



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

Vol. 144

WASHINGTON, THURSDAY, FEBRUARY 5, 1998

No. 7

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. EMERSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 5, 1998.

I hereby designate the Honorable JO ANN EMERSON to act a Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

Reverend Douglas Tanner, Faith and Politics Institute, Washington, D.C., offered the following prayer:

Almighty God, who created, sustains and redeems us:

We come before You on a rainy, windy morning in this capital city, and pray that You would send a rain that cleanses our souls and a wind that enlivens our spirits.

This month we recall our history as a Nation through the lives of George Washington and Abraham Lincoln and the distinctively rich contributions of Black Americans. Grant us the grace to see it honestly, to receive who we are, and to embrace who You are calling us to become.

We dare to believe that is one Nation, under You, indivisible, with liberty and justice for all. Give Members of this House, we pray, the understanding to walk, the wisdom to lead, and the courage to legislate in such a direction. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Washington (Mr. WHITE) come forward and lead the House in the Pledge of Allegiance.

Mr. WHITE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain five 1-minutes from each side.

THE DEVIL IS IN THE DETAILS

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

Mr. DELAY. Madam Speaker, as usual with this administration, the devil is in the details. The President's budget, carefully constructed by pollsters, is a hodgepodge of nice-sounding government programs. In fact, it expands government spending by close to \$100 billion.

Now, there are two ways to pay for this additional Washington spending. One is to increase taxes, and the other is to spend any surplus.

Madam Speaker, my constituents have two messages for the President: Do not increase taxes and do not spend the surplus.

The American people do not want more government programs; they want more efficient government programs. They do not want more taxes; they want lower taxes; and they do not want us to spend the surplus.

I hope the President gets the message.

CONGRATULATIONS TO THE DENVER BRONCOS: SUPERBOWL CHAMPIONS

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

Mr. JOHNSON of Wisconsin. Madam Speaker, I rise today to pay tribute to the winners of Superbowl XXXII, the World Champions of football, the Denver Broncos.

I expected to be here discussing how the Lombardi Trophy would once again be making its home in Titledown.

That aside, let me say that this year's Superbowl left no football fan disappointed. It was a nail-biter of a game that was decided with only 32 seconds left on the clock, leaving those of us from northeast Wisconsin scratching our collective cheeseheads wondering what went wrong.

So today, I give my best version of the mile-high salute to John Elway, to Terrell Davis, and to the entire Bronco team. Congratulations on a well-earned victory. I guess those of us in Green Bay will only have to console ourselves with three Superbowl trophies, and congratulate Denver on this moment of glory.

Let me also say to the people of Denver that they are extremely fortunate to have a Congresswoman who fights as hard for her constituents as do the Broncos, the gentlewoman from Colorado (Ms. DEGETTE), a lifetime Bronco fan and, like her team, a champion.

ELECTRONIC CAMPAIGN DISCLOSURE ACT

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

□ 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.



Printed on recycled paper containing 100% post consumer waste

H337

Mr. WHITE. Madam Speaker, in March we are going to vote on campaign finance reform in this House. It is a very important issue but also a very difficult issue, and it is made particularly difficult because most of the bills before us are big bills that deal with the whole comprehensive issue that we have to talk about.

I have got one of those bills, and I hope that we can pass one. But just in case we cannot, today I am introducing what we might call a small bill that will deal at least with some of the problems. This bill is called the Electronic Campaign Disclosure Act, and what it does is tell the Federal Elections Commission to get into the 21st century.

It directs the FEC to establish a database on-line to search over the Internet for all the information needed about campaign finances in our country. Every campaign would have to file within 10 days a report of every contribution that it receives and contributors, and PACs would also have to file.

Madam Speaker, sometimes we cannot do it all in one step. The longest journey begins with a single step, and I think if we cannot pass a big bill a small bill like the one I am introducing today would be a step in the right direction.

HOME HEALTH CARE BENEFITS MUST BE RESTORED FOR MEDICARE RECIPIENTS

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

Mr. WISE. Madam Speaker, today is February 5, the day that up to 3,000 elderly and homebound West Virginians have dreaded. After today, Medicare will no longer pay for skilled nurses to perform venipuncture, that is drawing blood, as a sole reason for a home health visit.

For the 98-year-old woman living alone on a Randolph County mountain, no nurse will be visiting once a month. An 88-year-old woman who cannot get into the bathtub by herself loses both her monthly nurse's visit but also the home health aide who bathes her twice a week.

I do not believe this change was intended as part of the very large Medicare changes that were passed last year. But, in rural areas, many senior citizens who are homebound and bedbound cannot be expected to drive 25 miles to a doctor's office.

Think of the costs. People going without regular medical monitoring at home will go without the services until they are so sick that they show up at the emergency room and are hospitalized, the most expensive kind of care both for them and for society.

Madam Speaker, this Congress must act to help these people. I have cosponsored the bill offered by the gentleman from West Virginia (Mr. RAHALL) to restore reimbursements. It is a frightening day for many homebound senior citizens today. Congress must act.

CONGRESS SHOULD MOVE CAUTIOUSLY ON RESOLUTION REGARDING IRAQ

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

Mr. PAUL. Madam Speaker, in 1964, a resolution passed this Congress which urged the President to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression, the Gulf of Tonkin resolution.

Today there is a resolution floating around this Congress that urges the President to take all necessary and appropriate actions to respond to the threat posed by Iraq. We should remember history. We lost 50,000 men after we passed that last resolution. We do not have a sensible policy with Iraq. We should move cautiously.

Madam Speaker, I would also urge other Members to be cautious when they talk about a surgical strike and assassination. Assassination of foreign leaders is still illegal under our law.

I urge my fellow colleagues, please, be cautious, be careful, and be wise when it comes to giving this President the right to wage war. Ironically, this President did not respond in the same manner with the Gulf of Tonkin resolution.

ACCESS TO THE WHITE HOUSE BY COMMUNIST CHINESE IS DANGEROUS

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

Mr. TRAFICANT. Madam Speaker, while everybody in Washington is talking about a fly on our face, an elephant may be eating our assets.

Charlie Trie was indicted for illegal campaign contributions. The indictment reads: Charlie Trie helped to purchase access to high-level government officials with illegal contributions from foreign sources. Foreign sources. Chinese communists.

Think about it. Charlie Trie was not soliciting money from the Rotary. Charlie Trie was soliciting money from communist China.

Beam me up.

And while everybody may be talking about access to the White House by sexy interns and how sensational that is, access to the White House by communist China is dangerous.

Madam Speaker, I yield back the balance of any nationality sovereignty we have left.

NATIONAL TESTING IS NOT IN THE BEST INTEREST OF AMERICA

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

Mr. JONES. Madam Speaker, last year, this Congress made great strides toward keeping the Federal bureauc-

racy out of our children's classrooms. Unfortunately, the administration is now trying to reverse our progress and to put Federal bureaucrats back in local classrooms by implementing a national testing program that Congress has already once clearly rejected.

I have said it before, and I will say it again: National testing is not in the best interest of this country.

The key to providing America's children with the best possible education is to put control in the hands of the parents, teachers and communities, not in the hands of Federal bureaucrats who are hundreds and even thousands of miles away.

For the sake of our children, I hope those of us who believe in parents and teachers, instead of bureaucrats, will pass H.R. 2846 to prohibit Federal testing, without the authorization of Congress.

CONGRESS MUST WORK TO PRESERVE AND STRENGTHEN AMERICA'S PUBLIC SCHOOLS

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

Ms. DELAURO. Madam Speaker, in last week's State of the Union, President Clinton challenged this body to pass legislation to improve America's public schools. Democrats are eager to get to work, reducing class size, repairing crumbling schools, putting computers in every classroom.

But my Republican colleagues on the other side of the aisle are saying no. They bring unnecessary legislation today that would block national tests to ensure that every American child meets higher standards in math and in reading, that would make schools and teachers more accountable.

It is our public schools that have made this Nation strong and have put the American dream within the reach of all of our children. We should be working to ensure accountability, quality, and discipline in our schools, not passing legislation that would prevent teachers from using the tools that they need to teach our kids.

Republicans do not believe that our country and our Federal Government should have a role in education. They are wrong. I call on my colleagues to work with us to preserve and to strengthen America's public schools.

CONGRESS CONTROLS NATIONAL PURSE STRINGS

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

Mr. CHABOT. Madam Speaker, as Congress considers budget legislation this year, it might be helpful to recall a few things about our constitutional system.

Congress controls the purse strings, not the President. And for the taxpayers, it is a good thing the Republicans control Congress, because we all

know what happened to spending and to the deficit over the past 40 years, the 40 years when liberal Democrats controlled the Congress.

Consider the 1980s when President Reagan was President. The Democrats controlled Congress and spent more than Reagan asked for 7 out of 8 of those years, and then turned around and blamed President Reagan for the deficits.

Think of it. Democrats in Congress refused to control spending, adding more and more big government programs each and every year, and then blamed President Reagan for the deficits.

Well, now Republicans control Congress by a slim margin and the "big spender" is down in the White House. We must reject his proposals to spend any projected surpluses and instead let us pay down the national debt and let us cut taxes.

SCHOOL VOUCHERS ARE A DROP IN THE OCEAN OF EDUCATIONAL NEED

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

Mr. GREEN. Madam Speaker, America has a commitment to public education, an education which is a requirement for our country to be competitive in this world. Public education needs to be available to all Americans. It is not designed to educate just a few Americans. We want to educate everyone.

We should not take scarce public education funds and use it to support private institutions that only educate a few. Vouchers are the solution of my Republican colleagues to help education, but it is but a drop in the ocean of need.

Education opportunity, smaller class sizes, more qualified teachers are what America's youth need. Safer schools. We debate national tests today and vouchers. We are not seeing the forest for the trees.

Let us deal with public education with more qualified teachers, safer schools, and make sure we educate everyone and not just a few.

PROHIBITION ON FEDERALLY SPONSORED NATIONAL TESTING

Mr. LINDER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 348 and ask for its immediate consideration.

□ 1015

The Clerk read the resolution, as follows:

H. RES. 348

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. 2846) to pro-

hibit spending Federal education funds on national testing without explicit and specific legislation. 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 Education and the Workforce. 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 Education and the Workforce 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 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 (Mrs. EMERSON). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, House Resolution 348 is a completely open rule providing for consideration of H.R. 2846, a bill that will prohibit Federal testing unless specific and explicit statutory authority is given. H. Res. 348 provides for 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Education and the Workforce. The rule makes in order the Committee on Education and the Workforce amendment in the nature of a substitute as an original bill for the purpose of amendment which shall be considered as read. This rule also accords priority in recognition to Members who have preprinted their amendments in the Congressional RECORD and allows the chairman to postpone re-

corded votes and reduce to 5 minutes the voting time on any postponed question. These provisions will facilitate consideration of amendments. House Resolution 348 also provides for one motion to recommit with or without instructions.

Madam Speaker, this is a straightforward open rule for a straightforward bill that ensures that there will be no Federal education testing in the future without specific and explicit statutory authority. This is not the end of the debate on national testing. But simply a reassertion of the fact that any Federal testing measure must go through the proper committee process of the United States Congress first.

I have been asked a number of times, what is so wrong about national testing for America's children? This is a legitimate question. I want to explain why we are so concerned about this nationalized planning concept. First, according to the chairman of the committee and Senator ASHCROFT, the Federal Government's record in Federalized testing is substandard to be generous. In addition I am most fearful that a national testing standard would lead us down a slippery slope toward a national curriculum most certainly designed by some bureaucrat here in Washington. I dread the one-size-fits-all education approach contrived by someone who does not know the first thing about the citizens of Georgia.

This idea also gets to the heart of what we believe. We are committed to providing more freedom and less government for the American people. Education decisions belong with local school districts and families and teachers in their communities. We cannot support additional multimillion-dollar testing mechanisms that waste money and strip local control of education.

As Republicans prepare an education agenda which returns decisionmaking to parents and teachers, gives school districts more flexibility, gives children more opportunity, I grow increasingly frustrated as the President moves in the opposite direction toward a more bloated Washington education bureaucracy. We passed legislation forcing 90 percent of education spending to be spent in the classroom. Now in the President's budget, he has decided to increase the Education Department's bloated administrative budget and add \$143 million in programs that would never send a dime to the classroom.

Madam Speaker, we heard arguments in the Committee on Rules that consideration of this legislation is premature and unnecessary. On the contrary, with only about 86 legislative days in this session of Congress, Chairman Goodling deserves praise for moving this important legislation through the normal authorizing process ahead of the appropriations process. This bill deals very specifically with the issue of Federal testing, and there is no better time for this House to begin consideration of this matter than today.

H.R. 2846 was favorably reported out of the Committee on Education and the

Workforce as was this open rule by the Committee on Rules. I urge my colleagues to support the rule so that we may proceed with general debate and consideration of the merits of this very important bill.

Madam Speaker, I reserve the balance of my time.

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

The Republican majority seems unable to offer a positive, forward working agenda for the people of this great Nation. Instead my Republican colleagues seem to have chosen the refrain of the 1980s, just say no, to apply to any and all proposals of the current administration. And indeed my Republican colleagues seem to want to ignore the fact that they struck a deal just last fall with the same administration on the issue of national testing of fourth- and eighth-grade school-children.

Madam Speaker, my Republican colleagues seek to enact a permanent ban on the expenditure of Department of Education funds for any work on the development of such testing beyond the preliminary work agreed to last fall. Without waiting for the results of studies which are being conducted by the highly respected National Academy of Sciences, the Republicans want to just say no to the entire issue of national testing in reading and mathematics. This bill flies in the face of a carefully crafted compromise and undoes an agreement that was hard fought and hard won.

Madam Speaker, I do not want to prejudice the outcome of the studies that are now under way, studies that were agreed to by the full Congress just 3 short months ago. By doing so, Madam Speaker, I believe the Congress would be undermining the role of the independent and bipartisan National Assessment Governing Board whose role it is to oversee and assess the studies conducted by the NAS. In fact, Madam Speaker, the agreement reached last fall specifically calls for these, for those findings to be incorporated into reauthorization legislation for the testing program which will be considered this fall. Therefore, I must oppose both this rule and the bill because they break a deal this Congress agreed to.

Madam Speaker, we all want the best for our children and for all the children in this great Nation. I suggest that jumping to conclusions before the results have been tabulated is not doing the best for our kids. Why is it that my Republican colleagues are so opposed to the concept of testing children to determine if a child is keeping up with his grade level? The Republican Governor of my own State, George W. Bush, has publicly advocated the necessity of testing children for reading and math. He rightly says, and I quote, a child who can cannot read cannot learn, and to send our children through the system without teaching them to read is like sending them to Mount Ev-

erest without the tools or the training to reach the summit, close quote.

Governor Bush has advocated holding back third-graders who cannot pass a reading test and requiring that children pass reading and math tests in the fifth grade and reading and writing and math tests in the eighth grade. If the Republican Governor of Texas can advocate such testing and in fact recognizes the necessity to determine if our kids are meeting educational benchmarks, why are my Republican colleagues here in Congress so opposed to conducting a study and perhaps conducting field tests based on the results of those studies?

Madam Speaker, let me quote Governor Bush one more time. As he said to the Texas Education Association last week, "Some say tests should not matter, but I say our children are not with us long before they have to face the real world. And in the real world tests are a reality."

Madam Speaker, our children deserve the very best. The Congress has a moral obligation to ensure that the education they receive will prepare them for the very real world to which Governor Bush referred. This bill is a bargain-buster and is short-sighted and could, for all we know, shortchange our children.

Madam Speaker, while the resolution before us in fact is an open rule, it does not allow amendments which would permit the House to consider matters that would give our children access to the kind of public education we know they need and deserve.

The gentleman from Missouri (Mr. CLAY), the full committee ranking member, and the gentleman from California (Mr. MARTINEZ), ranking member of the subcommittee, oppose this bill and yesterday requested that the Committee on Rules make their alternative proposals in order. Those proposals which were rejected by the Republican majority would offer the House the opportunity to support a major school construction and renovation program as well as an initiative to assist in the implementation of locally developed public school renewal plans. Those are the issues we should be addressing today, Madam Speaker. It is the intention of the Democratic side to seek to offer those proposals by amending this rule, and accordingly it is my intention to ask for the defeat of the previous question.

Madam Speaker, I would like to suggest that this proposal does not do much for America's children. We would do much better by them by ensuring that their schools are safe inhabitable and that the programs we offer them will prepare them for life in the new century. We cannot do that by just saying no. Instead we must look for new answers. I urge defeat of the previous question.

Madam Speaker, I reserve the balance of my time.

Mr. LINDER. Madam Speaker, I yield myself 30 seconds to respond that while

both the gentleman from Texas and I agree that reading is important, he thinks we should spend the money discovering they cannot; we should spend the money teaching them to read.

This is an open rule. This rule does not prohibit any amendments from coming to the floor to amend this bill. If the gentleman would like to bring amendments to the floor that are simply not germane, that is their problem, not the problem with this rule.

Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. GOODLING), chairman of the committee.

Mr. GOODLING. Madam Speaker, I want to correct one or two statements that were made in the gentleman's time from the other side. First of all, this legislation has nothing to do whatsoever with anything that the National Academy of Science is doing. We are the people who ask the National Academy of Science to look at existing tests and see whether existing tests as a matter of fact can be used for whatever purpose it is they want to use them. We expect to use that when they present that to us as we go ahead and reauthorize NAEPS. That is the time for the discussion; that is the time for the debate. That is the time for the amendments, when we are involved in this whole business of testing from the national level.

We as a matter of fact have made it very clear that as we review all of the testing procedures, and keep in mind we spend \$30 million every year for NAEPS and NAGB, every year we spend that amount of money, but we will review what they are doing, we will review all of the testimony that we get, and then we will make a determination about this.

What this legislation does is give us the right that we have to make the determination of whether or not we want to move ahead with a national test. In other words, the President has always proposed, whomever that President is proposes, we dispose. That is our constitutional right; not only our right, that is our responsibility. All this legislation says is what the gentleman from Wisconsin (Mr. OBEY) said last fall, that we, when we authorize, will make that determination and that they do not go ahead until as a matter of fact we go through the authorizing process.

Now, Governor Bush is saying the same thing that 40 some other Governors have said. They have moved so far ahead of us when it comes to upgrading standards, they are so far ahead of us when it comes to determining assessments based on those standards, they are so far ahead of us in trying to put the horse before the cart. We are trying to do it the other way and trying to better prepare teachers.

□ 1030

That is what he is talking about. That is what all those governors are talking about. And basically what they are saying to us is what I said to the

President. We are going to fool around and we are going to dumb down what these governors and their legislative bodies are doing to improve standards and the ability to assess those standards.

What I have said so many times, is we do not fatten cattle by constantly weighing them. We should not tell 50 percent of our children and their parents one more time that they are doing poorly. They want to know what it is we are going to do to help them do better.

Mr. FROST. Madam Speaker, I yield myself 30 seconds.

It is very interesting, my Republican governor often disagrees with the far right Republicans in the House of Representatives. I suppose this will go on from time to time.

Madam Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. CLAY).

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

Madam Speaker, during yesterday's Committee on Rules consideration the gentleman from California (Mr. MARTINEZ) and myself offered two amendments that addressed urgent public education priorities. One amendment calls for a \$5 billion investment to help local communities repair crumbling and overcrowded schools. The other would provide critical assistance to communities that are committed to locally driven public school renewal. Unfortunately, the majority of the Committee on Rules blocked consideration of these education measures by refusing to waive points of order against the amendments.

To me it is incomprehensible that we continue to ignore the needs of millions of schoolchildren desperately in need of our help. It is also incomprehensible to me that with all of the problems that we are facing and our school systems are facing that this silly piece of legislation would be the first one to come out of the Committee on Economic and Educational Opportunities in this session of Congress. It has nothing to do, it has no relevancy whatsoever with resolving or addressing the problems that our children are facing in the school system, and I urge my colleagues to defeat the previous question so we may address the Nation's real educational priorities.

Mr. LINDER. Madam Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Madam Speaker, national testing is opposed by the far right. It is opposed by the far right but not just the far right. That is quite the definition. Apparently, the conspiracy is America has now gotten to be now 350 Members of Congress. Two-thirds of America and two-thirds of the Representatives in Congress voted against this.

I hope that this resolution puts to rest this whole idea of national testing. The President seemed to have gotten

confused in his State of the Union address. He said, "Thanks to the actions of this Congress last year, we will soon have, for the first time, a voluntary national test based on national standards in 4th grade reading and 8th grade math."

Did I miss something? The truth is we proactively opposed these testing standards; 300 Members of Congress. We allowed very limited development as part of the compromise but, in fact, this has been taken that they are going to go ahead when that is the opposite message that we sent, which is why we are here this morning.

