGLIS of South Carolina, Mrs. LINDA SMITH of Washington, Mr. HYDE, and Mr. KIM.

H.R. 2139: Mr. OBERSTAR.

H.R. 2173: Mrs. THURMAN, Mr. SANDLIN, Mr. BEREUTER, Mr. CALVERT, and Mr. MCHUGH.

H.R. 2183: Mr. PETRI, Mrs. MALONEY of New York, and Ms. LOFGREN.

H.R. 2257: Mr. DELLUMS.

H.R. 2321: Mr. SOUDER, Mr. HEFLEY, Mr. WAMP, Mr. FILNER, Mr. FAWELL, and Mr. HASTINGS of Washington.

H.R. 2454: Mr. LANTOS, Mr. BALDACCI, and Ms. VELAZQUEZ.

H.R. 2456: Mr. GOODLATTE.

H.R. 2457: Mr. LANTOS, Mr. BALDACCI, and Ms. VELAZQUEZ.

H.R. 2500: Mr. SHAYS, Mr. CANNON, Mr. SNOWBARGER, Mr. SMITH of Michigan, Mr. FORD, Mr. HILLEARY, Ms. GRANGER, Mr. MILLER of Florida, Mr. FRELINGHUYSEN, Mr.

GILLMOR, Mr. SHERMAN, Mr. PAPPAS, Mr. BLUNT, Mr. DUNCAN, Mr. FRANKS of New Jersey, Ms. VELAZQUEZ, Mr. CLYBURN, Mr. THORNBERRY, Mr. RILEY, and Mr. KIND of Wisconsin.

H.R. 2541: Mr. SESSIONS and Ms. NORTON.

H.R. 2545: Mr. FORD, Mr. FALEOMAVAEGA, Mr. KUCINICH, Mr. GREEN, Mr. MCHALE, Mrs. THURMAN, Mr. TIERNEY, Mr. BERRY, Mr. ROTHMAN, and Mrs. MYRICK.

H.R. 2547: Mr. MARTINEZ, Mr. OBERSTAR, Ms. WOOLSEY, Mr. EVANS, Mr. NEAL of Massachusetts, and Mr. BLUMENAUER.

H.R. 2579: Mr. BOEHNER, Mr. COBURN, and Mr. NORWOOD.

H.R. 2588: Mr. GOODLATTE.

H.R. 2602: Mr. ACKERMAN.

H.R. 2608: Mr. ISTOOK and Mr. GOODLING.

H.R. 2568: Mr. SUNUNU, Mr. PAPPAS, Mr. MENENDEZ, Mr. SAXTON, and Mr. ADERHOLT.

H.R. 2671: Mrs. MINK of Hawaii.

H.R. 2699: Mr. FILNER and Mr. MORAN of Virginia.

H.R. 2713: Mr. FORD.

H.R. 2752: Mr. FRELINGHUYSEN and Mr. HANSEN.

H.R. 2757: Mr. DOYLE, Mr. FRANK of Massachusetts, and Mr. OBERSTAR.

H.R. 2760: Mr. HILL and Mr. CLAY.

H.R. 2774: Mr. FORD, Mr. JACKSON, Mr. KLECZKA, Mr. MANTON, Mr. WYNN, Mr. TOWNS, Mr. VENTO, Mr. WAXMAN, Mr. FILNER, Mr. MORAN of Virginia, Mr. LANTOS, Mr. STARK, Mr. SENSENBRENNER, Mr. FRANK of Massachusetts, Mr. LAFALCE, Mr. McDERMOTT, Mr. MILLER of California, and Mr. PAYNE.

H.R. 2820: Mrs. MEEK of Florida, Mr. MANTON, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Ms. KILPATRICK, Mr. NEY, Mr. FILNER, Mr. DAVIS of Illinois, and Mr. BACHUS.

H.R. 2850: Mrs. LOWEY, Mr. BARRETT of Wisconsin, Mr. SANDLIN, Mr. GUTIERREZ, Ms. ROS-LEHTINEN, Mr. FORD, Mr. PALLONE, Mr. UNDERWOOD, Mr. MARKEY, Mr. WEXLER, Mr. KLECZKA, Mr. DAVIS of Florida, Mr. ETHERIDGE, Mr. SESSIONS, and Ms. MILLENDER-MCDONALD.

H.R. 2854: Mr. KUCINICH, Mr. SANDLIN, Mr. SANDERS, Mr. RUSH, Mr. FORD, Mr. McDERMOTT, Mr. McNULTY, Mr. KLECZKA, Mr. BROWN of California, Mr. DOOLEY of California, and Mr. NEY.

H.R. 2912: Mr. LEWIS of Kentucky, Mr. ENGLISH of Pennsylvania, Mr. SKELTON, Mr. BERRY, Mr. GONZALEZ, Mr. FALEOMAVAEGA, Mr. BOYD, Mr. DUNCAN, Mr. YATES, Mr. CLYBURN, Mr. OBERSTAR, Mr. LATOURETTE, and Mr. BUNNING of Kentucky.

H.R. 2916: Mr. DAN SCHAEFER of Colorado.

H.R. 2951: Mr. HOUGHTON and Ms. STABENOW.

H.R. 2955: Mr. BONILLA and Mr. LATOURETTE.

H.R. 2960: Mr. STARK, Mr. FROST, and Mr. LAMPSON.

H.R. 2990: Mr. SKAGGS, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. GEJDENSON, Mr. DELAHUNT, Mr. MATSUI, Mr. OWENS, Mr. McDERMOTT, Mr. VENTO, Mr. BARRETT of Nebraska, Mr. WAMP, Mr. TAYLOR of North Carolina, Mr. POMEROY, Ms. KAPTUR, Mr. COYNE, Mr. KANJORSKI, and Mr. GOODE.

H.R. 3008: Mr. TAYLOR of North Carolina, Mr. GOODE, Mr. HALL of Texas, Mr. LIPINSKI, and Mr. PETERSON of Minnesota.

H.R. 3027: Mr. PAYNE and Mr. FALEOMAVAEGA.

H.R. 3028: Mr. PAYNE and Mr. FALEOMAVAEGA.

H.R. 3043: Mr. SANDLIN, Mr. WEXLER, and Mr. PASCRELL.

H.R. 3062: Mr. HOLDEN and Mr. COYNE.