The idea that we had a compromise that somehow is going to move national tests means anybody did not read the details of the language. The fact is the specifics in that language are self-contradictory. It is dead as a doornail. We cannot satisfy both the minority concerns and those who want to measure.

We have restrictions in there that the tests cannot be biased. Quite frankly, that has been lodged against every test, and if that is the criteria these tests cannot go ahead. We have restrictions in there that it cannot be used for promotion. If it cannot be used for promotion and those type of things, what value is the test to the others?

There are self-contradictory things in one section and another in the restrictions we put on to kill it. It was a face-saving compromise. It was not a compromise to move ahead on national testing.

Now, why do so many people oppose it? Conservatives oppose it, minorities oppose it, teachers oppose it. And here is why. Conservatives oppose it because parents and local school boards believe they should make these decisions.

We want standards in our schools, we want standards on our teachers, but we do not want them in Washington. We do not want a national curriculum developed in Washington. It scares us to think that Congress and the President are going to control the curriculum.

Furthermore, this affects home schoolers. It affects private schools. Because if we want to move our kids back into the public schools, all of a sudden we have to be teaching to the tests they are taking in the public schools, which they will do, as the chairman pointed out, teach to test.

Minorities are justifiably concerned because it can be skewed against them, one, depending on the content of the test but, secondly, how it is used and how it makes inner city schools stack up against suburban schools or marginal schools. And parents then move around districts and businesses locate by that. That is something state and local people need to work through, not the Federal Government biasing people against local schools.

My daughter is in college right now studying to be an elementary Ed teacher. A lot of the reasons teachers oppose this is they know there are a lot of reasons other than what is right in front

of them and what they are teaching that lead to the scores of their students. Yet if we publish these scores, particularly if it is a national standard seen as some kind of litmus test for every teacher in America, those teachers are going to be very reluctant to go in the schools where we need them most. This is a death warrant, a death certificate potentially on the schools that we most need our best teachers.

Now, lastly, do we really want a test under the control of Congress? It is laughable to think that we are going to improve our educational standards in America by having a national test subject to politicians, whether it is the President of the United States or Members of Congress.

The truth is when history standards were developed Congress, House and Senate, overturned those history standards, I believe lousy history standards. We have math standards being floated that are both insulting and simplistic and stupid. Now, if those math standards go ahead, we are going to overturn those math standards.

I happen to be a creationist, many people are evolutionists. Do we really want to have that debate on science here in Congress as to these kind of tests? The idea that we will have an independent board at a national level that we are authorizing and we are not going to have control over things that are contradictory is silly. I think it is a devastating analysis in the end to put politicians in Washington in front of what is in the best interest of educating students at the local level.

Mr. FROST. Madam Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Madam Speaker, Democrats are ready to address the problems facing our public schools: To reduce class size, repair crumbling buildings and put computers in the classroom. We are prepared to go to work to raise standards and prepare our children for the challenges ahead.

Unfortunately, my Republican colleagues are not addressing the real issues facing our schools. Instead, they bring unnecessary legislation that blocks voluntary national tests, an important tool which can be used to ensure that every child can read, write and do basic math.

Parents across the country share my belief that these are very minimum standards to which our students, our schools, our teachers must be held accountable. Parents want higher standards. They want their children to succeed. Parents deserve an objective, reliable measure of how their children are doing in school and how well their schools are preparing their children. Parents and indeed all of us taxpayers deserve to know that our local schools are meeting our national expectations.

Madam Speaker, this issue was resolved last year during the appropriations process. The bipartisan agreement calls for test development to go forward and for the National Academy

of Science to study what type of test might work best for all of our kids.

Republicans in this Congress, as their nominee for President last fall articulated, do not believe that our country and the Federal Government should have a role in education. That is why they are backing out of the agreement.

The American people do want to have higher standards that they want their children to be able to meet in fact so that they can succeed in life and to have the opportunities as early as possible. We should vote against this legislation that works against our young people. We need to make education work for all children in this country.

Mr. LINDER. Madam Speaker, I yield myself such time as I may consume to point out it is not us backing out of the agreement, it is the President and the Secretary of Education backing out of the agreement.

Madam Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. BALLENGER).

Mr. BALLENGER. Madam Speaker, I want to thank the gentleman for yielding me this time. I rise in support of H.R. 2846, a bill prohibiting any new Federal testing without specific congressional authority.

Let me first say that we do not need another achievement test for our Nation's students. Let me name a few of the tests we already have in existence. The Stanford Achievement Test, the Iowa Test of Basic Skills, the Comprehensive Test of Basic Skills, the National Assessment of Educational Progress, known as NAEP, and the Third International Math and Science Study, known as TIMMS. Again, these are just a few of tests currently used to assess student performance.

So let us focus now for a moment on TIMMS. It is the largest study of educational achievement undertaken so far. There are 45 countries participating. Five grades are assessed in two school subjects, and approximately one million students tested in 31 languages. Through this study we already know how students in this country are performing in math and science, so why do we need another math test?

In July of 1997 the results of the TIMMS 4th grade math and science test were announced and we found out that American students scored about average in both math and science when compared with other countries. However, we found that students in six countries, Singapore, Korea, Japan, Netherlands, Czech Republic, Austria and Hong Kong did better than the U.S. students in math in the 4th grade.

Also in November of 1996, the TIMMS report showed that United States 8th graders were performing slightly above average in science but slightly below average in math.

Madam Speaker, the point is that we already know how American students are stacking up in these subjects and there is no need to spend more money on another test aimed at the same students, as proposed by the President.

The money and the effort involved in conducting another test could better be used to improve our educational system and help students achieve academic excellence.

Now let me ask that we vote for the previous question and the rule.

Mr. FROST. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. MARTINEZ).

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

Mr. MARTINEZ. Madam Speaker, I am going to ask all of our Democratic colleagues to vote against the rule and vote against the previous question, because I really believe we are wasting our time here.

The gentleman from Missouri (Mr. CLAY), the ranking member on the committee, and I went to the Committee on Rules yesterday and offered two amendments that would really do something for the children in our schools across this Nation. They were rejected as nongermane. I guess that is the prerogative of the majority in the Committee on Rules, but let me say why I believe we are wasting our time here.

I supported the bill of the gentleman from Pennsylvania (Mr. GOODLING) when it came before us the last time, and that bill ended up in the labor HHS appropriations and was sent to conference. And during that conference there was a great controversy over whether that should remain in the bill, and the President, of course, wanting national testing, stood stiff and strong on it.

A compromise was made. An agreement was made. And in that agreement there was offered three studies which we were going to have the benefit of before we made any decisions on this side. But it was agreed that no money would be expended for field tests or deploying the test. In the act itself it recommends, as it was agreed to by both sides, it recommends that NAGB, who has exclusively rights to develop the test, would do certain things by certain dates. And that is all NAGB is doing.

I understand the concern of the gentleman from Pennsylvania (Mr. GOODLING) is that they are moving ahead too quickly and that this may become a reality, contrary to his wishes. As I said before, the gentleman from Missouri (Mr. CLAY) and myself supported the gentleman from Pennsylvania, and we did so because we had some questions about whether this expenditure of monies was the wisest or not.

The fact is we still have that question, but we were just as pleased that in the agreement there was a chance to provide studies to prove to us one way or the other whether they were needed or not or whether they would do any good or not. I think we should stick by that agreement.

I do not think that the administration is the reneging on the agreement. I think we are now, when we try to push forward this bill in order to nail

closed the barn door in order to make sure no horse gets out at all, not even one that would give us the knowledge we need to determine whether or not we need to proceed with those tests.

So I for one would ask all my Democratic colleagues to remain strong and stiff and resist this bill. This bill has been passed once already. There was a compromise in the conference and, as a result, all sides are proceeding according to that conference agreement, and I think we ought to abide by it.

This resolution will allow H.R. 2846, a bill to ban national testing, to come to the floor under an open rule. However, this rule, while being deemed "open," will not allow us to have a substantive discussion on the education issues of great concern to the American people—school construction and renewal of our neighborhood public schools.

Members who are listening to this debate may question why I am asking for consideration of such initiatives as a part of our discussion on this legislation since it is solely directed towards testing. I want to point out to the body that our committee and this House has had little opportunity to debate the real pressing educational needs of our country. Instead of considering measures to respond to our crumbling schools and efforts by our local communities to raise academic achievement, this House has considered legislation to authorize vouchers and block grants. These Republican-sponsored efforts are aimed at producing good sound bites for the 6 o'clock news rather than producing good public policy.

Ladies and gentlemen, these are not the answers America is looking for from its leaders.

Yesterday, during Rules Committee consideration of H.R. 2846, my good friend BILL CLAY and I asked that two separate amendments, dealing with local public school renewal and school construction, be made in order under the rule. Because these amendments are not particularly directed toward national testing, it was deemed that their consideration today was unnecessary.

I believe that if you ask the American people today whether we should be engaged in partisan wrangling over national testing or considering real measures to advance our children's educational opportunity, their support would be for the latter. I urge Members to defeat the previous question so we can have a real substantive debate on the educational needs of our Nation.

Mr. LINDER. Madam Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. GRAHAM).

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

Why are we doing this bill? That is a good question. A lot of what the gentleman from California (Mr. MARTINEZ) said I agree with, about the substance of the bill. The reason I think we are having to do the legislation now is because the President and the administration has not taken the results of our agreement seriously and there is a constant state of spin. Everything has to be spun.

The truth cannot be announced that when he sent a bill over here to create another national test, 295 Members of the House said no, not a good idea, Mr.

President, for a variety of reasons. Two hundred ninety-five Members of the House is a veto-proof vote.

Why were we so upset with this proposal and why did we support the Goodling amendment that stopped it in its tracks? There is a lot of reasons. If one is in a minority community, an inner city, where parents have a hard time getting their kids into a quality school, and we do a national test, those kids are going to do a lot worse on the test than somebody here in the suburbs of Washington. We already know that. We do not need to stigmatize those kids any more.

□ 1045

It is \$100 million. That bothers some of us, that we are going to spend \$100 million to develop yet another national test on the top of the ones that we have. So we said no overwhelmingly to the President. But every time he got to speak, the spending would reflect that he just could not get his way on this issue.

I thought the agreement was a good agreement, the slowdown, stop, no field testing, no pilot programs. We have done nothing in this legislation to prejudice the studies, to look at the existing tests we have so we can get some useful information out of it. This bill does not prejudice those studies that this House and the President agreed on.

The President said in the State of the Union, "Thanks to the actions of this Congress last year, we will soon have for the first time a voluntary national test based on national standards in fourth grade reading and eighth grade math."

That is not true. That is not what we agreed to. On the website for the Department of Education, they are advertising the implementation of a national test that Congress said, whoa, stop, slow down, no go. We are not going to give you the money. This is about keeping your word.

We need a legion of lawyers, apparently, to do a deal with this other crowd down the street. And that is very disturbing to me. I understand that many of my colleagues that voted for us are going to vote against it because they feel like they have to support the President.

The truth of the fact is that this agreement that we all worked so hard to get, a lot of hours spent by the gentleman from Pennsylvania (Mr. GOODLING) and others, handshakes were had; and it is in the law now not to implement a national test that Congress said is okay is being violated by the Department of Education. And every time the President speaks, he is denying that agreement.

That is what this bill is about, and that is why we are having the vote 2 weeks into that Congress to put us back on track, and we do need a legion of lawyers to do a deal with this guy.

Mr. FROST. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

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

Mr. GREEN. Madam Speaker, by "this guy," I think my colleague is referring to the President of the United States. Is that correct? So I would hope that after yesterday, when we named that airport for a former president, it is obvious that he will continue to respect the current president that was elected in 1992 and reelected in 1996, instead of just referring to him as "this guy."

Like a lot of my colleagues, Madam Speaker, I am not particularly thrilled about a national test. We have lots of State tests and everything else. But this bill is so premature I think it is ludicrous.

The number one concern of America's people is improving our Nation's schools. Americans are concerned about school children being required to attend classes that are overcrowded, school facilities that are falling down, schools that are not being held to accountable results. And yet, what do we get? The first bill out on education is to prohibit a national test.

I do not want a national test. The first bill we ought to do is say, okay, how can we fix the public schools instead of stopping the national test? Instead of bringing bills forward that address these critical concerns, we are seeing this bill today.

Nothing can happen on a national test until this Congress approves it, whether it be reauthorization or whether it be some other agreement. This bill is a waste of our time. We ought to be spending more time talking about fixing public education instead of this bill and talking about vouchers that supposedly are going to save everything. This bill is completely unnecessary, and it is an attack on our bipartisan agreement last year.

Why are my Republican colleagues wasting this time in the House? One of the reasons is that they do not have anything else to do. But the answer is that the Republicans, my colleagues, do not really have a pro-education agenda. They do not really want to fix overcrowding. They do not want to put more qualified teachers in the schools. They do not want to fix it to make sure that the schools are safe. They do not want to work with the States and the local communities to make sure education is a national concern and a national issue.

But it is really local folks in the school districts in our States who do most of the work. But we need to be the ones that say, hey, let us help.

Prohibiting a national test is, again, a waste of time. Many educational reforms, such as reducing the class size, building safer schools, training more teachers are much more important than some straw person that we are throwing up here, "We are going to fight a national test."

Again, there is not a demand for a national test. Last year, we had almost

300 Members of Congress, and I was one of them. I do not mind a voluntary national test that says, okay, State of Texas, you have lots of tests. But this is what we would like to do. See if we can correlate those tests. Let us do it. But it is voluntary.

That is what that agreement called for, and that is what I hope the Department of Education is working for. This bill is a make-work legislation. It does nothing to make education more effective or better.

Mr. LINDER. Madam Speaker, I yield another 1 minute to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the committee.

Mr. GOODLING. Madam Speaker, I was just amused that we ought to spend more time fixing public education.

First of all, in many areas of the country it ain't broke; and they prefer that we do not try to fix it. And, in other areas, we spent 35 years trying to fix it; and we messed it up royally. So I think we better be careful about how much knowledge and how much one-size-fits-all from Washington goes in relationship to improving academic achievement of our students.

We will have a lot of discussions on how we do that in the committee. We will have suggestions. We will have ideas. We will have legislation. All we are trying to do at the present time is say, there is a procedure. The procedure says that the Congress of the United States determines the direction we should be going. Only the President can suggest and recommend. All we are asking is give us what is our right and our responsibility, and that is to determine how this test should be put together. If this test should be enacted at all, the Congress makes that decision.

Mr. FROST. Madam Speaker, I yield 1 minute to the gentleman from Missouri (Mr. CLAY), the ranking member of the committee.

Mr. CLAY. Madam Speaker, I thank the gentleman for yielding.

I just want to refute the statement that is continually made on the other side that the Democrats are violating a bipartisan agreement. Madam Speaker, the only agreement that we have was that in the appropriations bill passed last fall.

The appropriations bill agreement made two points. One, it made the National Assessment Governing Board responsible for development and administration of the test; and, two, it gave the National Academy of Science the obligation to conduct a series of studies that would help to inform future deliberations by this Congress.

If this bill passes, it will undermine the NAGB's role and prejudice the finding of the National Academy of Science. The bill that we passed only prohibited the use of 1998 fiscal year funds to field tests to administer or implement any national test. Fiscal year 1998 ends September 30th of this year. So this bill would preclude any testing. We are not in violation of the agreement; they are.

Mr. LINDER. Madam Speaker, I am not sure we are going to settle that violation question here today. But I yield 1½ minutes to the gentleman from Texas (Mr. PAUL) to try.

Mr. PAUL. I thank the gentleman for yielding.

Madam Speaker, I rise in support of this rule; and I support H.R. 2846, which forbids the use of Federal funds to develop or implement a national test without explicit authorization from Congress.

Supporters of protecting the United States Constitution from overreaching by the executive branch should support this bill. The administration's plan to develop and implement a national testing program without Congressional authorization is a blatant violation of the constitutional doctrine of separation of powers.

However, support of this bill should in no way be interpreted to imply that Congress has the power to authorize national testing. Education is not one of the powers delegated to the Federal Government.

As the 9th and 10th amendment makes clear, the Federal Government can only act in those areas where there is an explicit delegation of power. Therefore, the Federal Government has no legitimate authority to legislate in this area of education. Rather, all matters concerning education, including testing, remain with those best able to educate children: individual States, local communities and, primarily, parents.

I therefore urge my colleagues to vote for H.R. 2846 which stops the administration from ultimately implementing national tests and oppose all legislation authorizing the creation of a national test. Instead, this Congress should work to restore control over their children's education to the American people by shutting down the Federal education bureaucracy and cutting taxes on American parents so they may better provide for the education of their own children.

Mr. FROST. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Madam Speaker, let me explain something very clearly. In the agreement that was made and in the law now, no test can be conducted without the authorization of Congress. That is in there. In fact, in its planning stage with what is authorized in that agreement, they have changed the date. They have renewed the contract, changed the contract. The contract had already been let by the administration because they thought they had the prerogative to do that.

And NAGB then, when they were given the sole responsibility for this, not the responsibility of education as my friend from South Carolina says, but NAGB was given sole authority, and, in doing so, they called back the contract and renegotiated the contract.

They have the option now under the law and the agreement as it was made

to terminate that contract at any time, at any time upon the authority of Congress or on Congress deciding whether or not they should proceed. This is doing it without the benefit of the three studies that was also included in that agreement to give us a chance to really look at the merits of national testing.

Mr. LINDER. Madam Speaker, I yield 1 minute to the gentleman from Arizona, Mr. SHADEGG.

Mr. SHADEGG. Madam Speaker, I thank the gentleman for yielding time to me.

With all due respect to my colleague on the other side, I am afraid he does not read carefully the agreement which occurred last year. The legislation which addressed this issue was an appropriations bill. It cannot authorize. Appropriations acts cannot do that.

In the appropriation bill, it said specifically, no funds in this legislation may be used to implement or field test a national test. But I think listening to the debate, it is clear that we are missing some issues here.

Some of us believe strongly in education but strongly oppose a national test. Let me tell my colleagues why. Because if they go across America, as I have done and others have done on the Committee on Education and the Workforce, they discover that schools work where parents and teachers get involved, where they have possession of the curriculum, not where the curriculum is dictated by a national test.

But, for purposes of this debate, that is not even the issue. We can indeed, with the passage of this legislation, debate whether or not a national test dictated from Washington is a good idea. This bill lets the Congress do that. This bill gives us a chance to get into the merits of a debate of whether a national test crammed down the throats of the American people is the best thing for the American children.

I urge the passage of this bill.

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

(Mr. FROST asked and was given permission to include extraneous material.)

Mr. FROST. Madam 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 make in order the amendments offered in the Committee on Rules by the gentleman from Missouri (Mr. CLAY) and the gentleman from California (Mr. MARTINEZ), the Public Schools Renewal and Improvement Act and the School Construction Act. These are the kinds of programs we need to improve in order to improve our public education.

Vote no on the previous question so we can consider these two worthy legislative initiatives to improve the quality of our public schools.

Madam Speaker, I include the following for the RECORD:

PREVIOUS QUESTION FOR RULE ON H.R. 2846 TO PROHIBIT SPENDING FEDERAL EDUCATION FUNDS ON NATIONAL TESTING

TEXT:

At the end of the resolution add the following new section:

"Sec. 2. One amendment offered by Representative Clay of Missouri and one amendment offered by Representative Martinez of California each shall be considered as read, shall be debatable for 60 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against an amendment offered under this section are waived.

The majority argues that our attempt to defeat the previous question is futile because our proposed amendment is not germane. The fact of the matter is that the chair has not made a ruling nor heard our arguments as to the germaneness of our amendment. The only way to make that determination is to allow us to offer the amendment by defeating the previous question.

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.

The vote on the previous question on a rule 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.

I ask unanimous consent to insert material in the RECORD at this point.

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 demand 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 rule 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 rule, 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 rule 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. LINDER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, at this point, I would like to urge all of my colleagues to vote for the previous question and for the rule. This is the third rule we have had on the floor in the second half of the 105th Congress. All three of them have been open rules, allowing any amendment in order at any time. What the gentleman from Texas would like to do is create a political issue, to say, if you vote against the previous question, you are voting against schools construction when, in point of fact, they are not germane to the bill. They have nothing to do with testing.

Even were he to win his previous question vote, those amendments would continue to be ruled out of order for lack of germaneness. So I urge my colleagues to see through this little bit of a game. Vote for the previous question. Vote for the rule.