H.R. 3070: Mr. HINCHEY and Ms. CARSON.

H.R. 3097: Mr. GIBBONS, Mr. SALMON, Mr. COOK, Mr. KLUG, Mr. BALLENGER, Mr. GOSS, Mr. DAN SCHAEFER of Colorado, Mr. HILL, Mr. COMBEST, Mr. CHAMBLISS, Mr. GOODE, Mr.

GOODLATTE, Mr. CHRISTENSEN, Mr. WATKINS, Mr. ROYCE, Mr. SOUDER, Mr. GRAHAM, and Mr. COBURN.

H.R. 3107: Mr. ANDREWS.

H.R. 3116: Mr. LAZIO of New York.

H.R. 3126: Ms. DELAURO, Mr. FALEOMAVAEGA, Mr. DAVIS of Illinois, and Mr. DINGELL.

H.R. 3128: Mr. SANDLIN, Mr. GOODLING, Mrs. THURMAN, and Mr. MANTON.

H.R. 3134: Ms. SLAUGHTER, Mr. MANTON, Ms. HOOLEY of Oregon, Mr. BONIOR, Mr. OBERSTAR, Mr. SANDLIN, Mr. MCGOVERN, Ms. NORTON, Mr. McDERMOTT, Mr. FROST, Mr. PASCRELL, Mr. LIPINSKI, and Mr. DEFAZIO.

H.R. 3135: Mr. TORRES.

H.J. Res. 71: Mrs. EMERSON and Mr. LATOURETTE.

H.J. Res. 100: Mr. BARRETT of Nebraska, Mr. FILNER, Mr. BATEMAN, Mr. WELDON of Florida, Mr. TAYLOR of North Carolina, Mrs. CLAYTON, Mr. NEY, Mr. SISISKY, Mr. SABO, Mr. CALVERT, Mr. BLILEY, Mr. WAMP, Mr. KNOLLENBERG, Mr. SANDERS, Mr. ROHR-ABACHER, Mr. CUNNINGHAM, Mr. BERMAN, Mr. CONDIT, Mr. CAMP, Mr. HALL of Texas, Mr. BURTON of Indiana, Mr. GREEN, Mr. STUMP, Ms. LOFGREN, Mr. METCALF, Mrs. TAUSCHER, Mrs. MINK of Hawaii, Ms. WOOLSEY, Mr. ETHERIDGE, Mr. LAMPSON, Mr. MORAN of Kansas, Mr. HILLEARY, Mr. BOYD, Mr. COYNE, Mr. HANSEN, and Mr. CANADY of Florida.

H. Con. Res. 15: Mr. SHERMAN.

H. Con. Res. 55: Ms. LOFGREN, Mr. WAXMAN, Ms. DELAURO, Mr. OBEY, and Mr. PAXON.

H. Con. Res. 126: Ms. JACKSON-LEE.

H. Con. Res. 141: Mr. MCCREERY.

H. Con. Res. 152: Mr. KUCINICH, Ms. DELAURO, and Mr. TRAFICANT.

H. Con. Res. 175: Mr. BOEHLERT.

H. Con. Res. 195: Mr. FRANK of Massachusetts, Mr. LAFALCE, Mr. UPTON, Ms. WOOLSEY, and Mrs. THURMAN.

H. Res. 37: Mr. BROWN of Ohio.

H. Res. 267: Mr. HOEKSTRA and Mr. HILLEARY.

H. Res. 310: Mr. BURTON of Indiana, Mr. CONDIT, and Mr. BACHUS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1415: Mr. BUNNING of Kentucky.

H.R. 2552: Mr. BACHUS.

AMENDMENTS

Under clause 6 of rule XIII, proposed amendments were submitted as follows:

H.R. 2846

OFFERED BY: Mr. CLAY

(Amendment in the Nature of a Substitute)

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. FINDINGS AND PURPOSE.

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

(1) Although the majority of our Nation's elementary and secondary public schools provide high quality education for our children, many schools need additional resources to implement immediate assistance and reform to enable them to provide a basic and safe education for their students.

(2) The Government Accounting Office recently found that 1/3 of all elementary and secondary schools in the United States, serving 14,000,000 students, need extensive repair and renovation.

(3) Recent reform of under-achieving schools in a number of States and school dis-

tricts demonstrates that parents, teachers, school administrators, other educators, and local officials, given adequate resources and expertise, can succeed in dramatically improving public education and creating high performance schools.

(4) Such reform efforts show that parental and community involvement in those reforms is indispensable to the objective of high quality, safe, and accountable schools.

(5) Despite the successes of such reforms, public schools are facing tremendous challenges in educating children for the 21st century. The elementary and secondary school population will grow by 10 percent by the year 2005, and over the next 10 years, schools will need more than 2,000,000 additional teachers to meet the demands of such expected enrollments.

(6) Almost 7 of 10 Americans support increased Federal assistance to our Nation's public schools, and that support crosses all boundaries, including cities, towns, and rural areas.

(7) When Federal investment in public schools and children has increased, test scores have improved, and high school graduation rates and college enrollments have increased.

(8) The Federal Government should encourage communities that demonstrate a strong commitment to restore and reform their public schools.

(b) PURPOSE.—It is the purpose of this Act to assist local communities that are taking the initiative—

(1) to overcome adverse conditions in their public schools;

(2) to revitalize their public schools in accordance with local plans to achieve higher academic standards and safer and improved learning environments; and

(3) to ensure that every community public school provides a quality education for all students.

SEC. 2. DEFINITIONS.

For purposes of this Act:

(1) CONSORTIUM.—The term "consortium" means a local schools consortium as defined in paragraph (2).

(2) LOCAL SCHOOLS CONSORTIUM.—The term "local schools consortium" means the local educational agency in collaboration with a group composed of affected parents, students, and representatives of teachers, school employees and administrators, local business and community leaders and representative of local higher education group working or residing within the boundary of a local educational agency.

(3) PARENT.—The term "parent" includes any of the following:

(A) A grandparent.

(B) A legal guardian.

(C) Any other person standing in loco parentis.

(3) PLAN.—The term "plan" means a 3-year public schools renewal and improvement plan described in section 4.

(4) SECRETARY.—The term "Secretary" means the Secretary of Education.

(5) STATE.—The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the American Virgin Islands, Guam, and American Samoa.

SEC. 3. PROCEDURE FOR DECLARATION.

(a) IN GENERAL.—A request for a declaration by the President that a "public schools renewal effort is underway" shall be made by a local schools consortium.

(b) REQUEST.—The local education agency shall submit the request to the Governor of the State who shall, with or without comment, forward such request to the President not more than 30 days after the Governor's receipt of such request. Such request shall—

(1) include the plan;

(2) describe the nature and amount of State and local resources which have been or will be committed to the renewal and improvement of the public schools; and

(3) certify that State or local government obligations and expenditures will comply with all applicable matching requirements established pursuant to this Act.

(c) **DECLARATION.**—Based on a request made under this Act, the President, in consultation with the Secretary, may declare that a "public schools renewal effort is underway" in such community and authorize the Department of Education and other Federal agencies to provide assistance under this Act.

(d) **PROGRESS REPORTS.**—The consortium shall—

(1) amend such request annually to include additional initiatives and approaches undertaken by the local educational agency to improve the academic effectiveness and safety of its public school system.

(2) submit annual performance reports to the Secretary which shall describe progress in achieving the goals of the plan.

SEC. 4. ELEMENTS OF RENEWAL AND IMPROVEMENT PLAN.

(a) **IN GENERAL.**—As part of its request to the President, and in order to receive assistance under this section, a consortium shall submit a plan that includes the elements described in subsections (b) and (c).

(b) **ADVERSE CONDITIONS.**—The plan shall specify the existence of any of the following factors:

(1)(A) A substantial percentage of students in the affected public schools have been performing well below the national average, or below other benchmarks, including State developed benchmarks in such basic skills as reading, math, and science, consistent with Goals 2000 and title I of the Elementary and Secondary Education Act of 1965; or

(B) a substantial percentage of such students are failing to complete high school.

(2) Some or all of such schools are overcrowded or have physical plant conditions that threaten the health, safety, and learning environment of the schools' populations.

(3) There is a substantial shortage of certified teachers, teaching materials, and technology training.

(4) Some or all of the schools are located where crime and safety problems interfere with the schools' ability to educate students to high academic standards.

(c) **ASSURANCES.**—The plan shall also include assurances from the local educational agency that—

(1) the plan was developed by the local schools consortium after extensive public discussion with State education officials, affected parents, students, teachers and representatives of teachers and school employees, administrators, higher education officials, other educators, and business and community leaders;

(2) describe how the consortium will use resources to meet the types of reforms described in section 6;

(3) provide effective opportunities for professional development of public school teachers, school staff, principals, and school administrators;

(4) provide for greater parental involvement in school affairs;

(5) focus substantially on successful and continuous improvement in the basic academic performance of the students in the public schools;

(6) address the unique responsibilities of all stake holders in the public school system, including students, parents, teachers, school administrators, other educators, governmental officials, and business and community leaders, for the effectiveness of the pub-

lic school system especially with respect to the schools targeted for greatest assistance;

(7) provide for regular objective evaluation of the effectiveness of the plan;

(8) the agency will give priority to public schools that need the most assistance in improving overcrowding, physical problems and other health and safety concerns, readiness for telecommunications equipment, and teacher training and the pool of certified teachers;

(9) ensure that funds received under this Act shall be used to supplement, not supplant other non-Federal funds;

(10) certify that the combined fiscal effort per student or the aggregate expenditures within the State with respect to the provision of free public education for the fiscal year preceding the fiscal year for which the request for a declaration is made was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the request for a declaration is made; and

(11) will address other major issues which the local schools consortium determines are critical to renewal of its public schools.

SEC. 5. ALLOWABLE FEDERAL ASSISTANCE.

(a) **IN GENERAL.**—To provide assistance under this Act, the President may—

(1) direct the Department of Education, with or without reimbursement, to use the authority and the resources granted to it under Federal law (including personnel, educational equipment and supplies, facilities, and managerial, technical, and advisory services) in support of State and local assistance efforts;

(2) direct any other Federal agency to provide assistance as described in paragraph (1);

(3) coordinate such assistance provided by Federal agencies; and

(4) provide technical assistance and advisory assistance to the affected local educational agency.

(b) **DISTRIBUTION OF ASSISTANCE FUNDS.**—

(1) **IN GENERAL.**—At the direction of the President, the Secretary shall distribute funds and resources provided pursuant to a declaration under this Act to local educational agencies selected for assistance under this Act.

(2) **EXISTING PROCEDURES.**—The Secretary shall determine the best method of distributing funds under this Act through personnel and existing procedures that are used to distribute funds under other elementary and secondary education programs.

(c) **PROHIBITION.**—No provision of this Act shall be construed to authorize any action or conduct prohibited under the General Education Provisions Act.

SEC. 6. USE OF ASSISTANCE.

Assistance provided pursuant to this Act may be used only to carry out a plan, and to effectuate the following and similar types of public school reforms:

(1) **STUDENT-TARGETED RESOURCES.**—

(A) Increasing and improving high-quality early childhood educational opportunities.

(B) Providing comprehensive parent training so that parents better prepare children before they reach school age.

(C) Establishing intensive truancy prevention and dropout prevention programs.

(D) Establishing alternative public schools and programs for troubled students and dropouts, and establishing other public school learning "safety nets".

(E) Enhancing assistance for students with special needs (including limited English proficient students, English as a second language, and students with disabilities).

(2) **CLASSROOM FOCUSED SCHOOL DEVELOPMENT.**—

(A) Establishing teacher and principal academies to assist in training and professional development.

(B) Establishing effective training links for students with area colleges and universities.

(C) Establishing career ladders for teachers and school employees.

(D) Establishing teacher mentor programs.

(E) Establishing recruitment programs at area colleges and universities to recruit and train college students for the teaching profession.

(F) Establishing stronger links between schools and law enforcement and juvenile justice authority.

(G) Establishing stronger links between schools and parents concerning safe classrooms and effective classroom activities and learning.

(H) Establishing parent and community patrols in and around schools to assist safe schools and passage to schools.

(I) Implementing research-based promising educational practices and promoting exemplary school recognition programs.

(J) Expanding the time students spend on school-based learning activities and in extra-curricular activities.

(3) **ACCOUNTABILITY REFORMS.**—

(A) Establishing high learning standards and meaningful assessments of whether standards are being met.