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

The SPEAKER pro tempore. 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. FROST. Madam 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 of 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 220, nays 185, not voting 25, as follows:

[Roll No. 8]

YEAS—220

Aderholt	Gilchrest	Paul
Archer	Gillmor	Paxon
Armey	Gilman	Pease
Bachus	Goode	Peterson (PA)
Baker	Goodlatte	Petri
Ballenger	Goodling	Pickering
Barr	Goss	Pitts
Barrett (NE)	Graham	Pombo
Bartlett	Granger	Porter
Barton	Greenwood	Portman
Bass	Gutknecht	Pryce (OH)
Bateman	Hall (TX)	Quinn
Bereuter	Hansen	Ramstad
Bilbray	Hastert	Redmond
Bilirakis	Hastings (WA)	Regula
Biley	Hayworth	Riley
Blunt	Hefley	Rogers
Boehlert	Hill	Rohrabacher
Boehner	Hilleary	Ros-Lehtinen
Bonilla	Hobson	Roukema
Brady	Hoekstra	Royce
Bryant	Horn	Ryun
Bunning	Hostettler	Sabo
Burr	Houghton	Salmon
Buyer	Hulshof	Sanford
Callahan	Hunter	Saxton
Calvert	Hutchinson	Scarborough
Camp	Hyde	Schaefer, Dan
Campbell	Inglis	Schaffer, Bob
Canady	Istook	Sensenbrenner
Cannon	Jenkins	Sessions
Castle	Johnson (CT)	Shadegg
Chabot	Jones	Shaw
Chambliss	Kasich	Shays
Christensen	Kelly	Shimkus
Coble	Kim	Shuster
Coburn	Kingston	Skeen
Collins	Klug	Skelton
Combest	Knollenberg	Smith (MI)
Cook	Kolbe	Smith (NJ)
Cooksey	LaHood	Smith (OR)
Cox	Latham	Smith (TX)
Crane	LaTourette	Smith, Linda
Crapo	Lazio	Snowbarger
Cubin	Leach	Solomon
Cunningham	Lewis (CA)	Souder
Davis (VA)	Lewis (KY)	Spence
Deal	Linder	Stearns
DeLay	Livingston	Stump
Diaz-Balart	LoBiondo	Sununu
Dickey	Lucas	Talent
Doolittle	Manzullo	Tauzin
Dreier	McColum	Thomas
Duncan	McCrery	Thornberry
Dunn	McDade	Thune
Ehlers	McHugh	Tiahrt
Ehrlich	McInnis	Traficant
Emerson	McIntosh	Turner
English	Metcalf	Upton
Ensign	Mica	Walsh
Everett	Miller (FL)	Wamp
Ewing	Moran (KS)	Watkins
Fawell	Morella	Watts (OK)
Foley	Myrick	Weldon (FL)
Forbes	Nethercutt	Weldon (PA)
Fossella	Neumann	Weller
Fowler	Ney	White
Fox	Northup	Whitfield
Franks (NJ)	Norwood	Wicker
Frelinghuysen	Nussle	Wolf
Gallegly	Oxley	Young (AK)
Ganske	Packard	Young (FL)
Gekas	Pappas	
Gibbons	Parker	

NAYS—185

Abercrombie	Barcia	Blagojevich
Ackerman	Barrett (WI)	Bonior
Allen	Bentsen	Borski
Andrews	Berman	Boswell
Baessler	Berry	Boucher
Baldacci	Bishop	Boyd

Brown (CA)	Johnson-Lee	Pallone
Brown (FL)	(TX)	Pastrell
Brown (OH)	Jefferson	Pastor
Cardin	John	Payne
Carson	Johnson (WI)	Pelosi
Clay	Johnson, E. B.	Peterson (MN)
Clayton	Kanjorski	Pickett
Clement	Kaptur	Poshard
Clyburn	Kennedy (MA)	Price (NC)
Condit	Kennedy (RI)	Rahall
Conyers	Kennelly	Rangel
Costello	Kildee	Reyes
Coyne	Kilpatrick	Rivers
Cramer	Kind (WI)	Rodriguez
Cummings	Kleczka	Roemer
Danner	Kucinich	Rothman
Davis (FL)	LaFalce	Rothbal-Allard
Davis (IL)	Lampson	Rush
DeFazio	Lantos	Sanchez
DeGette	Levin	Sanders
Delahunt	Lewis (GA)	Sandlin
DeLauro	Lipinski	Sawyer
Dellums	Lofgren	Schumer
Deutsch	Lowe	Scott
Dicks	Luther	Serrano
Dingell	Maloney (CT)	Sherman
Dixon	Maloney (NY)	Sisisky
Dooley	Manton	Skaggs
Doyle	Martinez	Slaughter
Edwards	Mascara	Smith, Adam
Etheridge	Matsui	Snyder
Evans	McCarthy (MO)	Spratt
Farr	McCarthy (NY)	Stabenow
Fattah	McDermott	Stark
Fazio	McGovern	Stenholm
Filner	McHale	Stokes
Ford	McIntyre	Strickland
Frank (MA)	McKinney	Tanner
Frost	McNulty	Tauscher
Furse	Meehan	Taylor (MS)
Gejdenson	Meek (FL)	Thompson
Gephardt	Menendez	Thurman
Gordon	Millender	Tierney
Green	McDonald	Torres
Gutierrez	Miller (CA)	Towns
Hamilton	Minge	Velazquez
Harman	Mink	Vento
Hastings (FL)	Moakley	Waters
Hefner	Mollohan	Watt (NC)
Hilliard	Moran (VA)	Waxman
Hinche	Murtha	Wexler
Hinojosa	Nadler	Weygand
Holden	Oberstar	Wise
Hooley	Obey	Woolsey
Hoyer	Olver	Wynn
Jackson (IL)	Ortiz	Yates
	Owens	

NOT VOTING—25

Becerra	Herger	Radanovich
Blumenauer	Johnson, Sam	Riggs
Burton	King (NY)	Rogan
Chenoweth	Klink	Schiff
Doggett	Largent	Stupak
Engel	Markey	Taylor (NC)
Eshoo	McKeon	Visclosky
Gonzalez	Neal	
Hall (OH)	Pomeroy	

□ 1121

Messrs. WYNN, MURTHA, KLECZKA and TAYLOR of Mississippi changed their vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the resolution.

The resolution was agreed to. A motion to reconsider was laid upon the table.

The SPEAKER pro tempore. Pursuant to House Resolution 348 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. 2846.

□ 1122

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. 2846) to prohibit spending Federal education funds on national testing without explicit and specific legislation, with Mr. EWING 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. GOODLING) and the gentleman from Missouri (Mr. CLAY) each will control 30 minutes.

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

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

Mr. Chairman, about a year ago, President Clinton announced his proposal for a Federal test in fourth grade reading and eighth grade math, and the White House and the Department of Education relied upon a little-known program, the Fund for the Improvement of Education, for their authority. Yet, nowhere, nowhere in the Fund for the Improvement of Education is there specific or explicit authorization for the President's national tests in reading and math. Nor was the program ever intended as a justification for national tests.

A few years ago, the predecessor to the Fund for the Improvement of Education specifically and explicitly provided for "Optional Tests of Academic Excellence." However, the majority at that time in 1994 changed all that. That testing language was purposely removed by Congress in the Improving America's Schools Act of 1994. It is now clear that there is no current specific or explicit authority in the Fund for the Improvement of Education or any other statute for implementing the President's national tests.

When the testing issue was put to vote last Congress, nearly 300 Members voted against national testing, including many Members from both sides of the aisle. I realize that is diminishing because there are all sorts of pie-in-the-sky promises, and therefore, the vote will be different. That is obvious.

The final result of the appropriations activities last year was to prohibit pilot testing, field testing or any implementation or administration of the tests in 1998. Limited test development activities could go forward, because they already put up \$17 million, but what happens beyond 1998 was never addressed.

Despite the appropriate language, the White House and the Department of Education continue to represent to the public that testing will automatically go forward in future years, even without any action by Congress. That is wrong. No decision has ever been made by Congress about testing policy in the fiscal year 1999 or any other time thereafter.

Now, at the November 13, 1997 signing of the appropriation bill, the President said, "For the very first time, Congress

has voted to support the development of voluntary national tests to measure performance in fourth grade reading and eighth grade math. The tests will be created by an independent, bipartisan organization and will be piloted in schools next October 1998." 1998.

Just last week the President reiterated in his State of the Union address, and at that time the President said, "Thanks to the action of this Congress last year, we will soon have, for the first time, a voluntary national test based on national standards in fourth grade reading and eighth grade math."

Again, the point is that the Congress has made no decision about Federal testing in 1999 or future years. That was never even talked about. In addition, beginning in November of 1997 and continuing through January of 1998, the day of our markup last week, the Department of Education's website represented to the public that pilot testing would in fact take place beginning in the fall of 1998.

□ 1130

Here is how the web page read at that time: "The bill, [PL 105-78] provides full funding to proceed with immediate development of the first-ever voluntary national test in fourth grade reading and eighth grade math . . . The bill permits pilot testing to begin in fall 1998."

Never, never did any Congress ever say that that is what is going to take place. That is a decision that we as a Congress will make, not the President of the United States.

On the very next day after our markup, the Department changed the year for pilot testing from 1998 to 1999. Well, I know why. We all tried to tell them they cannot get a test that is going to be valid, worth anything, in less than 3 to 5 years. So NAGB, of course, redid the contract and rebid the contract and told them here is what we have to do.

We also found out a day after the markup that the display now says on their web site, "The first pilot tests are scheduled for the fall of 1999, and the first field tests in the spring of the year 2000."

Again, what I am trying to point out is there is no agreement about 1999, the year 2000, or any time thereafter. That is the only point we are trying to make in this legislation. It is our responsibility. The Congress of the United States, to make that determination.

Mr. Chairman, let me tell my colleagues who probably gave us the best argument for slowing down this train. It was the minority members on my committee. The minority members on my committee during markup gave us all the reasons why we should slow down this train. What did they say during markup? There were those that were concerned about tests being used for tracking. There were those who talked about we are concerned about language barriers in tests. There were those who said how are the tests going to be used? Are they going to be used

to compare schools, children, et cetera? There were those who were concerned about who determines the content.

All of these things came up during the debate when we were marking up this legislation. And what did I say to them? I said, "Well, let me ask you, did the Secretary call and ask you for any input on how they were putting this test together?" Total silence.

Then I said, "How about the contractors, did the contractors call you and ask you to give input on how they are putting together these tests?" Total silence.

And then I said, "Well, how about NAGB? Have they called and asked you for any input in what they are doing?" Total silence.

And, of course, that is the whole purpose of this piece of legislation today; to give those people who were asking those questions an opportunity to participate in any kind of development. To make sure that their concerns that they had, legitimate concerns, are realized and that they are understood.

But if we do not do what we are going to do today, they get no opportunity to participate in any way, shape, or form, it is a done deal. And so we get 300 math professors who say, wait a minute, they are moving in a way of constructing a test that really is not the best way to teach mathematics. We have reading people saying is the reading test dealing with phonics? Is it dealing with look-see? Is it dealing with any other kind of programs that may be out there, whole language? They need to have answers to those questions.

My colleagues on the committee have to have answers to those questions. My colleagues who are on the minority side truly need to have answers to those questions.

The only way they get to participate is if we, as a matter of fact, accept this legislation today so that we become the players, the Congress of the United States, in determining what goes forward as we reauthorize NAEP and NAGB this year, we look at the whole picture.

Now, there are some who say this would jeopardize what the National Academy of Sciences is doing. It does not have anything to do with what the National Academy of Sciences is doing. As a matter of fact we will take what they do. They are due, I believe, June 1 with their report. That will be considered. It does not interfere with anybody out there who has any kind of input they want to put in.

Mr. Chairman, all it says is: Hold it, administration. The decision is made here in the Congress of the United States. Constitutionally, it is our authority. Constitutionally, it is our responsibility.

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

Mr. CLAY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I am very disappointed that we find ourselves debating this bill today. With all the problems facing our schools, overcrowded

classrooms, crumbling buildings, teacher shortages, it boggles the mind to see that the first bill passed out of the Committee on Economic and Educational Opportunities this year is one as petty as this one.

It is designed as a political ploy to embarrass Secretary of Education Riley and President Clinton. There is no reason to act on this bill today. The fiscal year 1998 Labor HHS Education Appropriations bill is very clear. It prohibits the use of 1998 fiscal year funds to field test, administer, distribute or implement any national test. The appropriations bill also requires three separate studies by the National Academy of Sciences, which are due later this year.

This proposal fails to address a number of issues of critical concern to parents, students, teachers and schools. And I ask some questions, some very basic questions that this Congress ought to be asking, that our Chairman referred to in his opening remark:

Will a national test accommodate students who have limited English proficiency or disabilities? Could the test be used for high stakes purposes such as tracking, funding reductions, grade retention and graduation thresholds? How will civil rights protections be ensured in the development, use, and administration of the test? How do we weed out bias and discrimination in the content of a national test? And most importantly, will those students who fail the test be provided significant new resources to ensure that they will have real educational opportunities?

These are legitimate concerns and legitimate questions that this Congress ought to answer. But if this bill passes, the sponsor of this bill will preclude the Congress from ever acting in these areas.

Mr. Chairman, we should act to resolve these and other serious questions about national testing in a measured, deliberate way during this year's reauthorization of the National Assessment of Education Progress, and the National Assessment of Governing Boards.

Mr. Chairman, with so few days in this legislative session, it is critical that the House act wisely and constructively on urgent education priorities. We should be passing legislation to repair our Nation's crumbling schools and overcrowded schools. We should be initiating legislation calling for reduced class sizes and stronger after-school programs. This bill does nothing to address these critical needs. Therefore, Mr. Chairman, I urge its defeat.

Mr. CLAY. Mr. Chairman, I yield 30 seconds to the gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Chairman, I thank the gentleman from Missouri (Mr. CLAY) for yielding, and I agree with the gentleman's statement.

Mr. Chairman, this bill seems to follow in the footsteps of Forrest Gump. That is that it seems to be in a state of

denial. I am not qualified to participate in this debate, because I have taken educational measurement courses and have taught secondary school for about 10 years and I do not find much of a discussion that is connected to the real world of education or testing.

I think maybe following the logic in this bill we ought to ban all testing, because they are imperfect instruments. And the issues being raised in terms of problems are not unique. In fact, there is a body of knowledge that for 100 years has gone on with educational measurement that has tried to address these issues and perfect the ability to utilize reliable and valid instruments.

Mr. Chairman, I commend Members of Congress for taking this on in a few hours today in resolving this problem in favor of not having banning national tests. That way nobody will know what they are receiving and whether or not they are attaining the educational goals and we will all be happier for it; just like the character Forrest Gump.

Mr. CLAY. Mr. Chairman, I thank the gentleman for his comment, and I reserve the balance of my time.

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA) a distinguished member of the committee.

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I rise in strong support of the bill offered by the gentleman from Pennsylvania (Mr. GOODLING), and also in support of his statement. I want to associate myself with the gentleman's remarks.

Mr. Chairman, as a member of the authorizing committee, I believe it is not only inappropriate, it is also wrong for the President to use any funds on a program that has not been authorized by the relevant committee, the Committee on Education and the Workforce.

If we do not pass this bill today, we will be allowing the President to circumvent our committee and that action would mock the fundamental constitutional separation of powers principle.

Despite the fact that the administration has no specific or explicit authorization, the President has already put the Department of Education on a track to develop and implement these tests automatically without our authorization. I do not understand this.

Until Congress has the opportunity to review the proposal, no action should be taken. Congress must and should act to look into any national testing proposal and whether such an idea is a good test or not. I do not believe it is a good way of spending Federal dollars, but that is really beside the point of this debate right now.

Mr. Chairman, I do want to say and advise our colleagues here that we already have numerous tests, including two federally funded testing programs.

The first, the National Assessment of Education Progress, and the other, the Third International Mathematics and Science Study, not to mention all the State programs.

Additional Federal dollars, and I want my colleagues to understand this because we are under very strong restrictions about Federal money and where it is coming from and where it is going, additional Federal dollars should be better spent improving our schools and the education of our children. We should be spending those Federal dollars, limited as they are, in the classrooms on programs such as Head Start and Early Start and teacher preparation.

Additionally, in my opinion, the national test would inevitably lead to a de facto national curriculum, but that is one of the discussions we should have and the debate when the committee discusses and really evaluates whether or not there is any merit to a national testing program.

But I even have a greater concern, and all of us know it, and I actually think the ranking member made an indirect reference to this, there is a question as to whether or not a national testing program leads to teaching to the test. There have been all kinds of studies done about the limitations of testing and to what extent teaching to the test will really obscure proper educational goals.

So there are all kinds of reasons why we should be having an appropriate national debate through the committee of authorization on this subject. And no money should be spent without the authorizing committee's action on this issue.

Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. GOODLING) for yielding me this time.

Mr. CLAY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, last fall, Members of Congress from both parties worked with the administration and drafted a bipartisan agreement on what we could and what we could not do regarding national testing. Since then, there has been no evidence that the administration or any of the agencies named in that agreement have broken the agreement. Yet here we are, Mr. Chairman, not 3 months later, after putting the agreement together, debating again the development of national tests.

I cannot help but believe that this legislation is motivated more by political urgency than by any real need. I hope that my colleagues will join me in putting the partisan politics aside. Vote "no" on H.R. 2846 and let us get to work on what we really need to do on reducing crowded classrooms, training more teachers, building new schools, and helping all of our children achieve high standards.

□ 1145

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE), another member of the committee.

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

I think we have a tremendous disconnect in the reality of education in America today which concerns me a great deal. And that is that we have studies that show that the ultimate consumers in terms of what happens to the education product, if you want to phrase it that way, the colleges and the workplace all say the kids are just not doing as well as they should, that education is not where it should be. But if we look at polls on how our schools are doing on a local basis, we will find that parents and others say, gee, they are achieving at an 80 percent level or whatever it may be. We just do not find that to be the right answer out in the workplace.

I am one who believes that we need some sort of national comparison. I am not sure if we need a national voluntary test or not, and for that reason I am going to support the legislation. I do not think that this legislation has gained adequate support from families and educators in the States or Congress yet, and the National Assessment Governing Board, on which I actually served for a couple years, has recommended that the test be delayed until 2001. And the administration wants to move it up. Tests cannot be done that rapidly. They are very difficult to do.

But having said that, I do not come down on the side of those who say that we need no testing at all. I would hope that in our looking at reauthorization of NAGB and NAEP later this year that we look seriously at that question. I will tell my colleagues most of the tests that are given now on a national level do not lend themselves to comparisons from one place to another because they are not given in a way so that we can make the comparisons. That is intentional to some degree, and I do not think we are going to learn too much by any studies on tests which exist right now. But I think we have to do something about it.

We talk about State standards, for example, as a way of doing this. My State happened to adopt very tough standards, and most of the students did not meet the standards. Then they took a national test and they did pretty well on the national test. There is at least one Southern State in which 80 percent of the kids did extraordinarily well on that State's standards, and they took the national test, and I think fewer than 20 percent of them actually did well on the national test. What does that mean? Does it mean that the Delaware students are better or worse because they did well on the Federal, not well on the State? I do not know. I think we need that comparison.

Believe me, now, in my State, we have comparisons school by school, and it has driven education reform tremendously. It appears in our newspapers. They see what it is. Parents are able to make choices now within public schools. It has made a huge difference as far as education is concerned. I think we really have to continue to look at the subject and develop it in every way we possibly can.

There are those who I know oppose any kind of national testing, and I would tell them I would hope they would keep their powder dry, continue to look at this subject. I think we understand there are reasons, which range from fears of discrimination or national curriculum or wasting Federal dollars or students' time with yet another test. But there has to be something to improve education.

I think part of it is to get into this whole issue of some sort of a comparison, be it testing or whatever it may be. I have heard critics of testing say that one does not fatten a cow by weighing it regularly, and we should not test kids that way. But I will tell Members that this is not testing kids in the same way from one State to another. We have got to be able to make a fair comparison. Right now the State tests do not do it. So let us all try to work together on this. This is a very important issue for the future of this country.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Chairman, I want to thank the ranking member, the gentleman from Missouri (Mr. CLAY) for yielding the time to me.

It seems that we are into this thing again when we did it once last year at the close of the last session. I do not know why we are doing this thing at this time. I would rather be spending the time very clearly making a difference in things that matter to children across the Nation, things that are desperately needed like teacher training, classroom construction and a whole lot of other things that I could go into and I will not at this time.

What really disturbs me is that in the past we, in the majority on the committee, especially this committee, have worked in a bipartisan way. That is not true in the debate that is before us today. Only a few months ago the chairman deservedly has to be given credit for working out a compromise, and that compromise that was reached between the chairman, the gentleman from Pennsylvania (Mr. GOODLING), and the administration on what national testing activities would be allowed during the fiscal year of 1998.