(B) Monitoring school progress and determining how to more effectively use school system resources.

(C) Establishing performance criteria for teachers and principals through such entities as joint school board and union staff improvement committees.

(D) Establishing promotion and graduation requirements for students, including requirements for reading, mathematics, and science performance.

(E) Providing for strong accountability and corrective action from a continuum of options, consistent with State law and title I of the Elementary and Secondary Education Act of 1965.

SEC. 7. DURATION OF ASSISTANCE.

Assistance under this Act may be provided for each of fiscal years 1998 through 2000.

SEC. 8. REPORT.

Not later than March 31, 2000, the Secretary shall submit a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate assessing the effectiveness of this Act in assisting recipient local schools consortia in carrying out their plans submitted under this Act.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS; MATCHING REQUIREMENT.

(a) **AUTHORIZATION.**—There are authorized to be appropriated to carry out this Act—

(1) for fiscal year 1998, \$250,000,000; and

(2) for fiscal year 1999, \$500,000,000; and

(3) for fiscal year 2000, such sums as may be necessary.

(b) **MATCHING REQUIREMENT.**—

(1) **IN GENERAL.**—Federal funds expended or obligated under this Act shall be matched (in an amount equal to such amount so expended or obligated) from State or local funds.

(2) **OTHER FEDERAL RESOURCES.**—The Secretary shall, by regulation and in consultation with the heads of other Federal agencies, establish matching requirements for other Federal resources provided under this Act.

(3) **WAIVER.**—Based upon the recommendation of the Secretary, the President may waive paragraph (1) or (2).

H.R. 2846

OFFERED BY: MR. MARTINEZ

(Amendment in the Nature of a Substitute)

AMENDMENT No. 2: Strike all after the enacting clause and insert the following:

SECTION 1. FINDINGS AND PURPOSE.

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

(1) According to the General Accounting Office, one-third of all elementary and secondary schools in the United States, serving 14,000,000 students, need extensive repair or renovation.

(2) 7,000,000 children attend schools with life safety code problems.

(3) School infrastructure problems exist across the country in urban and nonurban schools; at least 1 building is in need of extensive repair or replacement in 38 percent of urban schools, 30 percent of rural schools, and 29 percent of suburban schools.

(4) Many States and school districts will need to build new schools in order to accommodate increasing student enrollments; the Department of Education has predicted that the Nation will need 6,000 more schools by the year 2006.

(5) Many schools do not have the physical infrastructure to take advantage of computers and other technology needed to meet the challenges of the next century.

(6) While school construction and maintenance are primarily a State and local concern, States and communities have not, on their own, met the increasing burden of providing acceptable school facilities for all students, and low-income communities have had the greatest difficulty meeting this need.

(7) The Federal Government, by providing interest subsidies and similar types of support, can lower the costs of State and local school infrastructure investment, creating an incentive for States and localities to increase their own infrastructure improvement efforts and helping ensure that all students are able to attend schools that are equipped for the 21st century.

(b) PURPOSE.—The purpose of this Act is to provide Federal interest subsidies, or similar assistance, to States and localities to help them bring all public school facilities up to an acceptable standard and build the additional public schools needed to educate the additional numbers of students who will enroll in the next decade.

SEC. 2. DEFINITIONS.

Except as otherwise provided, as used in this Act, the following terms have the following meanings:

(1) COMMUNITY SCHOOL.—The term “community school” means a school facility, or part of a school facility, that serves as a center for after-school and summer programs and delivery of education, tutoring, cultural, and recreational services, and as a safe haven for all members of the community by—

(A) collaborating with other public and private nonprofit agencies (including libraries and other educational, human-service, cultural, and recreational entities) and private businesses in the provision of services;

(B) providing services such as literacy and reading programs, senior citizen programs, children’s day care services; nutrition services, services for individuals with disabilities, employment counseling, training, and placement, and other educational, health, cultural, and recreational services; and

(C) providing those services outside the normal school day and school year, such as through safe and drug-free safe havens for learning.

(2) CONSTRUCTION.—(A) The term “construction” means—

(i) the preparation of drawings and specifications for school facilities;

(ii) erecting, building, acquiring, remodeling, renovating, improving, repairing, or extending school facilities;

(iii) demolition in preparation for rebuilding school facilities; and

(iv) the inspection and supervision of the construction of school facilities.

(B) The term “construction” does not include the acquisition of any interest in real property.

(3) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given that term in section 14101(18) (A) and (B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801(18) (A) and (B)).

(4) SCHOOL FACILITY.—(A) The term “school facility” means—

(i) a public structure suitable for use as a classroom, laboratory, library, media center, or related facility, whose primary purpose is the instruction of public elementary or secondary students; and

(ii) initial equipment, machinery, and utilities necessary or appropriate for school purposes.

(B) The term “school facility” does not include an athletic stadium, or any other structure or facility intended primarily for athletic exhibitions, contests, games, or events for which admission is charged to the general public.

(5) SECRETARY.—The term “Secretary” means the Secretary of Education.

(6) STATE.—The term “State” means each of the 50 States and the Commonwealth of Puerto Rico.

(7) STATE EDUCATIONAL AGENCY.—The term “State educational agency” has the meaning given that term in section 14101(28) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801(28)).

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$5,000,000,000 for fiscal year 1998 and such sums as may be necessary for each succeeding fiscal year.

SEC. 4. ALLOCATION OF FUNDS.

(a) ALLOCATION OF FUNDS.—Of the amounts appropriated to carry out this Act, the Secretary shall make available—

(1) 49 percent of such amounts for formula grants to States under section 111;

(2) 34 percent of such amounts for direct formula grants to local educational agencies under section 206;

(3) 15 percent of such amounts for competitive grants to local educational agencies under section 127; and

(4) 2 percent of such amounts to provide assistance to the Secretary of the Interior as provided in subsection (b).

(b) RESERVATION FOR THE SECRETARY OF THE INTERIOR AND THE OUTLYING AREAS.—

(1) Funds allocated under subsection (a)(4) to provide assistance to the Secretary of the interior shall be used—

(A) for the school construction priorities described in section 1125(c) of the Education Amendments of 1978 (25 U.S.C. 2005(c)); and

(B) to make grants to American Samoa, Guam, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, in accordance with their respective needs, as determined by the Secretary.