As Members know, that agreement banned all activities except those related to the development and planning of tests. In addition that compromise required the National Academy of Science to issue three studies, and those studies were intended to give the Members information which would be

key to enlightening us to the policy decisions on this issue. Lastly the compromise transferred oversight of the test to the National Assessment Governing Board, or NAGB, as the gentleman from Delaware (Mr. CASTLE) has referred to that he served on, to assure a nonpartisan supervision of those tests.

With this compromise recently put into place, I was one Member who thought that we would be informed by the NAGB studies prior to a substantive debate during our committee's consideration of NAGB; that is, NAGB reauthorization. However, this is clearly not the major intent here.

I have great respect for the gentleman from Pennsylvania (Mr. GOODLING); I always have had. Traditionally our committee, as I said before, has resolved our differences in a bipartisan fashion. The past session of Congress, under the leadership of the gentleman from Pennsylvania (Mr. GOODLING), we followed that theme. Consideration of this bill, however, has been handled in exactly the opposite fashion. Despite the objections of Secretary Riley, the gentleman from Missouri (Mr. CLAY), ranking member, and several prominent civil rights groups, the gentleman from Pennsylvania (Mr. GOODLING) has pushed forward with this legislation. In the committee we asked him to postpone its consideration until the review of the reauthorization of NAGB, and he did not see fit to do so.

Frankly there is little if any need for us to be considering this on the floor today. It is all in law and exactly the things that he is concerned about exist in that law, and the National Assessment Governing Board is following the letter of that law. They have sent a letter, as I said before, to the gentleman from Missouri (Mr. CLAY), and I have a copy of the letter which indicates that they have every intention of following the law and not proceeding with testing or deployment of testing until the Congress authorizes it. Frankly, I believe that Members on our side of the aisle, even if they voted for the bill the first time, in this case should vote against this bill.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. HOEKSTRA), another member of the committee.

Mr. HOEKSTRA. Mr. Chairman, I thank the gentleman for yielding me the time. I would also like to congratulate the chairman on leading the fight on this issue.

I think there is at least three issues we need to talk about today. The first thing is that the executive branch is moving outside of the intent of Congress. They are moving forward in defining the Federal Government's role in education without an agreement and without a consensus having been developed between the executive branch and Congress. This is a key issue and we should not move forward on this issue without an agreement between the executive branch and this Congress. This

Congress and this committee should set the direction for national testing.

A second issue that we really need to have a national debate about, beginning in this committee, is exactly what is the role of the Federal Government in education. Last year we went to 14 States, had hearings, had 22 different field hearings, and what we are hearing at the local level are some tremendous progress being made in education. It is not because of what we are doing here in Washington, but it is because of what parents, teachers and administrators are doing at the local level.

They are not sure that at the local level they want the Federal Government building their schools, hiring their teachers, feeding their kids, developing their curriculum, putting in their technology or determining their class size. They would like to have something to do at the local level as it regards to their schools and their children.

The third issue is even if we did testing, is this the right way to do it? We had hearings in Delaware, my colleague from Delaware described the process that they have gone through in that State. It is a difficult process. In Delaware I believe it took about 3 years. They worked aggressively at the grassroots level to involve parents, to involve teachers, to involve administrators, and to involve elected officials. That is the way to do it. We do not do testing, we do not make this kind of change by one branch of government moving forward and saying, this is what we are going to do, and leaving the rest of us behind.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. OWENS).

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

Mr. OWENS. Mr. Chairman, at a time when the Nation's attention is focused on education as a national priority and certain significant initiatives and programs have been clearly set forth by the President in the State of the Union address, the response of the committee of jurisdiction is a bill which implies that testing is the number one priority. And even worse than that, it appears that the sequence and the date for the testing and the fine print of a deal that was negotiated by a handful of people is more important than a response of the committee of jurisdiction to the agenda that has been laid out by the President.

Leadership on education improvement should be regained by the committee of jurisdiction, the Committee on Education and the Workforce. We have all kinds of folks who have taken over that leadership. Most of all the Committee on Appropriations makes the most significant legislation on education nowadays. I do not think that is appropriate and it is not the wisest use of the talent here. The committee that has the institutional memory, the committee that knows the issue across the

board should be the committee where the major decisions are made.

We would like to get on with it. Let us have the hearings on the construction initiative. I do not agree with the gentleman from Michigan who said that local people want something to do, to keep the Federal Government totally out of it. There is plenty for local people to do. I think most localities would appreciate some help with school construction. That is rural, suburban and certainly the inner-city communities. New York City certainly needs some help just to convert coal-burning boilers in schools into more efficient and less dangerous boilers. Just a few days ago we had a situation where a school had to be evacuated because a 70-year-old coal burning boiler was leaking carbon monoxide.

So we have an emergency in many ways. Certainly the infrastructure emergency, the emergency which cries out for help most is the one related to construction. Let us have a hearing, a series of hearings; let us begin legislation on that. Sequence is very important. Before you get into testing, I am all against testing until we deal with opportunity to learn. This opportunity to learn which the Committee on Appropriations took out of legislation a few years ago, that has to come first. Opportunity to learn means you provide decent, safe, physical facilities. Opportunity to learn means that you provide teachers who are trained, and you improve the teacher-student ratio.

Some of the things that have been set forth by the President in the State of the Union address relate to providing an opportunity to learn. Before you drop the load on the backs of the children and say, we are going to test you, give them a chance to learn.

At present there is a great need for leadership from the Federal Government in terms of leading the States and the municipalities to do more to improve these opportunities to learn. We had a deal that was negotiated by a few members on the subcommittee outside of the usual democratic process where you have a committee of the conference, a committee, a group of members in the committee. So we are sort of locked out of this process of really knowing what the agreement was except what we see in writing. Why should we proceed with that? Let us deal with the substance of the education improvement issue and not with the frills and the details of a deal that somebody thinks has gone bad but there is plenty of time to correct if they think there is correction needed.

I urge a no vote on this unnecessary legislation.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes and 30 seconds to the gentleman from Louisiana (Mr. LIVINGSTON), chairman of the Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Chairman, I rise in support of the bill offered by the

gentleman from Pennsylvania (Mr. GOODLING) and commend him for his tireless efforts in this area and thank him for yielding time to me.

I totally agree with the gentleman that preceded me. The gentleman from New York says that testing is unimportant. The fact is we should be spending money elsewhere. I am particularly pleased that the gentleman from Pennsylvania (Mr. GOODLING) has brought the bill to the House early though in this session so that it can be fully aired, passed and sent to the other body and sent to the President early this year.

There is no argument that students should be held to high standards and teachers, students and parents should have a clear idea on their educational progress toward meeting those standards. But national testing is a perfect example of how the Clinton administration makes policy. If it sounds good, if it polls good, and if the focus groups say it is needed, well, then it is automatically great national policy even when it does not work. It is spending resources, valuable resources, scarce resources, in areas that do not need it.

We do not need national testing. We need good education, just as the gentleman from New York said. The fact is that there are many ways to assure high quality education to meet the needs of today's economy, and I commend the gentleman from Pennsylvania (Mr. GOODLING) for putting a stop to this single-minded big government approach to the problem.

□ 1200

If there was any doubt that the Clinton testing plan was at best folly, simply imagine the logistic and cost nightmare on test day. On that day the reading test would have to be delivered to over 3 million students in 64,000 elementary schools in the Nation at more or less the same time. Delivery would have to be an overwhelming task. Security so that people do not cheat, an endless ordeal. The cost would be astronomical and the cost would recur each year.

Mr. Chairman, the testing, as proposed by the administration, violates our values of local control. People that know the best about education are the people at home. It provides opportunities for educational fads like "whole math" to be suddenly imposed and is scornful of the real issues raised by the minority and disadvantaged communities and just will not work. We need to apply the money on teachers and better schools, not on national testing.

I support this bill and urge its adoption.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY).

(Mrs. LOWEY. Mr. Chairman, I thank the gentleman for yielding me this time.)

Mr. Chairman, I rise in opposition to this legislation. This bill would stop

the development of voluntary testing dead in its tracks. It would block cities and States from pursuing a new tool in our efforts to make our schools the best in the world. These tests are not about history, not about science curriculum, they are about the ability to read and write, to add and subtract. Mr. Chairman, there are just no politics in the A, B, Cs; no hidden agendas in the 1, 2, 3s.

Mr. Chairman, an agreement on Federal support for voluntary Federal testing was reached last year. That agreement permits limited test development but not its implementation. It was my understanding that the gentleman from Pennsylvania approved that compromise. Why are we wasting time revisiting an issue that we resolved just a few short months ago?

Last year six of the Nation's seven largest cities accepted the challenge of voluntary national tests, including New York City, Chicago, Philadelphia, Los Angeles, Atlanta and Detroit. These communities have decided that voluntary national performance measures can help them determine what is working and what needs fixing.

Mr. Chairman, I would urge my colleagues to permit limited test development to move forward and move on to debate ways to repair crumbling schools, reduce class size and keep schools open after hours. Let us talk about ways to promote educational reform and excellence, not slow it down. Vote "no" on this legislation.

Mr. GOODLING. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. BARRETT), a member of the committee.

Mr. BARRETT of Nebraska. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, the President wants voluntary tests identifying individuals, schools and States as meeting or failing voluntary education standards. His education plan calls for voluntary tax credits to build more schools. He is also volunteering the Federal Government to hire 100,000 teachers. Sounds to me like the era of big government is still alive and well over at the White House.

Mr. Chairman, are we to volunteer ourselves to the nationalization of our education system? Will Uncle Sam test, set standards, build the schools and hire the teachers? If so, we might as well tell our State legislatures, boards of education and local school boards to go home, Uncle Sam has taken charge.

H.R. 2846 brings sanity to the process. It tells the administration that Congress will live up to the deal we made in the last appropriations bill but, most importantly, the bill maintains the right of people's Representatives to settle the question of education testing. Support H.R. 2846 and preserve the rights of Congress.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I thank the gentleman for yielding me this time.

This debate is really a debate about our Nation's future. This morning in this hall we opened the session with a pledge of allegiance in which we pledged to be one Nation. But what is that debate? What does it mean when we want to be one Nation? Well, one Nation is about national priorities and to have priorities we must make priorities.

This Nation has found it important to have national standards for aviation, obviously for food safety, and even for truck tires, but we have never made it a national priority for education. There are no national standards. Think about that.

High school standards are set by local communities and State legislatures. College boards exams are a private industry, not regulated by government. Everyone knows that tests are essential to function in our society. We require them for everything from driving a car to entering the Armed Services.

This bill is the wrong way to go because we ought to have our national priorities be as important to us in education as they are for entering the military or driving a car. And we will never be one Nation unless we put education at that high priority. And when we do, we truly will be one Nation under God, with liberty and justice for all.

Mr. GOODLING. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. GOODE), a State where on their own they have done remarkable things in relationship to standards and assessment.

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

Mr. GOODE. Mr. Chairman, I want to commend the gentleman from Pennsylvania (Mr. GOODLING) for his initiative in this area, and he is correct, Virginia is a leader in testing its students. We want to see education maintained at the local and State level.

I supported this measure the first time and am very glad to support it this time, and I want to read a few statements from a teacher in the Pennsylvania County School System.

"I am greatly disturbed by the President's attempt to sponsor national student testing. I am intimately aware of the problem confronting teachers, parents, employers and students' ability to perform many needed basic skills. I don't see that more tests, especially those generated by administrators or bureaucrats at a national level, will identify any problems that teachers on the front line have not already known. National standards have no meaning to localities except one more example of the Federal Government trying to run the show."

He said it all, Mr. Chairman.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, what gall for the majority to argue today the merits of local governance when just yesterday they trampled on the local rights of Virginians. Are we only principled when it suits our purposes?

I rise today in strong opposition to this extraneous legislation. I happen to support national tests, so it is easy for me to oppose this bill. But I would oppose it even if I opposed national testing. Have we already forgotten how painstaking was the compromise that was mapped out before the Labor-HHS appropriations bill could be signed into law?

That compromise is good policy. It will give us an opportunity to get the facts before we debate the merits of national testing. The National Academy of Sciences would conduct a series of studies to inform us before we administer any national tests.

I think we all want to do the right thing on the national testing issue, we just disagree about what the right thing is. Getting the facts on national testing before we debate whether or not to have tests is a step in the right direction, but this legislation would deny us that opportunity.

While I understand the desire of the chairman, the gentleman from Pennsylvania, to keep discretion over authorization of national testing in his own committee, he will have that opportunity when the committee reauthorizes the National Assessment of Education Progress and the National Assessment Governing Board. There is no reason not to wait until we consider legislation to reauthorize those programs and debate this issue at the appropriate forum.

I urge my colleagues to oppose this politically motivated attempt to secure jurisdiction where jurisdiction has already been established.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM), a former member of the committee.

Mr. CUNNINGHAM. Mr. Chairman, there is a vision for education and a vision that could be bipartisan, but it chooses not to, unfortunately, because of partisan politics.

We can have big government control of education or we can have it where parents, teachers, local administrators can control that. We talk about voluntary national testing. The gentleman from Michigan Mr. DALE KILDEE, who was the ranking minority member on the subcommittee, he and I killed national history standards. Why? As a previous history teacher, the gentleman from Michigan saw they were teaching more about Madonna than they were the Magna Carta, and that the Federal Government was getting involved in socialized history and the standards that went into it. And the worst part was that the textbook companies, before that bill was ever passed, had set forth that liberal agenda into our schools. And that is wrong.

The President talks about more money for school construction, but yet the other side of the aisle denied the average age of D.C. schools is 60 years. And when they talk about school construction and more tax dollars for it, the other side rejected that all we had to do is waive Davis-Bacon and we would save 35 percent of school construction. But yet the union bosses controlled the other side of the aisle and they rejected it. So there is a difference in vision.

The Democrats had 40 years to establish the foundation of public education. Public education should be the foundation of this country. It spreads across a lot of lines, but yet they want big bureaucracy, big government control. There are 760 Federal education programs. The President wanted \$3 billion for a new literacy program. There are already 14 literacy programs, Title I is one of those.

What is wrong with saying let us take one or two and get rid of the rest of the bureaucracy that steals the money for big Washington government and keeps it from going down to the classrooms so that teachers and parents and administrators can have more control instead of big Washington union bosses and bureaucrats?

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise today in strong opposition to this legislation and I urge my colleagues to vote against it.

In the balanced budget President Clinton presented to the Congress last week he laid out an action plan for improving America's schools, a plan to reduce class size, thereby creating a better learning environment for our children, better opportunity to have discipline in our schools. The plan also called for repairing of crumbling schools, putting computers into every classroom, training teachers so that our children will be prepared to meet the challenges of the 21st century.

And instead of considering legislation to improve our schools, Republicans today are bringing this unnecessary legislation to the floor to block national tests that would, in fact, help to ensure that every child in our country meets higher standards in math and in reading.

Voluntary national tests would give us the opportunity to gauge our children's progress in these basic skills. These are essential skills to ensuring a future success in life. Tests will let parents know that local schools, that teachers are doing their job and holding them accountable for the results that they achieve.

Mr. Chairman, this issue was resolved last year during the appropriations process. The bipartisan agreement calls for test development to go forward and for the National Academy of Sciences to study what type of test might work best for our kids. Quite honestly, Republicans in this Congress,

as their nominee for President last year articulated, do not believe that our country and the Federal Government should have a role in education. That is why they are backing out of that agreement.

The American people want this Nation to have high education standards. I want high education standards. We in this body should be for high education standards. That is why I oppose this legislation.

□ 1215

Let us stop wasting our time on this unnecessary legislation. We ought to be working together to pass measures that improve our schools and make education today work for our young people.

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

Mr. CLAY. Mr. Chairman, I was going to say to the Chairman of the committee that we have several people who have indicated they want to speak, but only one is on the floor. So I guess we will call on him.

I yield 2½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, I thank the gentleman for yielding.

Largely ignored in this morning's debate on this question of the testing on national educational concerns is the fact there is a test going on right here this morning, and the scores are already in. When the question is concentrating on those issues, on the periphery of the lives of ordinary Americans, this Republican leadership scores an unqualified A-plus.

Whether it is naming an airport and switching the name of one President for another or dealing with something that the administration is not really doing right now, they have done excellent, absolutely outstanding, in concentrating on these issues that do not really make a flip to ordinary American families who are out there struggling to make a go of it and are trying to get their kids through the schools.

But when it comes to a commitment, a Federal commitment to back up our families, to support our local school boards and the many other groups, whether it is the PTA or the large adopt-a-school program that our Chamber of Commerce does down in Austin, TX, and Uvalde, TX, and in Pflugerville, TX, to back up and support those local efforts, when it comes to ideas, new ideas and new approaches to improve the quality of education, that test score is in also. And just like last year, this Republican leadership scores an unqualified F. They do not even get up to D-minus.

Because the only new idea they have only advanced, other than trying to prevent other people from doing something to improve the quality of public education in this country, something that our parents and our communities all over this land want, the only solution that they have offered, they will not vouch for public education, they

want to voucher out a privileged 10 percent and move them off into private academies and leave the other 90 percent to sink. That is not a solution. It is contributing to part of the problem.

What we need to be doing is not dealing with things on the edge of reality but concentrating on how we can reshape and reinvigorate some of our existing programs and channel those resources to reduce class size, improve teacher training, focus on many things, that we share common concerns and not focus on these things that will not make a difference one way or the other in the quality of any child's education.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. DELAY), the distinguished Whip.

Mr. DELAY. Mr. Chairman, I thank the Chairman for yielding.

I want to rise in favor of this resolution because this resolution is quite simple. It says that the President cannot formulate a national test for our students unless the Congress specifically authorizes such a test. It is just that simple. It is not all the other things that we have heard.

This might seem like a typical inside-the-Beltway type of squabble between the President and the Congress, but I say to my colleagues that there is a bigger principle at stake in this resolution: Who should control the education of our children? Should it be parents or should it be the Federal Government?

The administration and its supporters in the Congress want more control over local communities and parents when it comes to educational policy. They want to expand the national bureaucracy at the expense of working families. They want to promote a one-size-fits-all education system, a system that dictates national standards and promotes a national curriculum and gives more power to Federal bureaucrats.

We want to return power to families. We want to give parents more choices. We want our local communities to make the decisions, not some huge Federal bureaucracy. That is why we support the concept of school choice. That is why we believe working families should be able to use tax-free education savings accounts so that parents can have more options for their children. And that is why we oppose efforts by this administration to waste money on needless tests and wasteful national bureaucracies.

So I ask my colleagues to support this resolution and support America's working families.

Mr. CLAY. Mr. Chairman, I have no further speakers, and I reserve the balance of my time.

Mr. GOODLING. Mr. Chairman, I yield 1 minute to the gentlewoman from Washington, Mrs. LINDA SMITH.

Mrs. LINDA SMITH of Washington. Mr. Chairman, I especially want to thank the Chairman of this committee. Because many would shirk at the issue

of national testing because we often think that testing is the way to assure education.

But this last week, my school board members came to me and they said, "Oh, please, do not test us any more. We already in our State have a 4th and 8th grade test. We are already having the teachers complain that they are working to test instead of working to teach."

So today what we are saying is Congress should take a look at this. And it really says, Mr. President, you cannot spend that \$342 million developing a new bureaucracy, a new test, until you talk to us and we talk to the people. That is what this debate is about. It is about talking to the people.

When my school board members, one by one, from all over the State that has little to big districts, come and say, all of our administration is Federal regulation, testing and bureaucracy and it is even affecting the classroom, we should take a look. The people elect Congress, they elect us to represent them, and I think we should stop and take a look.

This is a great bill, and I strongly support it.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the distinguished Ranking Member for giving me this opportunity to speak in opposition to H.R. 2846, the prohibition on Federally sponsored national testing.

As my colleagues know, this legislation would prohibit the development and the administration of volunteer national testing without specific statutory authority. This is a controversial issue, clearly; and there are Members on both sides of the aisle who have questions about testing. But that is not the issue before us today.

Last year, members of the Committee on Appropriations spent weeks diligently working with the author of the legislation, the gentleman from Pennsylvania (Mr. GOODLING), the authorizer, to craft an acceptable compromise to this language. But that never, in fact, belonged in an appropriations bill in the first place, that the National Academy of Science would continue its studies on development of the test.

The National Assessment Governing Board has recently determined that, even if we should decide that the voluntary testing should proceed, the test cannot be sufficiently developed and ready to be administered until the year 2001.

Mr. Chairman, the purpose of the proposed test is to help our students learn and to improve their performance. A voluntary national test will determine whether our children possess the basic skills they need to achieve and help their parents and teachers help them learn. But a bipartisan compromise was worked out in good faith 3 months ago to resolve this controversial issue. We do not need another resolution.

What we do need is to focus our efforts on making educational opportunity possible for all other children by rebuilding schools in desperate need of repair, reducing class size, and creating after-school programs.

Mr. Chairman, I urge my colleagues to vote "no" on H.R. 2846.

The CHAIRMAN. The gentleman from Missouri (Mr. CLAY) has 8 minutes remaining, and the gentleman from Pennsylvania (Mr. GOODLING) has 4¼ minutes remaining.

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

Mr. GOODLING. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER), and then I will close.

Mr. SOUDER. Mr. Chairman, I know many people are concerned about the standards in their schools. But this is something different. This is Washington pointing an accusing finger at our Nation's children, many trapped in inner city, broken down schools and saying you miserable little failures. Do we really want Washington doing that?

Many people, myself included, I think have been very confused by the mixed signals that the President is sending. Now I happen to believe that there is a responsible public policy approach to dealing with a potential surplus. For that reason, I am cosponsoring legislation offered by the gentleman from Wisconsin (Mr. NEUMANN) which is consistent with a number of important policy objectives.

Last year, 300 of us had the courage to say that is not Washington's business, that is the business of parents, local school boards, and the States.

The question today and the question before us is who is going to flip-flop their vote today.

Mr. GOODLING. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, let me once again focus the debate on the real issue. I agree with every question the Ranking Minority Member asked. We need to have answers to those questions before anyone progresses with a test as a done deal.

The only way we get to do that, as a matter of fact, is if we now pass this legislation. Otherwise, we do not participate. We have not been allowed to participate up to this point. We will not then.

We have a lot of questions to ask. We have hearings in February. We have a hearing in March on testing. A lot of questions to ask. And we need a lot of answers. One of those will be, who pays? Who pays? They are very leery back there about who pays. Cops on the beat, oh, yes, we will pay one time, and then we are stuck.

Well, let me tell my colleagues about the President's budget. The President cuts \$450 million from effective programs that operate on the local level. The President adds \$150 million for programs that will be operated out of Washington, D.C. They have a right to ask who pays. We do it one time and

then they are stuck with it. Again, this is putting the cart before the horse for them to move ahead without any consultation with us.

We have all the questions I ask. We have all the questions the Ranking Minority Member asks. They need to be answered. And they will be answered as we have our debate in committee and then as we bring that debate to the floor of the House.

But the only way we can get answers to those questions is if we are players. And the only way we can be players is if we pass this legislation so that, as a matter of fact, we get to participate in this debate, and we get to ask the questions that the Ranking Member has asked and I have asked.

So I ask my colleagues to, I realize, as I said before, there are a lot of pie-in-the-sky promises out there. I know the vote will be different. But I ask Members to vote for it. Vote your conscience. Do not vote pie-in-the-sky promises.

Mr. CRAPO. Mr. Speaker, I thank the distinguished gentleman for yielding to me and I rise to express my support for overriding the President's veto of H.R. 2631, the Line Item Veto Cancellation Act.

Mr. Speaker, I am a long-time supporter of the line-item veto. This new law makes possible a more restrained Congress, but also entrusts the President with the important responsibility of using this new power wisely. That is why I was so disappointed to see the President make a misinformed decision in canceling funding for 38 military construction projects, including 2 in my home state of Idaho, and then repeating this mistake by vetoing this legislation.

As we all now know, based on faulty and outdated information provided by the Department of Defense, President Clinton eliminated needed funds for a B-1B bomber avionics facility for low-altitude navigation and a F-15C squadron building for planning and briefing combat crews at Mountain Home Air Force Base. Both of these projects are among the Air Force's top priorities and were a part of the President's own 1999 and 2000 Pentagon budgets. These facilities are critical because the 366th Composite Wing at Mountain Home Air Force Base represents one of our nation's premier rapid-deployment forces in times of an emergency. Even Defense Secretary Cohen has reflected on the critical role of the 366th Wing in our national security structure and acknowledged that "it must maintain peak readiness to respond rapidly and effectively to diverse situations and conflicts." For service at home and in the Middle East, Central America, and Europe, the men and women of Mountain Home Air Force Base have answered the call of their country; it is only right and proper that the Commander in Chief recognize this important commitment.

I was pleased to assist in the effort to provide the President with line-item veto authority. However, this power is significant and must be practiced with great care and attention to preserve the system of "checks and balances" in our Constitution. It is my hope that the President understands this and will in the future only exercise the veto in appropriate cases.

At this time, I would like to express my appreciation to Chairman PACKARD, Chairman

SKEEN, and the House leadership on both sides of the aisle for considering this measure today to overturn the President's veto. This action today will send a strong message to the Senate and White House that the American people expect careful use of the line-item veto. It will also demonstrate to opponents of the line-item veto that the new law works and is consistent with our Constitution.

Mr. RADANOVICH. Mr. Chairman, I rise today in support of H.R. 2846 which bars Federal spending for planning, developing, implementing or administering national education testing unless such tests are specifically authorized by Congress.

Passage of this bill is good for our schools. The President's strong support of national testing reveals serious philosophical differences between many in Congress and the Administration with regard to the role that teachers, parents, school board members and local communities play in ensuring that our children have the best possible opportunities for education available to them.

A national test would tell us little more than we already know—that the measure of a child's education is determined both by the quality of the education that the child has access to and the willingness and ability of that child to learn. I oppose such a test because I believe that we need to invest in our schoolchildren and in their education, not just their test.

Make no mistake, I think schools should provide minimum requirements and standards of learning. However, we should not expand the role of the Federal Government in education to achieve this goal. Our teachers, parents, school districts and local communities, particularly those in California's Central Valley, are more capable of cultivating a better education for our children, and in measuring that education, than federal bureaucrats in Washington, D.C. Federal money is better spent on improving the conditions and quality of our schools than on a full-employment program for administrators of a national education test.

National testing is the first step towards further federal intervention and control of the education of our children. In order to administer a national test, it first must be written. This job, no doubt, will be performed by federal bureaucrats in the Department of Education. Soon, these same individuals will be setting the reading and math standards for our nation's schoolchildren. Next, the Department of Education will want to set the curriculum of school districts and classrooms to meet those standards as evaluated through the federal test.

Mr. Speaker, we spend over \$29.5 billion on the federal Department of Education. According to a recent study, only 85 cents of each dollar that the department allocates for elementary and secondary education actually makes it to the local school district. One study of a New York public school system showed that only 43 cents of every district dollar actually made it into the classroom.

If we want to maximize our return on federal education dollars, we need to skip over the bureaucracy, reject national testing and provide as much funding as possible directly to communities and schools.

Besides shifting education funds to local communities, it is important that we ensure our children are given the educational choices and opportunities they deserve. This means

giving states, school districts, local communities, teachers, and parents flexibility to implement policies and use resources that best respond to the education needs of that particular community—and not forcing them to adopt a national one-size-fits-all test.

My goals for educating our children are not tied to national testing. Instead, we must maintain our strong commitment to education funding that shifts more dollars and greater control to our states, communities, parents and teachers.

I urge my colleagues to vote in favor of H.R. 2846.

Mr. PAUL. Mr. Chairman, I rise in support of HR 2846, which forbids the use of federal funds to develop or implement a National Test without explicit authorization from Congress. Supporters of protecting the United States Constitution from overreaching by the Executive Branch should support this bill as the Administration's plan to develop and implement a national education test without Congressional authorization is a blatant violation of the constitutional doctrine of separation of powers.

However, support for this bill should in no way be interpreted to imply that Congress has the power to authorize national testing. After all, Congress, like the Executive and the Judicial branches of government, must adhere to the limitations on its power imposed by the United States Constitution. Although many seem to have forgotten this, in our system, the limits set by the Constitution, rather than the will of any particular Congress, determine the legitimate authority of the United States Government.

The United States Constitution prohibits the executive branch from developing and implementing a national test, or any program dealing with education. Education is not one of the powers delegated to the Federal Government, and, as the ninth and tenth amendment make clear, the Federal Government can only act in those areas where there is an explicit delegation of power. Therefore, the Federal Government has no legitimate authority to legislate in the area of education. Rather, all matters concerning education, including testing, remain with those best able to educate children—individual states, local communities, and, primarily, parents.

Implementation of a national test also must be opposed because of its primary effect: the de facto creation of a national curriculum. Many supporters of a national testing try to minimize this threat to local and parental sovereignty by claiming the program would be voluntary. However, these are many of the same people who consider Goals 2000 a "voluntary" program, despite the numerous times Goals 2000 uses the terms "shall" and "must" in describing state functions. Furthermore, whether or not schools are directly ordered to administer the tests, schools will face pressure to do so as colleagues and employers inevitably begin to use national tests as the standard by which students are measured for college entrance exams and entry-level jobs. At the very least, schools would soon find federal, and perhaps even state, funding conditioned upon their "voluntary" participation in the national testing program.

Educators will react to this pressure to ensure students scored highly on the national test by "teaching to the test"—that is, structuring the curriculum so students learn those subjects, and only those subjects covered by

the national tests. As University of Kansas Professor John Poggio remarked in February of last year, "What gets tested is what will be taught." Government bureaucrats would then control the curriculum of every school in the nation, and they would be able to alter curriculums at will by altering the national test!

Private schools and home schools will be affected as well, as performance on the national tests becomes the standard by which student performance is judged. Those in private and home schools will face increasing pressure to participate in national testing and shape what is taught to fit the criteria of the tests.

National testing is a backdoor means by which the federal government can control the curriculum of every school in the nation. Implementation of national testing would be a fatal blow to constitutional government and parental control of education.

The Executive Branch has no constitutional authority to implement and develop a national test and the Congress has no authority to authorize the test. I therefore urge my colleagues to vote for H.R. 2846, which stops the Administration from ultimately implementing national tests and oppose all legislation authorizing the creation of a national test. Instead, this Congress should work to restore control over their children's education to the American people by shutting down the federal education bureaucracy and cutting taxes on America's parents so they may provide for the education of their own children.

Mr. WELDON. Mr. Speaker, last year this Congress voted 295–125 against allowing the federal government to establish national tests for education. However, President Clinton and the Federal Department of Education continue to pursue their effort to establish national testing. I am very disturbed, but quite frankly not surprised by the President's efforts to bypass the Congress and establish national testing. He has done this in other areas as well.

The Constitution gives the Congress, not the President, discretion over federal spending. The Congress has not authorized the Administration to expend taxpayer funds on developing or implementing a national education test and it is wrong for the Administration to pursue such efforts.

The American people don't want federal control of education and that is exactly what national testing moves us towards. H.R. 2847 would ensure that the House Committee on Education and the Workforce (the Congress) will have increased involvement and discretion over this program. I am a proud cosponsor of this legislation and am hopeful that we can move it forward.

Unlike liberals in Washington, I believe that states and local communities are better equipped to design and implement school assessment programs because they are closer to the needs and abilities of their students, teachers, and schools. Furthermore, national testing could lead to a watered-down, ineffective test which holds everyone to lower standards. It also would divert scarce federal education dollars away from the classrooms and would reallocate them toward bureaucracy and test administrators.

I am very concerned about the potential that a national test could effectively lead to the adoption of a national curriculum. In this scenario, individual school districts would be compelled to conform their classroom curriculum

to the national test in order to ensure that their students did well on the test. Educating children and giving them the skills and abilities they need would be sacrificed so that learning is geared toward doing well on a national test. I believe education decisions should be made by state and local governments, not the federal government.

Finally, many states and local communities have done a considerable amount of work to develop their own standards. Florida has been a leader in this area and has just completed an extensive effort to improve standards and implement its own state test. For the federal government to thwart the extensive effort and expenditure of the State of Florida is wrong and should be rejected. I trust the people in the State of Florida to do what is right, not the bureaucrats and education elite at the Federal Department of Education in Washington.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment and is considered read.

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

H.R. 2846

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

SECTION 1. FINDINGS.

The Congress finds the following:

(1) High State and local standards in reading, mathematics, and other core academic subjects are essential to the future well-being of elementary and secondary education in this country.

(2) State and local control of education is the hallmark of education in the United States.

(3) Each of the 50 States already utilizes numerous tests to measure student achievement, including State and commercially available assessments. State assessments are based primarily upon State and locally developed academic standards.

(4) Public Law 105-78, the Labor, Health and Human Services and Education Appropriations Act, 1998, ensures that Federal funds may not be used to field test, pilot test, implement, administer, or distribute in any way, any federally sponsored national test in fiscal year 1998, requires the National Academy of Sciences to conduct a study to determine whether an equivalency scale can be developed that would allow existing tests to be compared one to another, and permits very limited test development activities in fourth grade reading and eighth grade mathematics in fiscal year 1998.

(5) There is no specific or explicit authority in current Federal law authorizing the proposed federally sponsored national tests in fourth grade reading and eighth grade mathematics.

(6) The decision of whether or not this country implements, administers, disseminates, or otherwise has federally sponsored national tests in fourth grade reading and eighth grade mathematics or any other subject, will be determined primarily through the normal legislative process involving Congress and the respective authorizing committees.

SEC. 2. PROHIBITION ON FEDERALLY SPONSORED TESTING.

Part C of the General Education Provisions Act is amended by adding at the end the following:

"§ 447. Prohibition on federally sponsored testing

"(a) GENERAL PROHIBITION.—Notwithstanding any other provision of Federal law and, except

as provided in sections 305 through 311 of Public Law 105-78, the Labor, Health and Human Services and Education Appropriations Act, 1998, funds provided to the Department of Education or to an applicable program under this Act or any other Act, may not be used to develop, plan, implement (including pilot testing or field testing), or administer any federally sponsored national test in reading, mathematics, or any other subject that is not specifically and explicitly provided for in authorizing legislation enacted into law.

"(b) EXCEPTIONS.—Subsection (a) shall not apply to the Third International Math and Science Study or other international comparative assessments developed under authority of section 406(a)(6) of the National Education Statistics Act of 1994, and administered to only a representative sample of pupils in the United States and in foreign nations."

The CHAIRMAN. During consideration of the bill for amendment, the Chairman of the Committee of the Whole 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 will be considered 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 any amendments?

If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in 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. MCHUGH) having assumed the chair, Mr. EWING, 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. 2846) to prohibit spending Federal education funds on national testing without explicit and specific legislation, pursuant to House Resolution 348, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. MCHUGH). 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.

The SPEAKER pro tempore. 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. CLAY. 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 242, nays, 174, not voting 14, as follows:

[Roll No. 9]

YEAS—242

Aderholt	Gilman	Paxon
Archer	Goode	Pease
Army	Goodlatte	Pelosi
Bachus	Goodling	Peterson (MN)
Baker	Goss	Peterson (PA)
Ballenger	Graham	Petri
Barr	Granger	Pickett
Barrett (NE)	Greenwood	Pitts
Bartlett	Gutknecht	Pombo
Barton	Hall (TX)	Porter
Bass	Hamilton	Portman
Bateman	Hansen	Pryce (OH)
Bereuter	Hastert	Quinn
Bilbray	Hastings (WA)	Radanovich
Billirakis	Hayworth	Ramstad
Bliley	Hefley	Redmond
Blunt	Hill	Regula
Boehler	Hilleary	Riggs
Boehner	Hobson	Riley
Bonilla	Hoekstra	Roemer
Boyd	Holden	Rogan
Brady	Horn	Rogers
Bryant	Hostettler	Rohrabacher
Bunning	Houghton	Ros-Lehtinen
Burr	Hulshof	Roukema
Buyer	Hunter	Royce
Callahan	Hutchinson	Ryun
Calvert	Hyde	Salmon
Camp	Inglis	Sanford
Campbell	Jenkins	Saxton
Canady	John	Scarborough
Castle	Johnson, Sam	Schaefer, Dan
Chabot	Jones	Schaffer, Bob
Chambliss	Kaptur	Sensenbrenner
Chenoweth	Kasich	Sessions
Christensen	Kelly	Shadegg
Coble	Kim	Shaw
Coburn	King (NY)	Shays
Collins	Kingston	Shimkus
Combest	Kleczka	Shuster
Condit	Klug	Sisisky
Cook	Knollenberg	Skeen
Cooksey	Kolbe	Smith (MI)
Cox	LaHood	Smith (NJ)
Crane	Largent	Smith (OR)
Crapo	Latham	Smith (TX)
Cubin	LaTourette	Smith, Linda
Cunningham	Lazio	Snowbarger
Danner	Leach	Solomon
Davis (VA)	Lewis (CA)	Souder
Deal	Lewis (KY)	Spence
DeFazio	Linder	Stearns
DeLay	Lipinski	Stenholm
Diaz-Balart	Livingston	Strickland
Dickey	LoBiondo	Stump
Doolittle	Lucas	Sununu
Doyle	Manzullo	Talent
Dreier	McCollum	Tauzin
Duncan	McCrery	Taylor (MS)
Dunn	McDade	Taylor (NC)
Ehlers	McHugh	Thomas
Ehrlich	McInnis	Thornberry
Emerson	McIntosh	Thune
English	Metcalf	Tiahrt
Ensign	Mica	Trafficant
Evans	Miller (FL)	Turner
Everett	Mollohan	Upton
Ewing	Moran (KS)	Walsh
Fawell	Morella	Wamp
Foley	Myrick	Watkins
Fossella	Nethercutt	Watts (OK)
Fowler	Neumann	Weldon (FL)
Fox	Ney	Weldon (PA)
Franks (NJ)	Northup	Weller
Frelinghuysen	Norwood	White
Gallegly	Nussle	Whitfield
Ganske	Oxley	Wicker
Gekas	Packard	Wolf
Gibbons	Pappas	Young (AK)
Gilchrest	Parker	Young (FL)
Gillmor	Paul	

NAYS—174

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

NOT VOTING—14

Becerra	Gonzalez	Klink
Burton	Hall (OH)	McKeon
Cannon	Herger	Pickering
Dellums	Istook	Schiff
Eshoo	Kilpatrick	

□ 1250

Mr. SNYDER changed his vote from "yea" to "nay."

Mr. EVANS changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ISTOOK. Mr. Speaker, on rollcall No. 9, I was unavoidably detained en route by traffic. Had I been present, I would have voted "yea".

PERSONAL EXPLANATION

Ms. PELOSI. Mr. Speaker, on roll call vote 9, I inadvertently voted "aye." I intended to vote "no."

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2846, PROHIBITION ON FEDERALLY SPONSORED NATIONAL TESTING

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2846, the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore (Mr. QUINN). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2846, the bill just passed.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2021

Mr. LIPINSKI. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2021.

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

There was no objection.

RONALD REAGAN WASHINGTON NATIONAL AIRPORT

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 349 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 349

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House 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". The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit.

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

Mr. SOLOMON. Mr. Speaker, for the purposes of debate only, I yield 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), my very good

friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for debate purposes only.

(Mr. SOLOMON asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. SOLOMON. Mr. Speaker, this resolution is a closed rule providing for consideration of S. 1575, which is a bill to rename the Washington National Airport as the, and listen carefully, as the Ronald Reagan Washington National Airport. That will be the name of the airport, if this bill passes.

The rule provides for 1 hour of debate equally divided and controlled by the chairman and ranking member of the Committee on Transportation. The rule also provides that the bill shall be considered as read. Finally, the bill provides 1 motion to recommit.

Mr. Speaker, the passage of this rule will bring us one step closer to finishing the task of renaming the National Airport after a truly great American and an outstanding President, Ronald Wilson Reagan.

At this time I include for the RECORD 2 articles, one which appeared back in 1993 by myself in the CONGRESSIONAL RECORD, and the other by Donald Devine, the former Director of the U.S. Office of Personnel Management that appeared in today's papers.

A TRIBUTE TO RONALD REAGAN

(By Hon. Jerry Solomon)

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from New York, [Mr. SOLOMON] is recognized for 60 minutes as the designee of the majority leader.

Mr. SOLOMON. Mr. Speaker, I take this special order tonight to pay tribute to a great American, the greatest American that I have ever known, and that is President Ronald Reagan. As you know, I had intended to hold this event last night as a birthday present for the former President, but the House was occupied on an even better birthday present, passage of the line item veto. And what better birthday present could be offered to the President and to Mrs. Reagan than to complete the unfinished business of the Reagan revolution?

I know I speak for every Member of this House, Mr. Speaker, and virtually all Americans in offering President Reagan and his beloved First Lady, Nancy, our prayers and our very best wishes on this very wonderful occasion.

Mr. Speaker, what do you get for the man who has everything, so that saying goes? Well, Mr. Speaker, as we observe President Reagan's birthday, a better question is how do we appropriately honor a man who has done so much for us, for our country and for the cause of freedom around the world? Our tribute this evening should extend beyond the President's accomplishments in office, although they are numerous, too numerous to mention here tonight.