(2) Grants provided under subsection (b)(1)(B) shall be used for activities that the Secretary determines best meet the school infrastructure needs of the areas identified in that paragraph, subject to the terms and conditions, consistent with the purpose of this Act, that the Secretary may establish.

TITLE I—GRANTS TO STATES**SEC. 111. ALLOCATION OF FUNDS.**

(a) FORMULA GRANTS TO STATES.—Subject to subsection (b), the Secretary shall allocate the funds available under section 4(a)(1)

among the States in proportion to the relative amounts each State would have received for Basic Grants under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for the most recent fiscal year if the Secretary had disregarded the numbers of children counted under that subpart who were enrolled in schools of local educational agencies that are eligible to receive direct grants under section 206 of this Act.

(b) ADJUSTMENTS TO ALLOCATIONS.—The Secretary shall adjust the allocations under subsection (a), as necessary, to ensure that, of the total amount allocated to States under subsection (a) and to local educational agencies under section 206, the percentage allocated to a State under this section and to localities in the State under section 206 is at least the minimum percentage for the State described in section 1124(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6334(d)) for the previous fiscal year.

(c) REALLOCATIONS.—If a State does not apply for its allocation, applies for less than its full allocation, or fails to submit an approvable application, the Secretary may reallocate all or a portion of the State’s allocation, as the case may be, to the remaining States in the same proportions as the original allocations were made to those States under subsections (a) and (b).

SEC. 112. STATE ADMINISTRATION.

The Secretary shall award each State’s grant to the State educational agency to administer the State grant, or to another public agency in the State designated by the State educational agency if the State educational agency determines that the other agency is better able to administer the State grant.

SEC. 113. ALLOWABLE USES OF FUNDS.

Each State shall use its grant under this title only for 1 or more of the following activities to subsidize the cost of eligible school construction projects described in section 114:

(1) Providing a portion of the interest cost (or of another financing cost approved by the Secretary) on bonds, certificates of participation, purchase or lease arrangements, or other forms of indebtedness issued or entered into by a State or its instrumentality for the purpose of financing eligible projects.

(2) State-level expenditures approved by the Secretary for credit enhancement for the debt or financing instruments described in paragraph (1).

(3) Making subgrants, or making loans through a State revolving fund, to local educational agencies or (with the agreement of the affected local educational agency) to other qualified public agencies to subsidize—

(A) the interest cost (or another financing cost approved by the Secretary) of bonds, certificates of participation, purchase or lease arrangements, or other forms of indebtedness issued or entered into by a local educational agency or other agency or unit of local government for the purpose of financing eligible projects; or

(B) local expenditures approved by the Secretary for credit enhancement for the debt or financing instruments described in subparagraph (A).

(4) Other State and local expenditures approved by the Secretary that leverage funds for additional school construction.

SEC. 114. ELIGIBLE CONSTRUCTION PROJECTS; PERIOD FOR INITIATION

(a) ELIGIBLE PROJECTS.—States and their subgrantees may use funds under this title, in accordance with section 113, to subsidize the cost of—

(1) construction of elementary and secondary school facilities in order to ensure the health and safety of all students, which may

include the removal of environmental hazards, improvements in air quality, plumbing, lighting, heating, and air conditioning, electrical systems, or basic school infrastructure, and building improvements that increase school safety;

(2) construction activities needed to meet the requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) or of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(3) construction activities that increase the energy efficiency of school facilities;

(4) construction that facilitates the use of modern educational technologies;

(5) construction of new school facilities that are needed to accommodate growth in school enrollments; or

(6) construction projects needed to facilitate the establishment of community schools.

(b) PERIOD FOR INITIATION OF PROJECT.—(1) Each State shall use its grant under this title only to subsidize construction projects described in subsection (a) that the State or its localities have chosen to initiate, through the vote of a school board, passage of a bond issue, or similar public decision, made between July 11, 1996 and September 30, 2001.

(2) If a State determines, after September 30, 2001, that an eligible project for which it has obligated funds under this title will not be carried out, the State may use those funds (or any available portion of those funds) for other eligible projects selected in accordance with this title.

(c) REALLOCATION.—If the Secretary determines, by a date before September 30, 2001, selected by the Secretary, that a State is not making satisfactory progress in carrying out its plan for the use of the funds allocated to it under this title, the Secretary may reallocate all or part of those funds, including any interest earned by the State on those funds, to 1 or more other States that are making satisfactory progress.

SEC. 115. SELECTION OF LOCALITIES AND PROJECTS.

(a) PRIORITIES.—In determining which localities and activities to support with grant funds, each State shall give the highest priority to localities with the greatest needs, as demonstrated by inadequate educational facilities (particularly facilities that pose a threat to the health and safety of students), coupled with a low level of resources available to meet school construction needs.

(b) ADDITIONAL CRITERIA.—In addition to the priorities required by subsection (a), each State shall consider each of the following in determining the use of its grant funds under this title:

(1) The age and condition of the school facilities in different communities in the State.

(2) The energy efficiency and the effect on the environment of projects proposed by communities, and the extent to which these projects use cost-efficient architectural design.

(3) The commitment of communities to finance school construction and renovation projects with assistance from the State's grant, as demonstrated by their incurring indebtedness or by similar public or private commitments for the purposes described in section 114(a).

(4) The ability of communities to repay bonds or other forms of indebtedness supported with grant funds.

(5) The particular needs, if any, of rural communities in the State for assistance under this title.

(c) INELIGIBILITY FOR TITLE 2 SUBGRANTS.—Local educational agencies in the State that receive direct grants under section 206 shall be ineligible for a subgrant under this title.

SEC. 116. STATE APPLICATIONS.

(a) APPLICATION REQUIRED.—A State that wishes to receive a grant under this title shall submit through its State educational agency, or through an alternative agency described in section 112, an application to the Secretary, in the manner the Secretary may require, not later than 2 years after the date of enactment of this Act.

(b) DEVELOPMENT OF APPLICATION.—The State educational agency or alternative agency described in section 112, shall develop the State's application under this title only after broadly consulting with the State board of education, and representatives of local school boards, school administrators, and business community, parents, and teachers in the State about the best means of carrying out this title.