Let us examine Ronald Reagan's record with the benefit of historical reflections. The story has been told that during his darkest hours, President Nixon was reassured by those around him that history would treat him well. Ever sharp and skeptical, President Nixon shot back, "That depends on who is writing the history." In the case of Ronald

Reagan, Mr. Speaker, most of those writing the history of his Presidency have done everything in their power to turn light into darkness, achievement into failure and hope into despair.

Those of us who stood shoulder to shoulder with Ronald Reagan from the very beginning are here today on the occasion of his 84th birthday to say that we are not going to let them get away with it anymore.

Ronald Reagan's views now occupy the center, the main street, of American politics. Look at some recent House votes, the balanced budget amendment passed this House by 300 to 132; unfunded mandates reform to implement the new federalism Ronald Reagan espoused passed this House by a vote of 360 to 74, and the line item veto just the other day, 294 yeases to only 134 noes. All of these measures passed with substantial Democratic support from the other side of the aisle as well, good conservative Democrats voting for the Ronald Reagan programs that we were unable to deliver a number of years ago.

And, yes, Mr. Speaker, throughout the proceedings of the 104th Congress and, indeed, through the election of 1996, coming up, a history debate has been resolved in favor of the ideals articulated by President Reagan and his remarkable vision.

Over the last 15 years, President Reagan's goals were subject to the most robust scrutiny that our system of democracy has to offer. During the 1994 election, some liberal Democrats even campaigned against the Contract With America on the basis that the contract was a continuation of what, of the Reagan legacy. Can you imagine?

Well, Mr. Speaker, the actions of this Congress are evidence that President Reagan's legacy has not just endured that test of scrutiny and criticism but that it flourishes today to the benefit of all Americans.

It is useful to look back, however, in order to more fully savor and appreciate President Reagan's vision. American morale in the 1970's, think back, could not have been lower. President Jimmy Carter declared us in a state of malaise. Ronald Reagan's Presidency was what turned things around. Ronald Reagan's economic policies triggered the largest and longest peacetime extension of our economy in the history of this Nation.

Nineteen million new jobs were created. Incomes grew at all levels and new industries and technologies flourished and exports exploded. Why? Because President Reagan, he cut taxes, he slowed the growth of domestic spending and regulation, and he restored faith in what he liked to call the magic of the marketplace.

That magic then caught on all around the globe. Remember, my colleagues, the world in 1980 was a very different place than it is today. The Soviet Union was continuing a massive arms buildup, bolstering the formidable number of missiles already pointed at the West, and at cities right here in the United States of America. Soviet troops were marching literally through Afghanistan. Do you remember that? Eastern Europe suffered under the boot of totalitarian regimes, and the Berlin Wall scarred the face of Europe.

The United States military was described back in those days as a hollow force, and our citizens were held hostage by thugs in a place call Iran. Do you remember that?

Our world today contains pockets of instability, but the simple fact is that democratic tide that has swept this globe in the last 5 years is a direct result of Ronald Reagan's Presidency. The man and his policies were essential to freedom's march across this globe. It was Ronald Reagan who faced down the nuclear freeze-niks in this Congress and in Western Europe by deploying the Pershing II in West Germany.

Eventually this deployment and a policy called Peace Through Strength, Mr. Speaker, that you and I helped to formulate, forced the Soviets to the bargaining table. The result in 1987 was the IMF Treaty, the first agreement to eliminate an entire class of weapons. Ronald Reagan turned out to be right on that issue.

It was Ronald Reagan who armed freedom fighters in Afghanistan and in Nicaragua, allowing those nations to determine the course of their own destiny. Ronald Reagan was right.

It was Ronald Reagan who said this country had a moral obligation to defend its citizens from nuclear attack, and that we had to strive for something better than that and the same policy of mutually assured destruction with weapons aimed at every city in America. He said we must work for the day when nuclear missiles were no longer pointed at American cities.

But the experts laughed, and they ridiculed. "This is nothing more than a naive daydream of a silly old man." Do you remember reading those headlines by the liberal press in this country? But you know what, again, Ronald Reagan was right. President Reagan pointed out from the start that the Soviet system was morally and financially bankrupt. Such a system, he argued, could not bear the cost of occupying Eastern Europe.

What was the ultimate result of Ronald Reagan's Peace Through Strength policies? Well, as Ronald Reagan used to say, the Soviet Union collapsed and captured nations all around this world were freed from the atheistic tyranny of the tentacles of communism.

Once again, Ronald Reagan was right.

It was Ronald Reagan who stood under the shadow of the Berlin Wall, which you all remember, and said, "Mr. Gorbachev, tear down this wall." I will never forget his saying that. The experts laughed again, and decried his pleas as a public relations stunt. Do you remember that? But Ronald Reagan was right again as he always was. Ronald Reagan encouraged us to maintain a strong defense in case the United States was forced to defend its interests in any remote corner of the globe, and after all, that is the reason this Republic of States was formed, to provide for a common defense, to protect America's interests around the world.

Given this, should anyone really be surprised that our Armed Forces performed so well during the Persian Gulf war? President Bush and General Schwartzkopf were able to lead our troops magnificently and to bring them home with astonishingly low casualties. Do you remember that? Once again, Ronald Reagan was right. Those of us who served in the House at the time and fought President Reagan's fights right here on this floor were so proud to do so.

I was honored that President Reagan signed my legislation to create the Department of Veterans Affairs so that we could guarantee that, with an all-volunteer military, it would work.

As a member of the House Committee on Foreign Affairs, I was so, proud to carry his water for a foreign policy respected around the world by friends and foe alike, and it was a privilege to join these battles, looking back at the enormous good that came of those policies. But, Mr. Speaker, more than any specific policy, we must salute Ronald Reagan's ability to bring out the best in us as a nation. He consoled us on the evening of the *Challenger* disaster. Do you remember that? It was a sad day in our history.

And on the 40th anniversary of the D-Day landing, Mr. Speaker, President Reagan painted a vivid picture of the scene on that day and genuinely proposed that we, we dedicate ourselves to the cause for which those soldiers gave a last full measure of devotion.

He never offended us with staged prayers or phony flag placements. He words and his gestures were all genuine, and, as proud as we should be of his many accomplishments, Mr. Speaker, it is a sad commentary that it took over 5 years longer, over 5 years longer, to tear down the wall of resistance to the line-item veto and the balanced budget amendment. It took 5 years longer than it did to tear down the Berlin Wall and the Iron Curtain.

Ronald Reagan inspired a generation of young people to ignore the cynical bombardment of the media and hold dear the American heritage: "hopeful, big-hearted, idealistic, daring, decent and fair," as he described it during his second inaugural address.

Mr. Speaker, last night 1,000 supporters turned out for a birthday party, including the former British Prime Minister Maggie Thatcher, that I attended along with many of you to pay tribute to this great President Ronald Reagan. We were so fortunate to have him as our President during that period of time in the history of our country, and at this time I would yield to a Democrat, one of the finest Members of this House, the gentleman from California (Mr. CONDIT). He is an outstanding Member.

POACHING ON REAGAN'S LEGACY

(By Donald Devine)

As Ronald Reagan celebrates his 87th birthday tomorrow, he is recognized now even by most of his critics as the most influential president since Franklin Roosevelt. Bill Clinton—struggling for mere survival—still tries rhetorically to denigrate this record. But he adds his unacknowledged acquiescence by the facts of his puny budget increases—his voice is forced to request millions and will acquire less, while his heart lusts billions—and his abject submission to his predecessor's vision, by his concession: "The era of big government is over."

As Lady Thatcher put it in her Heritage Foundation lecture, while it is "an irony that it is an administration of instinctive spenders and regulators that now is reaping much of the political reward," the unmistakable fact is that "today's American prosperity in the late 1990s is the result, above all, of the fundamental shift of direction President Reagan promoted in the 1980s." Successor conservative leaders in both his and her countries first departed from this program and then were frustrated that they were unable to re-create it.

Yet, if Ronald Reagan himself ran in the year 2000, he would not run on the Reagan platform. Despite the plethora of rightist leaders trying to poach the Reagan legacy, it is too late: His set of policies is *passee*. All conservatives can learn from President Reagan now is his basic philosophy and his character. As Dinesh D'Souza puts it in his new book, "Ronald Reagan: How an Ordinary Man Became an Extraordinary Leader," it is sufficient to learn that he "had a vision for America, he was not afraid to act, and he believed in the good sense and decency of the American people." Vision, courage, good sense and decency were the essence of Ronald Reagan, as they were of his view of America. While he deeply valued the conservative values of the Founders, what made him such a leader was his courage and good sense, including being able to see the world both clearly as it was and idealistically as it should be.

There is much talk about optimism being the secret of President Reagan's success. But it was not a sunny optimism that skirted tough issues. As Mr. D'Souza documents, he often went courageously against literally all "expert" opinion, not only on obviously big

issues such as his refusal to concede the Strategic Defense Initiative to get an arms agreement with the Soviet Union but also when he boldly confronted Libya, invaded Grenada, shut down the air controllers union, and even refused to cancel his visit to the Bitburg cemetery. Contrary to those who now see him as assertive generally in foreign policy, he was also prudent enough to be almost disengaged on major foreign issues like South Africa, Chile and Haiti. He had enormous courage to act and the prudence not to risk American treasure nor blood unless absolutely necessary.

While President Reagan will be most remembered for his critical role in ending the Cold War, his domestic legacy of taming the welfare state might be greater in the long run. Many thought he lacked courage here and even Mr. D'Souza believes he did not reduce domestic spending. Yet, the facts show he reduced non-defense spending hundreds of billions, from 17.9 to 16.4 percent of gross national product. Indeed, a return to the Founders' idea of limited government was equal to his passion against the evil empire. At his first Inaugural he was clear he "was not cutting government spending just to save money, but to return power to states, communities and citizens." Consequently, William Kristol and David Brooks' National Greatness Conservatism, when it claims "the revitalization of our local civic culture depends, ultimately, on our national political health," and that "America won't be good locally if it isn't great nationally," has it quite backward in the Reagan philosophy. To Ronald Reagan, it is communities and individual that make us great.

Virginia I. Postrel and James K. Glassman were closer when they responded that Kristol-Brooks conservatives "confuse small government with no government and neutral government with vice." Lacking faith in non-governmental and community institutions to solve problems, "national-greatness conservatives are desperately seeking the moral equivalent of the Cold War" to keep the national government busy. Yet, Postrel-Glassman's emphasis upon individual happiness, private pursuits and avoiding "gloom and doom" at all costs, is at variance with the urgency with which Ronald Reagan viewed America's departure from limited government and how difficult he thought it would be to rebuild private institutions. For he believed big government had grievously wounded the nation and he had a sense of urgency for its reform.

Ronald Reagan was and still would be moved by the fact that 1 out of 3 American children are born to unmarried mothers and that, for the first time in history, these accumulating 1.2 millions per year will not have a family to guide them. His solution would not be some Clinton-Light additional millions to some silly, bureaucratic child-care program but an urgent desire to break the government-supported incentives in welfare that reward this behavior.

Unlike members of Congress prematurely claiming success, he would face the fact that, at the last moment, the Republicans caved on the largest part of welfare and dropped Medicaid reform; and they later kept silent when President Clinton, paying off his public sector union friends, doomed workfare by not allowing those on welfare to get their most likely job, on a government payroll.

Mr. Reagan would not claim success on education because the GOP spent as much as Mr. Clinton but face the fact that only 40 percent of eighth grade urban children have basic reading, math or science skills. More shocking, only 60 percent of suburban students have. That is, even 40 percent in the prosperous areas are not taught basic edu-

cational skills in the near-monopoly government schools as a result, not of oversight, but of a plan to de-emphasize these skills because failure to master them might cause lower self-esteem.

Even for those lucky enough to have a family, good education and a real job, leisure is polluted with senseless violence, amoral entertainment and vile behavior from a little box in this own homes.

What is more important than kids and family, friends and neighbors, and one's own living space? Official complacency about them is why polls show Americans are still dissatisfied in the midst of one of the greatest economic expansions in history. When that economic bubble bursts, as it soon will (probably from Asian economic flu), Reagan-like tax and regulatory policy will help revive the economy.

But conservatives need a program for the more fundamental problems too. Real welfare reform, private and charter school voucher scholarships, the strengthening of private institutions by letting them have more of their own money to spend on their own children, families and neighbors, and determined presidential moral leadership to tell Hollywood we simply will not tolerate such filth, is a Reagan program to both fulfill his legacy and celebrate his birthday properly.

Happy birthday, Mr. President, we miss you.

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

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

(Mr. MOAKLEY asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. MOAKLEY. The chairman of the Committee on Rules and the chairman of the authorizing committee, we have all agreed that we fought this battle yesterday, and so I rise in opposition to this closed rule, and I rise in opposition to the idea of changing the name of the local airport against the wishes of the people it serves.

I will submit the rest of my statement at this point in the RECORD.

I thank my colleague from New York, my very good friend Mr. SOLOMON, for yielding me the customary half hour and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this closed rule and in opposition to the idea of changing the name of a local airport against the wishes of the people it serves.

Mr. Speaker as I said yesterday, I have every respect for former President Reagan. He had an enormous impact on this country and he deserves to be remembered.

And this bill the Senate bill which leaves the name Washington National Airport and tacks on Ronald Reagan at the beginning is a slight improvement over yesterdays.

But the fact remains this Congress is still proposing renaming an airport despite very strong local opposition this Congress is proposing having the Federal Government run roughshod over the local airport authority President Reagan never would have done that.

Today's action Mr. Speaker, is despite the bill which President Reagan himself signed

into law in 1986 ceding management responsibility of this very airport to the Metropolitan Washington Airport Authority.

I want to add, Mr. Speaker, that the responsibility that President Reagan so wisely handed over to the local airport authority includes the right to change the name of the airport and the right to keep the name just as it is.

So I do not believe we do President Reagan's philosophy of empowering localities any justice by completely ignoring their wishes on the name of their airport.

The Airport Authority does not want the name changed, the county of Arlington does not want the name changed, the Greater Washington Board of Trade does not want the name changed, and the Congressman who represents the district in which the airport is located does not want the name changed.

I'm not sure if my Republican colleagues realize it Mr. Speaker but if they vote to change the name of this airport, it will be the first time ever that Congress has named a building against the wishes of the local representative.

And my very good friend Mr. MORAN has been extremely patient and thorough in his arguments on behalf of his constituents despite this bullying and we should respect him as each of us would expect to be respected.

Because, Mr. Speaker today we must let JIM MORAN speak for the 8th District of Virginia lest tomorrow someone try to speak for any one of us.

I urge my colleagues to defeat this closed rule, it is unfair, it contradicts the very ideas President Reagan espoused, and it does not do justice to the memory of one of this centuries most loved Presidents.

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

Mr. SOLOMON. 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.

Mr. SHUSTER. Mr. Speaker, pursuant to House Resolution 349, I call up 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.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Pursuant to House Resolution 349, the Senate bill is considered read for amendment.

The text of the Senate bill is as follows:

S. 1575

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 (54 Stat. 686), and known as the Washington National Airport, shall be known and designated as the "Ronald Reagan Washington 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 Washington National Airport":

(A) Subsection (b) of the first section of the Act of June 29, 1940 (54 Stat. 686, chapter 444).

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

(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 WASHINGTON 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 Washington National Airport".

The SPEAKER pro tempore. Pursuant to House Resolution 349, 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. Speaker, I yield myself such time as I may consume.

All we are doing here today is adding the word "Washington" to the legislation that we passed yesterday. Yesterday we passed legislation renaming the airport the Ronald Reagan National Airport. We are taking the Senate version, which inserts the name "Washington" and makes it the Ronald Reagan Washington National Airport. By agreement with our friends on the other side, we do not expect a rollcall vote on this matter and expect it to move expeditiously.

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

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

I rise in opposition to the conference report for all the reasons I articulated yesterday, and without recapitulating them, I yield such time as he may consume to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the gentleman from Minnesota (Mr. OBERSTAR) for yielding me this time.

I think that a recommittal would have been in order today personally, but we had a full debate yesterday. We understand that the majority of this Congress has chosen to rename this airport, and we respect the majority, obviously.

I do want to take a couple minutes here, because I do think that it should be said for the record that renaming this airport does constitute an unfunded Federal mandate on local governments. The cost involves more than just changing a few signs and reprinting stationery. Millions have been invested by the local governments, the private sector, the airlines, the travel hospitality industries to promote this region and identify Washington National as the gateway to the Nation's capital.

□ 1300

So the Board of Trade's assessment is probably an understatement, that it would be confusing and expensive. The total amount might be in millions of dollars for new ad campaigns to associate the airport's new name with the location it serves.

We felt it was ironic that part of President Reagan's legacy was the successful transfer to local control of Washington National Airport. All of the locality organizations and the local governments oppose this.

But I think at this stage in the process, Mr. Speaker, that we want to also be clear that it is entirely appropriate to give some positive recognition to Ronald Reagan on his birthday. We felt it was not the appropriate recognition; but, given the fact that the majority of the Congress has spoken, I do not think that it would be appropriate to force people to go through what has got to be an embarrassing situation for the Reagan family and for everyone who wants to find an appropriate way to memorialize President Reagan.

He will be memorialized soon with the new Federal trade building, the aircraft carrier and so on. But if this is the wishes of the majority, then we will not ask for a recommittal. We will not ask for a rollcall vote. We will just ask that in the future, that the interests of the minority, and particularly of local governments, gain greater respect from the majority so that in the future we can be more consistent with what we thought was President Reagan's underlying philosophy that local governments ought to have greater say in the things that affect their daily lives.

So, with that, Mr. Speaker, I will sit down. I will not fight this battle again, at least this year. Maybe people will recognize that what goes around can come around. But at this point, I think the majority of this body would like to put this issue to rest and go home and try to deal with more constructive issues in the future.

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

Mr. SHUSTER. Mr. Speaker, I read in the morning papers that the President has said he will sign this bill. And, with that comment, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. THORBERRY). All time for debate has expired.

The bill is considered read for amendment and, pursuant to House Resolution 349, the previous question is ordered.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 2625) 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 S. 1575, the Senate bill just passed.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE CONCURRENT RESOLUTION 182

Mr. DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Concurrent Resolution 182.

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

There was no objection.

DISAPPROVING THE CANCELLATIONS TRANSMITTED BY PRESIDENT ON OCTOBER 6, 1997, REGARDING PUBLIC LAW 105-45—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

Mr. PACKARD. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of the veto message and the bill (H.R. 2631) disapproving the cancellations transmitted by the President on October 6, 1997, regarding Public Law 105-45, from the President of the United States.

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

There was no objection.

(For veto message, see proceedings of the House of November 13, 1997, Part II, at page H10942.)

The SPEAKER pro tempore. The unfinished business is the further consideration of the veto message of the President on the bill (H.R. 2631) disapproving the cancellations transmitted by the President on October 6, 1997, regarding Public Law 105-45.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

The gentleman from California (Mr. PACKARD) is recognized for 1 hour.

Mr. PACKARD. Mr. Speaker, I yield the customary 30 minutes to the gentleman from North Carolina (Mr. HEFFNER) for purposes of debate only, pending which I yield myself such time as I may consume.

GENERAL LEAVE

Mr. PACKARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the veto message and the bill, H.R. 2631, from the President of the United States, and that they may include tabular and extraneous materials.

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

There was no objection.

Mr. PACKARD. Mr. Speaker, I rise to urge all Members to vote to override the President's veto of H.R. 2631, a bill disapproving the President's line item vetoes of the Military Construction Appropriations bill.

Mr. Speaker, I do this for three simple reasons. First, in his first-ever use of the line-item veto on an appropriations bill, the President used this new power in this instance carelessly and casually without doing his home work. The administration did not even consult with the Pentagon.

The administration admitted making several mistakes. The President said he would correct these mistakes by putting these projects in the fiscal year 1999 budget. Well, we have just received the fiscal year 1999 budget, and only one of the 38 projects that he line-item vetoed was put in his budget proposal, so he has not corrected his mistake. We simply want to make those corrections today.

Second, according to the Pentagon, all of these projects are executable and address valid and military requirements. By executable, I mean they are executable in this fiscal year. In fact, we ran all of these projects through the Defense Department and not one raised any objections.

Nearly all of these projects are in the Pentagon's 5-year plan. Each of these 38 projects were scrubbed very carefully by our subcommittee.

□ 1315

Finally, all of these projects were approved by the authorizing committee and fall well within the budget limits set by Congress. There is absolutely no wasteful spending. In fact, Members should all know that spending on military construction has been reduced significantly every year for the past 3 years, an 18 percent cut in the past 2 years from \$11 billion to \$9 billion.