(c) STATE SURVEY.—(1) Before submitting the State's application, the State educational agency or alternative agency described in section 112, with the involvement of local school officials and experts in building construction and management, shall survey the needs throughout the State (including in localities receiving grants under title II) for construction and renovation of school facilities, including, at a minimum—

(A) the overall condition of school facilities in the State, including health and safety problems;

(B) the capacity of the schools in the State to house projected enrollments; and

(C) the extent to which the schools in the State offer the physical infrastructure needed to provide a high-quality education to all students.

(2) A State need not conduct a new survey under paragraph (1) if it has previously completed a survey that meets the requirements of that paragraph and that the Secretary finds is sufficiently recent for the purpose of carrying out this title.

(d) APPLICATION CONTENTS.—Each State application under this title shall include—

(1) a summary of the results of the State's survey of its school facility needs, as described in subsection (c);

(2) a description of how the State will implement its program under this title;

(3) a description of how the State will allocate its grant funds, including a description of how the State will implement the priorities and criteria described in section 115;

(4)(A) a description of the mechanisms that will be used to finance construction projects supported by grant funds; and

(B) a statement of how the State will determine the amount of the Federal subsidy to be applied, in accordance with section 517(a), to each local project that the State will support;

(5) a description of how the State will ensure that the requirements of this title are met by subgrantees under this title;

(6) a description of the steps the State will take to ensure that local educational agencies will adequately maintain the facilities that are constructed or improved with funds under this title;

(7) an assurance that the State will use its grant only to supplement the funds that the State, and the localities receiving subgrants, would spend on school construction and renovation in the absence of a grant under this title, and not to supplant those funds;

(8) an assurance that, during the 4-year period beginning with the year the State receives its grant, the average annual combined expenditures for school construction by the State and the localities that benefit from the State's program under this title (which, at the State's option, may include private contributions) will be at least 125 percent of the average of those annual combined expenditures for that purpose during the 8 preceding years; and

(9) other information and assurances that the Secretary may require.

(e) WAIVER OF REQUIREMENT TO INCREASE EXPENDITURES.—The Secretary may waive or modify the requirement of subsection (d)(8) for a particular State if the State demonstrates to the Secretary's satisfaction that that requirement is unduly burdensome because the State or its localities have incurred particularly high level of school construction expenditures during the previous 8 years.

SEC. 117. AMOUNT OF FEDERAL SUBSIDY.

(a) PROJECTS FUNDED WITH SUBGRANTS.—For each construction project assisted by a State through a subgrant to a locality, the State shall determine the amount of the Federal subsidy under this title, taking into account the number or percentage of children from low-income families residing in the locality, subject to the following limits:

(1) If the locality will use the subgrant to help meet the costs of repaying bonds issued for a school construction project, the Federal subsidy shall be not more than one-half of the total interest cost of those bonds, determined in accordance with paragraph (4).

(2) If the bonds to be subsidized are general obligation bonds issued to finance more than 1 type of activity (including school construction), the Federal subsidy shall be not more than one-half of the interest cost for that portion of the bonds that will be used for school construction purposes, determined in accordance with paragraph (4).

(3) If the locality elects to use its subgrant for an allowable activity not described in paragraph (1) or (2), such as for certificates of participation, purchase or lease arrangements, reduction of the amount of principal to be borrowed, or credit enhancements for individual construction projects, the Federal subsidy shall be not more than one-half of the interest cost, as determined by the State in accordance with paragraph (4), that would have been incurred if bonds had been used to finance the project.

(4) The interest cost referred to in paragraphs (1), (2), and (3) shall be—

(A) calculated on the basis of net present value; and

(B) determined in accordance with an amortization schedule and any other criteria and conditions the Secretary considers necessary, including provisions to ensure comparable treatment of different financing mechanisms.

(b) STATE-FUNDED PROJECTS.—For a construction project under this title funded directly by the State through the use of State-issued bonds or other financial instruments, the Secretary shall determine the Federal subsidy in accordance with subsection (a).

(c) NON-FEDERAL SHARE.—A State, and localities in the State, receiving subgrants under this title, may use any non-Federal funds, including State, local, and private-sector funds, for the financing costs that are not covered by the Federal subsidy under subsection (a).

SEC. 118. SEPARATE FUNDS OR ACCOUNTS; PRUDENT INVESTMENT

(a) SEPARATE FUNDS OR ACCOUNTS REQUIRED.—Each State that receives a grant, and each recipient of a subgrant under this title, shall deposit the grant or subgrant proceeds in a separate fund or account, from which it shall make bond repayments and pay other expenses allowable under this title.

(b) PRUDENT INVESTMENT REQUIRED.—Each State that receives a grant, and each recipient of a subgrant under this title, shall—

(1) invest the grant or subgrant in a fiscally prudent manner, in order to generate amounts needed to make repayments on bonds and other forms of indebtedness described in section 113; and

(2) notwithstanding section 6503 of title 31, United States Code, or any other law, use the proceeds of that investment to carry out this title.

SEC. 119. STATE REPORTS.

(a) REPORTS REQUIRED.—Each State receiving a grant under this title shall report to the Secretary on its activities under this title, in the form and manner the Secretary may prescribe.

(b) CONTENTS.—Each report shall—

(1) describe the State's implementation of this title, including how the State has met the requirements of this title;

(2) identify the specific school facilities constructed, renovated, or modernized with support from the grant, and the mechanisms used to finance those activities;

(3) identify the level of Federal subsidy provided to each construction project carried out with support from the State's grant; and

(4) include any other information the Secretary may require.

(c) FREQUENCY.—(1) Each State shall submit its first report under this section not later than 24 months after it receives its grants under this title.

(2) Each State shall submit an annual report for each of the 3 years after submitting its first report, and subsequently shall submit periodic reports as long as the State or localities in the State are using grant funds.

TITLE II—DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES

SEC. 201. ELIGIBLE LOCAL EDUCATIONAL AGENCIES

(a) ELIGIBLE AGENCIES.—Except as provided in subsection (b), the local educational agencies that are eligible to receive formula grants under section 126 are the 100 local educational agencies with the largest numbers of children aged 5 through 17 from families living below the poverty level, as determined by the Secretary using the most recent data available from the Department of Commerce that are satisfactory to the Secretary.

(b) CERTAIN JURISDICTIONS INELIGIBLE.—For the purpose of this title, the local educational agencies for Hawaii and the Commonwealth of Puerto Rico are not eligible local educational agencies.

SEC. 202. GRANTEES.

For each local educational agency for which an approvable application is submitted, the Secretary shall make any grant under this title to the local educational agency or to another public agency, on behalf of the local educational agency, if the Secretary determines, on the basis of the local educational agency's recommendation, that the other agency is better able to carry out activities under this title.

SEC. 203. ALLOWABLE USES OF FUNDS.

Each grantee under this title shall use its grant only for 1 or more of the following activities to reduce the cost of financing eligible school construction projects described in section 204:

(1) Providing a portion of the interest cost (or of any other financing cost approved by the Secretary) on bonds, certificates of participation, purchase or lease arrangements, or other forms of indebtedness issued or entered into by a local educational agency or other unit or agency of local government for the purpose of financing eligible school construction projects.

(2) Local expenditures approved by the Secretary for credit enhancement for the debt or financing instruments described in paragraph (1).

(3) Other local expenditures approved by the Secretary that leverage funds for additional school construction.

SEC. 204. ELIGIBLE CONSTRUCTION PROJECTS; REDISTRIBUTION

(a) ELIGIBLE PROJECTS.—A grantee under this title may use its grant, in accordance with section 203, to subsidize the cost of the activities described in section 114(a) for projects that the local educational agency has chosen to initiate, through the vote of the school board, passage of a bond issue, or similar public decision, made between July 11, 1996 and September 30, 2001.

(b) REDISTRIBUTION.—If the Secretary determines, by a date before September 30, 2001 selected by the Secretary, that a local educational agency is not making satisfactory progress in carrying out its plan for the use of funds awarded to it under this title, the Secretary may redistribute all or part of those funds, and any interest earned by that agency on those funds, to 1 or more other local educational agencies that are making satisfactory progress.

SEC. 205. LOCAL APPLICATIONS.

(a) APPLICATION REQUIRED.—A local educational agency, or an alternative agency described in section 122 (both referred to in this title as the "local agency"), that wishes to receive a grant under this title shall submit an application to the Secretary, in the manner the Secretary may require, not later than 2 years after the date of enactment of this Act.

(b) DEVELOPMENT OF APPLICATION.—(1) The local agency shall develop the local application under this title only after broadly consulting with the State educational agency, parents, administrators, teachers, the business community, and other members of the local community about the best means of carrying out this title.

(2) If the local educational agency is not the applicant, the applicant shall consult with the local educational agency, and shall obtain its approval before submitting its application to the Secretary.

(c) LOCAL SURVEY.—(1) Before submitting its application, the local agency, with the involvement of local school officials and experts in building construction and management, shall survey the local need for construction and renovation of school facilities, including, at a minimum—

(A) the overall condition of school facilities in the local educational agency, including health and safety problems;

(B) the capacity of the local educational agency's schools to house projected enrollments; and

(C) the extent to which the local educational agency's schools offer the physical infrastructure needed to provide a high-quality education to all students.

(2) A local educational agency need not conduct a new survey under paragraph (1) if it has previously completed a survey that meets the requirements of that paragraph and that the Secretary finds is sufficiently recent for the purpose of carrying out this title.

(d) APPLICABLE CONTENTS.—Each local application under this title shall include—

(1) an identification of the local agency to receive the grant under this title;

(2) a summary of the results of the survey of school facility needs, as described in subsection (c);

(3) a description of how the local agency will implement its program under this title;

(4) a description of the criteria the local agency has used to determine which construction projects to support with grant funds;

(5) a description of the construction projects that will be supported with grant funds;

(6) a description of the mechanisms that will be used to finance construction projects supported by grant funds;

(7) a requested level of Federal subsidy, with a justification for that level, for each construction project to be supported by the grant, in accordance with section 208(a), including the financial and demographic information the Secretary may require;

(8) a description of the steps the agency will take to ensure that facilities constructed or improved with funds under this title will be adequately maintained;

(9) an assurance that the agency will use its grant only to supplement the funds that the locality would spend on school construction and renovation in the absence of a grant under this title, and not to supplant those funds;

(10) an assurance that, during the 4-year period beginning with the year the local educational agency receives its grant, its average annual expenditures for school construction (which, at that agency's option, may include private contributions) will be at least 125 percent of its average annual expenditures for that purpose during the 8 preceding years; and

(11) other information and assurances that the Secretary may require.

(e) WAIVER OF REQUIREMENT TO INCREASE EXPENDITURES.—The Secretary may waive or modify the requirement of subsection (d)(10) for a local educational agency that demonstrates to the Secretary's satisfaction that that requirement is unduly burdensome because that agency has incurred a particularly high level of school construction expenditures during the previous 8 years.

SEC. 206. DIRECT FORMULA GRANTS.

(a) ALLOCATIONS.—The Secretary shall allocate the funds available under section 4(a)(2) to the local educational agencies identified under section 201(a) on the basis of their relative allocations under section 1124 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333) in the most recent year for which that information is available to the Secretary.

(b) REALLOCATIONS.—If a local educational agency does not apply for its allocation, applies for less than its full allocation, or fails to submit an approvable application, the Secretary may reallocate all or a portion of its allocation, as the case may be, to the remaining local educational agencies in the same proportions as the original allocations were made to those agencies under subsection (a).

SEC. 207. DIRECT COMPETITIVE GRANTS.

(a) GRANTS AUTHORIZED.—The Secretary shall use funds available under section 4(a)(3) to make additional grants, on a competitive basis to local educational agencies, or alternative agencies described in section 202.

(b) ADDITIONAL APPLICATION MATERIALS.—Any local educational agency, or an alternative agency described in section 202, that wishes to receive funds under this section shall submit an application to the Secretary that meets the requirements under section 205 and includes the following additional information:

(1) The amount of funds requested under this section, in accordance with ranges or limits that the Secretary may establish based on factors such as relative size of the eligible applicants.

(2) A description of the additional construction activities that the applicant would carry out with those funds.

(3) A description of the extent to which the proposed construction activities would enhance the health and safety of students.

(4) A description of the extent to which the proposed construction activities address compliance with Federal mandates, including providing accessibility for the disabled and removal of hazardous materials.

(5) Information on the current financial effort the applicant is making for elementary

and secondary education, including support from private sources, relative to its resources.