We gave the President the line item veto power and authority to use judiciously. I still support the President having that power, and whether my colleagues support the President having the authority or not, they should not support the misuse of that authority. A vote today to override is not only a vote for our men and women in uniform, it is a vote to ensure that the line item veto is used fairly, carefully and responsibly in the future.

Last September, 413 of us here in this body voted for these projects when the conference report came to the floor; 352 of us voted to disapprove the President's line item veto of the 38 projects. That vote was last November 7. Nothing has changed. There is no reason for anyone to change their vote from aye. I urge every Member to restore these quality of life projects to our men and women and families in the military service by voting aye on this override resolution.

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

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

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

This is a first for this committee. We have worked very diligently in the past years when I was the chairman of the committee and we worked with staff. The staff did a tremendous job. We had hearings. We had people come in from all of the services, and we worked together as a bipartisan group to put together what we thought were bills over the past years that were in the best interest of our men and women in service.

We have had to fight some difficult battles because our budget has been shrunk, and we have actually been in free fall for a few years, and we are not even up to what we were several years ago. It is a little bit disappointing that the President and the folks down at the other end of Pennsylvania Avenue would be looking for some things to scratch in this bill. I think they are absolutely misguided in their direction on our bill.

Some of the folks said that these were not already designed, but most of these projects could be completed, they are in the 5-year plan. Not everything has to be a certain percentage designed because some of them are off of the shelf, and they can be implemented right away. They are all good projects. They have been considered by four committees, and they all have a contribution to our national defense.

I spoke against and was totally opposed to the line item veto because I do not think it serves democracy very well. And so the Members that would say, I voted for the line item veto and I cannot very well go back on my vote, if they read this bill and if they look at the things that it does, when they voted for the line item veto, they did not take a blood oath that anything that was vetoed that they would go along with. That is not the way our democracy works.

This is a good bill. It has been well thought out. The staff did a tremendous job along with the other body. It is a bipartisan bill and has absolutely, to our knowledge, it has absolutely no errors in it. Of course that would be speaking a little bit presumptuously to say that there are no errors, but this is a good bill. Everybody in this House should vote to override this veto. I would ask that Members give us their vote on overriding the President's line item veto.

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

Mr. PACKARD. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. SOLOMON), chairman of the Committee on Rules.

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

Mr. SOLOMON. Mr. Speaker, let me tell my colleagues, I rise in the strongest support for this vote to override the President's veto. This is both a pro-defense and a pro-line item veto vote that we are going to be casting.

As the chief proponent and the author of the line item veto, and I believe very strongly in it, the line item veto was written to give any President, regardless of party, the authority to highlight questionable spending provisions in omnibus bills in his judgment. Likewise the law was written specifically to protect Congress's ability to defend its spending decisions and priorities by providing for expedited consideration of bills to disapprove of the President's actions and, if subsequently vetoed, to use the constitutional process to override that veto.

This is stage four in the line item veto process. First Congress passed the military construction appropriations bill. Second, the President exercised his line item veto authority to cancel 38 provisions from that bill. Third, the House and Senate voted 352 to 64 and 69 to 30 respectively for a bill disapproving the cancellations. Today we reach stage four in the process.

Let me just say this to my colleagues. The reason they need to come over here and vote to override this veto is this: We wrote the line item veto so that any items that are vetoed and those vetoes stand, it takes away from the overall appropriation. In other words, we reduce the amount of money we are going to spend on our defense budget. That has already reached the low figure of 15 cents on every dollar.

The reason that we are here today in this Congress is to provide for the common defense for our 50 States. That is the main reason we are here, and we are close to going back to 1979 when we had to cannibalize 15 helicopter gunships just to get five that would work. And then three of those failed, and so did the rescue of our hostages. Let us not go back there. Let us come over here and vote to override this veto.

Mr. Speaker, I rise in strong support of this vote to override the President's veto of the Military Construction Appropriations disapproval bill, pursuant to the Line Item Veto Act.

This is both a pro-defense and a pro-line item veto vote.

As a chief proponent of the line item veto in the House and as Chairman of one of the Committees charged with oversight over that law, I believe such an action would be fully consistent with the intent of the line item veto.

The line item veto was written to give any President, regardless of party, the authority to highlight questionable spending provisions in omnibus bills.

Likewise, the law protects Congress' ability to defend its spending decisions and priorities by providing for expedited consideration of bills to disapprove of the President's actions and if subsequently vetoed to use the Constitutional process to override that veto.

This is stage four in the Line Item Veto Process. First, Congress passed the Military Construction Appropriations Bill for FY 1998. Second, the President exercised his line item veto authority to cancel 38 provisions from that bill.

Third, the House and Senate voted 352-64 and 69-30 respectively for a bill disapproving

those cancellations last November. Today we reach stage four in the process. As provided in the Constitution, Congress can override the veto of such canceled provisions with a two-thirds vote of both Houses.

Indeed the fact that this measure is on the floor of the House today demonstrates that the line item veto process works and that Congress' Constitutional prerogatives are protected.

Under the line item veto, any canceled dollars are dedicated to deficit reduction, as the spending cap for the affected bill is lowered by the value of the cancellations. In this particular instance the spending ceilings for defense programs would be reduced by \$287 million.

However, if these provisions are overridden total defense spending would not be reduced. This is the 13th straight year of inflation-adjusted cuts in the defense budget. No other major account in the entire federal budget has been reduced by this much.

Consequently, it is imperative that we maintain the current level of defense spending to ensure that we equip our uniformed men and women with the best that money can buy and that research and development can obtain.

Congress can agree with granting the President line item veto authority while disagreeing with how that authority is exercised.

This is clearly the case here today. Each member is able to look at each cancellation individually and decide for themselves whether or not to vote to override the President's action.

The line item veto law provides Members that opportunity and I am proud to stand here today with my colleagues in casting a strong vote in favor of overriding the President's veto. This is a yes vote for our national defense and a yes vote for the line item veto.

Mr. PACKARD. Mr. Speaker, I yield such time as he may consume to the gentleman from New Mexico (Mr. SKEEN), chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.

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

Mr. SKEEN. Mr. Speaker, I support the override of the President's veto.

I rise in support of the override of the President's veto of H.R. 2631, the military construction line-item disapproval bill.

Passage of this legislation is necessary to correct the mistakes that were made during the President's vetoes of 38 projects included in the bill which passed the House by a wide margin last year.

I thank the leadership for allowing this bill to come to the floor, and I am especially grateful to Chairman PACKARD and Mr. HEFNER for their work in shepherding this legislation.

This bill has been called by several of my colleagues as the "military construction line item integrity bill," since this legislation restores integrity to the line-item veto process by ensuring that decisions are made on the basis of facts, not mistakes.

The Office of Management and Budget has acknowledged that mistakes were made which led to the President's line-item vetoes, and passage of this legislation would allow those mistakes to be corrected.

This bill has broad bipartisan support, and has received the endorsement of the National Guard Association of the United States.

I ask all of my colleagues in the House of Representatives to support this legislation to ensure that our laws are based on factual information, not mistakes and erroneous information.

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

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

I would like to take just a moment to thank the gentleman from North Carolina (Mr. HEFNER), this being his last year, although we will get to work together on the next bill, but I want to tell him personally how much I appreciate the work he has done on this bill.

He certainly has been a joy to work with and has made a great contribution to our country and to our men and women in the services. This bill reflects his priorities as it does mine. It has been a real pleasure to work together.

Mr. Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. BEREUTER).

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

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for yielding the time to me.

I want to rise in strong support of H.R. 2631. I want to give my colleagues one good example why it is appropriate to do that. On the Subcommittee on Asia and the Pacific, I became familiar with a proposal of a particular construction project in Fort Derussey, Hawaii. It is to relocate the Asian Pacific Center for Security Studies to a building that is existent. It is used as a reserve center. This center today is renting very high-cost space. That building is waiting to be renovated. All parties concur that this was an appropriate and agreed decision and appropriation item. Its inclusion on the veto list was an inexplicable error that ought to be corrected by our override on the veto.

Undoubtedly there are other such cases in the hastily prepared and inadequately vetted veto list, but this is one that saves the taxpayer money. Everybody agrees it should have been done. It was inexplicable error. It is another reason why we should vote to override the veto.

I thank the gentleman for yielding me this time.

Mr. Speaker, this Member rises in strong support of H.R. 2631, legislation to override the President's veto of military construction programs. Certainly, the President has the authority to exercise the line-item veto on occasion when fiscal responsibility demands. No one disputes that prerogative; however, this authority must be exercised very judiciously.

This Member would tell his colleagues that there are many meritorious programs that the President targeted for elimination without careful consideration of the consequences. In particular this Member would point to one particular construction project, that of Fort Derussey, Hawaii. This is to become the future home of the Asia-Pacific Center for Security Studies which was established in September 1995.

Relocating the Asia-Pacific Center from its current location to Fort Derussey will eliminate a very major rental cost now being borne by the Center and the American taxpayer. It makes sense to use the existing U.S. government facility after renovations rather than continue to pay the high rental costs. All parties concur that this is the proper and agreed decision and appropriations item. Its inclusion on the veto list was an inexplicable error that ought to be corrected by our override vote of the veto. Undoubtedly, there are other such cases in the hastily prepared and inadequately vetted veto list.

The Asia-Pacific Center's mission is to serve as a focal point where national officials, decision makers, and military officers of the United States and other Asia-Pacific nations gather to explore pressing issues and achieve a greater understanding of the challenges that face the Asia-Pacific region. This center can help foster early rapport among the leaders of tomorrow and promote U.S. interests throughout the region.

Mr. Speaker, this Member urges support for H.R. 2631.

Mr. SPENCE. Mr. Speaker, I rise in support of the motion to override the President's veto of H.R. 2631, legislation to restore funding for the 38 military construction projects which were proposed for cancellation late last year.

The projects proposed for cancellation by the Administration are among the most heavily reviewed military construction projects in history. This vote will mark the sixth time the House has rendered judgment upon them. In every case, support for these projects has been overwhelming and I hope the same will be the case today.

The facts are clear. First, each of these projects meets a validated military requirement. Second, each of the 38 projects is executable in this fiscal year. Third, nearly all of these projects—85 percent—are in the Administration's own defense program. And fourth, the \$287 million to complete these projects are within the limits established by the budget agreement.

The Administration admits mistakes were made in the extensive exercise of the line-item veto on the Military Construction Appropriations Act and, it is my understanding, that the Administration no longer opposes this legislation.

The evidence on the public record provides ample justification to restore these projects. I urge my colleagues to support the restoration of funds to meet critical facilities shortfalls affecting the armed forces. I urged the House to support H.R. 2631.

Mr. STENHOLM. Mr. Speaker, I rise today to express my support for H.R. 2631, the Military Construction Veto Disapproval. I have the privilege of representing Dyess Air Force Base in Abilene, Texas. One of the thirty-eight projects stricken from the military construction bill was in my district so I have a very personal interest in this legislation, but I believe that the President made the decision to strike many projects in the bill based on poor advice and inaccurate information.

One of the reasons the President gave for vetoing these projects was that they did not meet a so-called "quality of life" requirement. I don't know what the President's definition of quality of life is, but I do know this: these thirty-eight projects which were eliminated included facilities to provide a safe working

place for the men and women we entrust with the defense of our nation.

In the case of the squadron operations facility to be built at Dyess Air Force Base, there are currently no existing facilities to house the 13th Bomb Squadron. Without this facility, the men and women of the 13th Bomb Squadron will be denied the tools they need to do their jobs.

How does this add to their quality of life or their ability to discharge their duties? "Quality of life" involves a great deal more than housing and child care facilities and gymnasiums, although those are very important. I cannot imagine how the quality of work life could be much worse than importing 500 to 1,000 men and women to do a job without any facilities in which to house that work.

The projects line item vetoed by the President were included in the military construction bill because they are essential to the mission of our military. Most of these projects were included in the five-year plans of the military services so that the money for these projects will be spent eventually. These projects were considered by four different Congressional committees with expertise in the area of national security and were reviewed by the Pentagon. The House and the Senate voted by overwhelming majorities to approve the military construction appropriation act.

Yet the President and his staff acting in haste crafted a new criteria for military construction projects—quality of life. While I do not oppose the use of quality of life as a consideration for determining the merit of a project, it should not be the only criteria, and it should be clearly defined and fairly applied. In the case of the 13th Bomb Squadron Operations Facility and many of the other projects cancelled by the President, it was not. The President incorrectly substituted his judgment for that of the Congress and the Pentagon. I urge my colleagues to support our men and women in uniform by voting again to override the President's line item veto to restore these projects.

Mrs. FOWLER. Mr. Speaker, I rise to express my strong support once again for H.R. 2631, legislation to override the President's line item vetoes of projects in the fiscal year 1997 Military Construction Appropriations Bill.

Last October 6, the President line item vetoed 38 military construction projects worth \$287 million. The other body overruled him on October 30, by a 69–30 vote. The House followed suit on November 8, voting 352–64 to restore funding. Despite two-thirds margins in both Houses, however, the President vetoed the bill disapproving his line item vetoes.

There are many reasons why Members should support this bill. Every one of the 38 vetoed projects was properly authorized by Congress. Every one of them met strict criteria established by the committees with oversight for military construction. The vast majority—33 of the 38—were in the Pentagon's 5-year plan, and those that were not were only absent because they were emergent requirements. And the inclusion of all of these projects was completely consistent with both the Congress' constitutional responsibility to provide for and maintain our Armed Forces, and the fiscal year 1998 budget resolution.

When President Clinton originally signed the bill giving him line item veto authority, he argued that it would help him cancel projects that are "special interest boondoggles, tax loopholes or pure pork."

However, according to OMB Director Franklin Raines, "the great majority, if not the overwhelming majority of these [vetoed] projects can make a contribution to our national defense." Moreover, in vetoing these items, the President himself said that these projects "have merit but should be considered in the future."

Then, after the vetoes, the administration itself admitted that it acted on erroneous data. Initially, the White House said two projects should not have been vetoed. Later, the number grew to 11. Still later, the White House admitted to as many as 18 mistakes.

Finally, I should note that anyone inclined to support the President's position should understand that they are not saving money by endorsing his vetoes. Rather, they will be costing the American taxpayer more money. These projects will all get built, because they are all validated military requirements and are in the services' extended budgets. Postponing them will only drive up costs due to inflation.

Given all of these considerations, I believe every Member ought to support the override bill. These projects were not pork, but had merit. The process that the administration used to select them was deeply flawed. Postponing construction of these projects will only cost more money.

I urge my colleagues to support this bill.

Mr. BISHOP. Mr. Speaker, I rise today as a strong supporter of this bipartisan bill which would disapprove the President's line-item vetoes of 38 critically-important projects included in the fiscal 1998 Military Construction Appropriations Act. Each of these projects is needed by the military. Each complies with the spending limits established by the Balanced Budget Act of 1997. And each, if funded, can be started during this current fiscal year.

I can speak about one of these projects from first-hand knowledge.

Included in the vetoes was \$6.8 million to construct an operations and training facility for combat-ready rescue personnel in the 41st Rescue Squadron based at Moody Air Force Base in Valdosta, Georgia, located in the District I represent. The job they do is dangerous and absolutely essential to the safety and well-being of our airmen and civilian populations on the ground. These highly-trained rescue specialists not only serve areas of Georgia and Florida in the general vicinity of the base, it is believed they perform more deployments throughout the world than any other Air Force units. Rescue personnel from Moody are assigned right now to the Persian Gulf.

They were transferred to Moody Air Force Base from Patrick Air Force Base during the first six months of last year. Although there was no available building for these units at Moody, the Air Force planned to build one as quickly as possible. Meanwhile, they had to be housed in temporary, rented trailers at a cost of \$108,000 a year.

These trailers are cramped and totally inadequate for the work these units do, including operations planning and on-going training exercises.

If anyone can overcome difficulties such as this, it is the men and women who serve in our armed forces. But it will be a disgrace if we, in Washington, D.C., keep these rescue units stuck in crowded temporary facilities any longer than necessary. We will fail in our responsibility if we send these troops into harm's way without providing them the basic support they need.

It will also be more costly. Not only will construction costs go up, we will continue paying the rent—and that is pure waste.

I believe the Administration acted in good faith. These are projects they truly believed could wait. But, I also believe the White House was acting on misinformation.

Based on the veto message, the White House apparently thought the rescue personnel had not yet been relocated to Moody, that the planning was not far enough along for construction to begin this fiscal year, and that this was not a quality-of-life project.

This was incorrect on all counts.

The rescue personnel had been transferred months before. Work can begin this year. Without question, providing adequate working conditions for military personnel, and particularly for those involved in life-and death operations, is a quality-of-life issue.

In fact, a number of these vetoes were evidently based on mistakes.

Moreover, there is no question that each and every one of the vetoed projects is needed for military readiness.

I urge my colleagues to vote "yea" on this bill and live up to our responsibility to provide our military forces the basic tools they need to carry out the missions that keep our country secure and help protect freedom throughout the world.

Mr. OLVER. Mr. Speaker, I rise in support of MILCON veto override.

Most of the projects on the President's cancellation list were in the Pentagon's future years defense plan.

All of them are executable this fiscal year.

Three of the projects were Air Force Reserve projects, and together they represent 50 percent of the Air Force Reserve's construction budget for fiscal year 1998.

While the active Air Force and the Air National Guard have suffered some cuts over the last few years, the Air Force Reserve's MILCON Program is literally being driven out of existence.

The President's fiscal year 1999 budget submission includes only one new Air Force Reserve project. One project. That's it.

Enough is enough.

The MILCON bill was the only appropriations bill where fiscal year 1998 spending was below fiscal year 1997.

I urge all of my colleagues to support motion to override.

Mr. GOSS. Mr. Speaker I thank my friend, the distinguished chairman of the Military Construction Appropriations Subcommittee, for yielding.

I rise in support of this override effort because I am a strong supporter of the line-item veto and the process it provides for ensuring careful scrutiny of Federal spending. In this case, Mr. Speaker, Congress is asserting its power of the purse, insisting to the President that we have carefully considered the items in the military construction spending bill that the President—I believe in haste and in error—chose to line-item veto. Contrary to the claims of some naysayers, we did not write Congress out of the spending process when we crafted the line-item veto. Quite the contrary, in fact, we provided very explicit procedures by which Congress could assert its authority—as we witness by today's proceedings.

Some pundits and even some Members have pointed to the President's application of the line-item veto on the military construction

spending bill as an example of why the line-item veto isn't a good idea. I firmly disagree. The line item veto has accomplished exactly what those of us who spent years bringing it about intended—it has brought greater accountability and sunshine to the process of spending the taxpayers' money. And it has provided a real opportunity for saving more than one point \$2 billion. Sure, in the cynical world of budgeteers and inside-the-beltway types, that may seem like a rounding error—but to the American people, \$1.2 billion is serious money. And there's more to come, I am sure. I share with many of my colleagues some disappointment that this President did not spend more time and take more care in developing sound criteria and preparing to use the powerful new tool we delegated to him in the form of the line-item veto. But I remain firmly committed to the idea that we did the right thing by implementing the line-item veto—and I hope this exercise of override will chasten the administration to think first and line item second during the upcoming budget cycle. I urge support for this override effort.