(6) Information on the extent to which the applicant will increase its own (or other public or private) spending for school construction in the year in which it receives a grant under this section, above the average annual amount for construction activity during the preceding 8 years.

(7) A description of the energy efficiency and the effect on the environment of the projects that the applicant will undertake and of the extent to which those projects will use cost-efficient architectural design.

(8) Other information that the Secretary may require.

(c) SELECTION OF GRANTEES.—In determining which local educational agencies shall receive direct grants under this title, the Secretary shall give the highest priority to local educational agencies that—

(1) have a need to repair, remodel, renovate, or otherwise improve school facilities posing a threat to the health and physical safety of students, coupled with a low level of resources available to meet school construction needs, and have demonstrated a high level of financial effort for elementary and secondary education relative to their local resources;

(2) have a need to repair, remodel, renovate, or construct school facilities in order to comply with Federal mandates, including providing for accessibility for the disabled and removal of hazardous materials, coupled with a low level of resources available to meet school construction needs, and have demonstrated a high level of financial effort for elementary and secondary education relative to their local resources; and

(3) demonstrate a need for emergency assistance for to repair, remodel, renovate, or construct school facilities, coupled with a low level of resources available to meet school construction needs, and have demonstrated a high level of financial effort for elementary and secondary education relative to their local resources.

(d) MINIMUM ALLOCATIONS.—Of the amount available for competitive awards under section 4(a)(3), the Secretary shall ensure that, in making awards under subsection (a), no less than 40 percent of such amount is available to the local educational agencies described in section 121(a) and no less than 40 percent of such amount is available to the local educational agencies eligible for subgrants under title I.

(e) ADDITIONAL CRITERIA.—The Secretary may establish additional criteria, consistent with subsections (c) and (d), and with purposes of this title, for the purpose of electing grantees under this title.

SEC. 208. AMOUNT OF FEDERAL SUBSIDY.

(a) AMOUNT OF FEDERAL SUBSIDY.—For each construction project assisted under this title, the Secretary shall determine the amount of the Federal subsidy in accordance with section 117(a).

(b) NON-FEDERAL SHARE.—A grantee under this title may use any non-Federal funds, including State, local, and private-sector funds, for the financing costs that are not covered by the Federal subsidy under subsection (a).

SEC. 209. SEPARATE FUNDS OR ACCOUNTS; PRUDENT INVESTMENT

(a) SEPARATE FUNDS OR ACCOUNTS REQUIRED.—Each grantee under this title shall deposit the grant proceeds in a separate fund or account, from which it shall make bond repayments and pay other expenses allowable under this title.

(b) PRUDENT INVESTMENT REQUIRED.—Each grantee under this title shall—

(1) invest the grant funds in a fiscally prudent manner, in order to generate amounts needed to make repayments on bonds and other forms of indebtedness; and

(2) notwithstanding section 6503 of title 31, United States Code, or any other law, use the proceeds of that investment to carry out this title.

SEC. 210. LOCAL REPORTS.

(a) REPORTS REQUIRED.—(1) Each grantee under this title shall report to the Secretary on its activities under this title, in the form and manner the Secretary may prescribe.

(2) If the local educational agency is not the grantee under this title, the grantee's report shall include the approval of the local educational agency or its comments on the report.

(b) CONTENTS.—Each report shall—

(1) describe the grantee's implementation of this title, including how it has met the requirements of this title;

(2) identify the specific school facilities constructed, renovated, or modernized with support from the grant, and the mechanisms used to finance those activities; and

(3) other information the Secretary may require.

(c) FREQUENCY.—(1) Each grantee shall submit its first report under this section not later than 24 months after it receives its grant under this title.

(2) Each grantee shall submit an annual report for each of the 3 years after submitting its first report, and subsequently shall submit periodic reports as long as it is using grant funds.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. TECHNICAL EMPLOYEES.

For purposes of carrying out this Act, the Secretary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, may appoint not more than 10 technical employees who may be paid without regard to the provisions of chapter 51 and subchapter IV of chapter 5 of that title relating to classification and General Schedule pay rates.

SEC. 302. WAGE RATES

(a) PREVAILING WAGE.—The Secretary shall ensure that all laborers and mechanics employed by contractors and subcontractors on

any project assisted under this Act are paid wages at rates not less than those prevailing as determined by the Secretary of Labor in accordance with the Act of March 3, 1931, as amended (40 U.S.C. 276a et seq.). The Secretary of Labor has, with respect to this section, the authority and functions established in Reorganization Plan Numbered 14 of 1950 (effective May 24, 1950, 64 Stat. 1267) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

(b) WAIVER FOR VOLUNTEERS.—Section 7305 of the Federal Acquisition Streamlining Act of 1994 (40 U.S.C. 276d-3) is amended—

(1) in paragraph (5), by striking out the "and" at the end thereof;

(2) in paragraph (6), by striking out the period at the end thereof and inserting a semicolon and "and"; and

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

"(7) title V of the Reading Excellence Act."

SEC. 303. NO LIABILITY OF FEDERAL GOVERNMENT.

(a) NO FEDERAL LIABILITY.—Any financial instruments, including but not limited to contracts, bonds, bills, notes, certificates of participation, or purchase or lease arrangements, issued by States, localities, or instrumentalities thereof in connection with any assistance provided by the Secretary under this Act are obligations of such States, localities or instrumentalities and are not guaranteed by the full faith and credit of the United States.

(b) NOTICE REQUIREMENT.—Documents relating to any financial instruments, including but not limited to contracts, bonds, bills, notes, offering statements, certificates of participation, or purchase or lease arrangements, issued by States, localities or instrumentalities thereof in connection with any assistance provided under this Act, shall include a prominent statement providing notice that the financial instruments are not obligations of the United States and are not guaranteed by the full faith and credit of the United States.

SEC. 304. REPORT TO CONGRESS.

The Secretary shall report on the activities conducted by States and local educational agencies with assistance provided under this Act, and shall assess State and local educational agency compliance with the requirements of this Act. Such report shall be submitted to Congress not later than 3 years after the date of enactment of this Act and annually thereafter as long as States or local educational agencies are using grant funds.

SEC. 305. CONSULTATION WITH SECRETARY OF THE TREASURY.

The Secretary shall consult with the Secretary of the Treasury in carrying out this Act.