Mr. PACKARD. Mr. Speaker, I am aware that there are others that have come on the floor that want to speak, but in deference to my colleague from North Carolina, who has yielded back the balance of his time, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SUNUNU). Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, this vote must be determined by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 347, nays 69, not voting 14, as follows:

[Roll No. 10]
YEAS—347

Abercrombie	Brown (FL)	Danner
Aderholt	Bryant	Davis (IL)
Allen	Bunning	Davis (VA)
Archer	Burr	Deal
Bachus	Buyer	Delahunt
Baesler	Callahan	DeLauro
Baker	Calvert	DeLay
Baldacci	Camp	Diaz-Balart
Ballenger	Campbell	Dicks
Barcia	Canady	Dingell
Barr	Cannon	Dixon
Barrett (NE)	Cardin	Doolittle
Bartlett	Castle	Doyle
Barton	Chambliss	Dreier
Bass	Chenoweth	Dunn
Bateman	Christensen	Edwards
Bentsen	Clay	Ehlers
Bereuter	Clayton	Ehrlich
Berman	Clement	Emerson
Berry	Clyburn	English
Bilbray	Coble	Etheridge
Bilirakis	Coburn	Evans
Bishop	Collins	Everett
Blagojevich	Combest	Farr
Bliley	Condit	Fattah
Blumenauer	Cook	Fawell
Blunt	Cooksey	Fazio
Boehlert	Costello	Foley
Boehner	Cox	Ford
Bonilla	Coyne	Ford
Bonior	Cramer	Fossella
Borski	Crane	Fowler
Boucher	Crapo	Fox
Boyd	Cubin	Frelinghuysen
Brady	Cummings	Frost
Brown (CA)	Cunningham	Gallegly

Gejdenson	Linder
Gekas	Lipinski
Gephardt	Livingston
Gibbons	LoBiondo
Gilchrest	Lowey
Gillmor	Lucas
Gilman	Maloney (CT)
Goode	Maloney (NY)
Goodlatte	Manton
Goodling	Manzullo
Gordon	Mascara
Goss	Matsui
Graham	McCarthy (NY)
Granger	McCollum
Green	McCrery
Gutknecht	McDade
Hall (TX)	McGovern
Hamilton	McHale
Hansen	McHugh
Hastert	McInnis
Hastings (FL)	McIntosh
Hastings (WA)	McIntyre
Hayworth	McNulty
Hefley	Meek (FL)
Hefner	Menendez
Hill	Metcalfe
Hilleary	Mica
Hilliard	Millender-
Hinchee	McDonald
Hinojosa	Miller (CA)
Hobson	Mink
Hoekstra	Moakley
Holden	Mollohan
Hooley	Moran (KS)
Horn	Moran (VA)
Hostettler	Morella
Houghton	Murtha
Hoyer	Myrick
Hulshof	Nadler
Hunter	Neal
Hutchinson	Nethercutt
Hyde	Ney
Inglis	Northup
Istook	Norwood
Jackson (IL)	Oberstar
Jackson-Lee	Obey
(TX)	Olver
Jefferson	Ortiz
Jenkins	Oxley
John	Packard
Johnson (CT)	Pallone
Johnson, E. B.	Pappas
Johnson, Sam	Parker
Jones	Pascrell
Kaptur	Pastor
Kasich	Paul
Kelly	Paxon
Kennedy (MA)	Pease
Kennedy (RI)	Pelosi
Kennelly	Peterson (MN)
Kildee	Peterson (PA)
Kilpatrick	Pickering
Kim	Pickett
King (NY)	Pitts
Kingston	Pombo
Kleczka	Pomeroy
Knollenberg	Portman
Kolbe	Poshard
Kucinich	Price (NC)
LaFalce	Pryce (OH)
LaHood	Quinn
Lampson	Radanovich
Lantos	Rahall
Largent	Redmond
Latham	Regula
LaTourette	Reyes
Lazio	Riggs
Levin	Riley
Lewis (CA)	Rodriguez
Lewis (GA)	Roemer
Lewis (KY)	Rogan

NAYS—69

Ackerman	Engel
Andrews	Ensign
Barrett (WI)	Ewing
Boswell	Filner
Brown (OH)	Frank (MA)
Carson	Franks (NJ)
Chabot	Ganske
Conyers	Greenwood
Davis (FL)	Gutierrez
DeFazio	Harman
DeGette	Johnson (WI)
Deutsch	Kanjorski
Dickey	Kind (WI)
Doggett	Klug
Dooley	Leach
Duncan	Lofgren

Rogers	Rivers
Ros-Lehtinen	Rohrabacher
Roukema	Rothman
Roybal-Allard	Royce
Rush	Salmon
Ryun	Sanchez
Sabo	Sanford
Sanders	Sensenbrenner
Sandlin	Shays
Sawyer	Sherman
Saxton	Skaggs
Scarborough	Smith (MI)
Schaefer, Dan	Stark
Schaffer, Bob	Strickland
Schumer	
Scott	
Serrano	
Sessions	
Shadegg	
Shaw	
Shimkus	
Shuster	
Sisisky	
Skeen	
Skelton	
Slaughter	
Smith (NJ)	
Smith (OR)	
Smith (TX)	
Smith, Adam	
Smith, Linda	
Snowbarger	
Snyder	
Solomon	
Souder	
Spence	
Spratt	
Stabenow	
Stearns	
Stenholm	
Stokes	
Stump	
Sununu	
Talent	
Tanner	
Tauscher	
Tauzin	
Taylor (MS)	
Taylor (NC)	
Thomas	
Thompson	
Thornberry	
Thune	
Thurman	
Tiahrt	
Tierney	
Torres	
Traficant	
Turner	
Velazquez	
Visclosky	
Walsh	
Wamp	
Waters	
Watkins	
Watt (NC)	
Watts (OK)	
Weldon (FL)	
Weldon (PA)	
Weller	
Weygand	
White	
Whitfield	
Wicker	
Wise	
Wolf	
Woolsey	
Young (AK)	
Young (FL)	

NOT VOTING—14

Armey	Furse	McKeon
Becerra	Gonzalez	Porter
Burton	Hall (OH)	Schiff
Dellums	Herger	Wynn
Eshoo	Klink	

□ 1345

Ms. LOFGREN and Messrs. SHAYS, SALMON, MARKEY and GREENWOOD changed their vote from "yea" to "nay."

Mrs. TAUSCHER, Mrs. MALONEY of Connecticut and Messrs. NADLER, RUSH and PALLONE changed their vote from "nay" to "yea."

So, two-thirds having voted in favor thereof, the bill was passed, the objections of the President to the contrary notwithstanding.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SUNUNU). The Clerk will notify the Senate of the action of the House.

PERSONAL EXPLANATION

Mr. McKEON. Mr. Speaker, because of official business I was not present for Roll Call votes 7, 8, 9, and 10. Had I been present, I would have voted "aye" on each of these votes.

PERSONAL EXPLANATION

Mr. PORTER. Mr. Speaker, on rollcall No. 10, I was unavoidably detained making remarks to a business association headquartered in downtown Washington and was, for that reason, not present for the vote.

Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. HALL. Mr. Speaker, on roll calls #8, #9, and #10, I was unavoidably absent because of activities connected with this morning's National Prayer Breakfast. Had I been present, I would have voted nay on roll call #8—ordering the previous question on H. Res. 348; nay on roll call #9—final passage of H.R. 2846; and yea on roll call #10—final passage of H.R. 2631. I ask unanimous consent that this explanation be placed at the appropriate part of the RECORD.

(Mr. DELLUMS asked and was given permission to speak out of order for 5 minutes.)

FAREWELL SPEECH OF THE HONORABLE RONALD V. DELLUMS.

Mr. DELLUMS. Mr. Speaker, it is with an incredibly heavy heart that I take the well of the House of Representatives today because this will be the last time that I will do this.

I have served in these chambers for 27 years, and it has been an extraordinary honor and high privilege to serve with all of my colleagues here.

I came to Congress in January of 1971, against the backdrop of a very tumultuous era in the history of this country. The civil rights movement, the struggle for the liberation of many oppressed and downtrodden people in this country, the struggle for the liberation of women, peace in Vietnam, the notion that peace was a superior idea to war, the concern for the fragile nature of our ecological system. I came at a very unique era, at a very interesting and tumultuous period in this country.

I had to try to make sense out of all the music and anger and pain that I heard in Oakland and Berkeley and in the Bay area and in the country at that time. I was not to know that Berkeley and Oakland, in the mind's eye of many people, was so extraordinary and that when people wanted to lash out at what they thought Berkeley represented at that period in American history, they could not lash out at an abstract idea or at a city, but they could lash out at that person that was the representative of that community.

But I am just a guy. And if you hit me, I hurt; and if you cut me, I bleed. And there were many times when you hit me hard and you cut me deep. And there were times when I went to my office at night and sometimes in the dark, with tears in my eyes, I would pray to just have the strength to march back to the floor of the United States Congress with my pride and my dignity and to continue to try to fight back.

Over the years, I tried to extend to every one of my colleagues, on both sides of the aisle, the greatest respect that I could give you, and that is to give you my undivided attention, to listen to you.

Well, a couple nights ago my colleagues had a special order. And it was about me, so I listened with great care. The first thing I want to tell you is that one thing I thought is, no matter how old you are, you are always your mother's boy. And I sat here thinking, I wonder if my mom is watching.

The first person that called me when I got home was my mom. She was watching. And she asked me to thank all of you for your kind and generous remarks. And I thank you because you made my mother feel great pride and great joy, and thank you for that.

You used many adjectives. You said, "He is the fairest guy I ever worked with." Well, I was fair because I think that this process cannot function without fairness, that the cornerstone of this institution, what makes a representative democracy real, what makes this at the end of the day the people's branch of Government, is that it has to be rooted in the essence of fairness.

And when I first walked in the door, I was not often treated fairly. But I recognized that, as Martin Luther King, Jr., taught me, was that I could not be the flip side of the same coin, that I had to be willing to try to take

the moral high ground, to not respond in the way that people responded to me. So I leaned over backwards to be fair. Because if this place is to be about anything, it has to be about fairness.

Some of you, in your accolades, used the term "integrity." The reason why over the years I insisted that the process have integrity is because, without it, I recognized that the ideas that I came to espouse, the constituency that I represented, their hopes and their dreams and aspirations would never have a chance unless the process had integrity.

So the reason why I was willing to stand in defense of the most junior Democrat, the most junior Republican, or to make sure that the most conservative Member had the right to speak out was because to deny that person the right to speak was to diminish myself and to deny me the right to speak. And for me not to challenge any of you on the basis of your ideology and your philosophy in terms of your ability to have input meant that I was acquiescing to anyone denying me, based upon my political views, an opportunity to speak.

This institution cannot function without fairness and without justice. And, so, I tried to do that. There have been times in these chambers when pettiness, challenges of personality, and partisanship have been the order of the day.

Some of my colleagues said rarely have they ever heard DELLUMS take the well as a partisan. You know why? Because I came to realize early on that campaigning had to take place outside these chambers, that once we walked onto the floor of Congress, the dynamic changed, the paradigm changed. At that point, it was not about campaigning and politicking; it was about the incredible responsibility of governance.

And irrespective of your political views, we have to find some way to come here intellectually, honest enough to say, how do we now, based upon the judgments of the people, with far-ranging perspectives, interests and views, manage to govern this country.

Too often, we have fallen apart at that level.

Some of you said to me, "Ron is about ideas and not about personalities." At the end the day, my friends, it is never about personalities. We spend a lot of time attacking each other at the level of personalities.

For any of you where, in the fit of battle, you ever even interpreted that I came personally, I take this moment to profusely apologize to you. It was never about personal battles. It has always been about ideas. Individuals come and go, but ideas must ultimately transcend, and ideas must ultimately prevail.

It has been an incredible honor to serve in the House of Representatives. Incredible. Late night talk show hosts' jokes notwithstanding, it has been a privilege to serve here, an honor to serve here. To get up every day and put

on your uniform and put on your tie and march to the floor of Congress knowing that, in your hands, in that card, in your very being, you have life and death in your hands, it is an incredible thing.

Try not to take RON DELLUMS too seriously. I am just a guy. But I always took my job with deadly seriousness.

There were times when a few of us almost went nose to nose. And people said, "RON, you are a man of peace. How could you be angry?" I said, "I am a man of peace; but I didn't necessarily say I was always a peaceful man. You can make me angry."

But I learned something. I met an incredible man. His name was Nelson Mandela. His strength, coming after 20 some years in prison, I recognized that his strength and his power laid in his tranquility.

I said, "Here is a man that has learned to harness his anger, to discipline his pain, to harness his desire to retaliate." I said, "That is what I need to try to move myself toward, the ability to discipline and harness and challenge the anger so that, ultimately, it is one of constructive engagement with people around problem solving."

I leave here not as a cynic. And there have been days when this place has been at an all-time low, we all know this, but I do not leave cynical. I leave with my idealism and my enthusiasm intact because, when you look around, each of us have had the privilege of walking to the floor of Congress with the total freedom to express ourselves across whatever lines divide us, to say whatever we felt was important to say. That is an incredible gift, and I am privileged to have had that opportunity to have that gift.

For those of you who stop long enough to try to see me in more than one dimension, thank you. For those of you who stop long enough to embrace me as a friend, thank you. For those of you who came together with me in the spirit of battle, to try to right the wrongs, to challenge the evils, to make this world a better place for our children and our children's children, thank you. For those of you who each day just said, hi, RON, thank you.

I leave you with just one challenge. Continue to battle on behalf of the people.

I raise the question that I raised once with the Speaker GINGRICH. I said, Mr. GINGRICH, if we are successful in tearing down this institution, what podium do I mount to advocate on behalf of my constituency?

So let us be guided by wisdom and judgment.

You call me civil. Well, I came from a generation that was in a hurry. I walked in the door. I wanted to kick the door in and bring change immediately.

My generation said, peace, when do you want it? Now. Freedom, when do you want it? Now. So I was impatient. But you folks taught me the two most

incredible lessons of life, the lesson of patience and the lesson of humility.

You forced me to have to walk up and down that Hill 27 years in a row fighting the same old battles. You taught me that I was not a cocky dude, that one guy against 434 could change the world. But if we care about each other and we respect each other and we respect this incredible opportunity we have, together we can change the world.

□ 1400

I learned a concept called homeostasis when I was in college, which said that institutions manage to find a way to come into balance. Well, a member of the Gray Caucus is leaving, and the good Judge from Florida grew a gray beard, so the House is in balance on that issue. An old guy is leaving, and a young African-American is coming to be sworn in today. This institution is in homeostasis.

Thank you for caring; thank you for the privilege of working with you. It has been the most incredible and high honor of my life, and I hope that whatever life has in store for me beyond today will be a fraction of the excitement, the enthusiasm and the thrill of serving in this institution.

Thank you very much.

CALL OF THE HOUSE

Mr. OWENS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 11]

ANSWERED "PRESENT"—356

Abercrombie	Camp	Doggett
Ackerman	Campbell	Doolittle
Aderholt	Canady	Doyle
Allen	Cannon	Dreier
Andrews	Cardin	Duncan
Army	Carson	Edwards
Bachus	Castle	Ehlers
Baker	Chabot	Ehrlich
Baldacci	Chambless	Emerson
Ballenger	Chenoweth	Engel
Barcia	Christensen	Ensign
Barr	Clayton	Etheridge
Barrett (NE)	Clement	Everett
Barrett (WI)	Clyburn	Ewing
Bartlett	Coburn	Farr
Barton	Combest	Fattah
Bass	Condit	Fazio
Bateman	Conyers	Filner
Bentsen	Cook	Foley
Bereuter	Cooksey	Forbes
Berman	Costello	Fossella
Berry	Cox	Fowler
Bilbray	Cramer	Fox
Billrakis	Crane	Franks (NJ)
Bishop	Crapo	Frelinghuysen
Blagojevich	Cubin	Furse
Bliley	Cummings	Gejdenson
Blumenauer	Cunningham	Gephardt
Boehler	Davis (FL)	Gibbons
Boehner	Davis (IL)	Gilchrest
Bonilla	Davis (VA)	Gillmor
Borski	DeFazio	Gilman
Boswell	DeGette	Goode
Brady	Delahunt	Goodlatte
Brown (CA)	DeLauro	Goodling
Brown (FL)	Dellums	Gordon
Brown (OH)	Deutsch	Goss
Bryant	Dickey	Graham
Bunning	Dicks	Green
Callahan	Dingell	Greenwood
Calvert	Dixon	Gutierrez

Gutknecht	McCarthy (NY)	Royce
Hall (OH)	McCollum	Rush
Hall (TX)	McDade	Ryun
Hamilton	McDermott	Sabo
Hansen	McGovern	Salmon
Harman	McHale	Sanchez
Hastings (FL)	McIntosh	Sanders
Hastings (WA)	McIntyre	Sandlin
Hayworth	McKinney	Sanford
Hefley	McNulty	Sawyer
Hefner	Meehan	Saxton
Hill	Meek (FL)	Schaffer, Bob
Hilleary	Menendez	Schumer
Hilliard	Metcalfe	Scott
Hinchee	Mica	Sensenbrenner
Hinojosa	Millender-McDonald	Serrano
Hobson	Miller (CA)	Sessions
Hoekstra	Miller (FL)	Shadegg
Hooley	Minge	Shaw
Horn	Mink	Shays
Hostettler	Moakley	Sherman
Hoyer	Mollohan	Shimkus
Hulshof	Moran (KS)	Shuster
Inglis	Moran (VA)	Sisisky
Istook	Morella	Skaggs
Jackson (IL)	Murtha	Skelton
Jackson-Lee (TX)	Nadler	Slaughter
Jefferson	Neal	Smith (NJ)
Jenkins	Nethercutt	Smith (TX)
John	Neumann	Smith, Adam
Johnson (WI)	Ney	Smith, Linda
Johnson, E. B.	Northup	Snowbarger
Johnson, Sam	Norwood	Snyder
Jones	Oberstar	Souder
Kanjorski	Obey	Spence
Kaptur	Olver	Spratt
Kasich	Ortiz	Stabenow
Kelly	Owens	Stearns
Kennedy (MA)	Packard	Stenholm
Kennelly	Pallone	Stokes
Kildee	Pappas	Strickland
Kilpatrick	Pascrell	Stump
Kim	Pastor	Stupak
Kind (WI)	Paul	Sununu
King (NY)	Paxon	Talent
Kingston	Payne	Tanner
Klecza	Pease	Tauscher
Klug	Pelosi	Tauzin
Knollenberg	Peterson (PA)	Thompson
Kolbe	Petri	Thornberry
Kucinich	Pickering	Thune
LaFalce	Pickett	Tiahrt
LaHood	Pitts	Tierney
Lampson	Pombo	Torres
Lantos	Pomeroy	Towns
Largent	Porter	Traficant
Latham	Portman	Turner
Lazio	Poshard	Upton
Leach	Price (NC)	Velazquez
Levin	Pryce (OH)	Vento
Lewis (CA)	Quinn	Visclosky
Lewis (GA)	Radanovich	Walsh
Lewis (KY)	Rahall	Wamp
Linder	Ramstad	Waters
Lipinski	Rangel	Watt (NC)
Livingston	Redmond	Watts (OK)
LoBiondo	Regula	Waxman
Lofgren	Reyes	Weldon (FL)
Lowey	Riley	Wexler
Lucas	Rivers	Weygand
Maloney (CT)	Rodriguez	White
Maloney (NY)	Roemer	Whitfield
Manton	Rogan	Wicker
Manzullo	Rogers	Wise
Markey	Rohrabacher	Wolf
Martinez	Rothman	Woolsey
Matsui	Roukema	Young (FL)
McCarthy (MO)	Roybal-Allard	

□ 1421

The SPEAKER pro tempore (Mr. ROGAN). On this rollcall, 356 Members have recorded their presence by electronic device, a quorum.

Under the rule, further proceedings under the call are dispensed with.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 4, 1998.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of letter received from Mr. Thomas R. Wilkey, Executive Director, State Board of Elections, State of New York, indicating that, according to the unofficial results for the Special Election held February 3, 1998, the Honorable Gregory Meeks was elected Representative in Congress for the Sixth Congressional District, State of New York.

With warm regards,

ROBIN H. CARLE,
Clerk.

STATE OF NEW YORK,
STATE BOARD OF ELECTIONS,
Albany, NY, February 4, 1998.

ROBIN H. CARLE,
Clerk, House of Representatives,
Washington, DC.

DEAR MS. CARLE: Enclosed please find the unofficial results of the Special Election held in the 6th Congressional District of New York on Tuesday, February 3, 1998. The results appear to indicate that candidate Gregory Meeks will be the apparent winner.

The Board of Canvassers will be meeting on Tuesday, February 24 to officially certify the official results, and you will be provided with an official certification at that time.

Sincerely,

THOMAS R. WILKEY,
Executive Director.

SWEARING IN OF THE HONORABLE GREGORY W. MEEKS, OF NEW YORK, AS A MEMBER OF THE HOUSE

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the gentleman from New York, Mr. GREGORY W. MEEKS, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. Will the gentleman from New York (Mr. MEEKS), the Member-elect, along with the Members of the New York delegation come forward and will the Members please stand.

Mr. MEEKS appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations, you are now a Member of the Congress of the United States.

WELCOMING CONGRESSMAN
MEEKS

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

Mr. RANGEL. Mr. Speaker and my colleagues, many of us have the great task of succeeding Members of the House of Representatives that have left, as Reverend and Congressman Floyd Flake has, but indeed, the strong keep coming, and we are so fortunate that a young man a few years back was born in East Harlem, saw fit to go to Queens, got his training there, became an administrative judge for workmen's compensation, and then joined the great legislature of the State of New York in the New York State Assembly. And as I look in front of me, it looks like there is hardly a Member of the New York delegation in our Congress that did not serve in our State legislature.

Having served there for 6 years and working hard each and every day, he was selected by the African-Americans, as well as the Puerto Rican Hispanic Members of that group to head up the Black and Hispanic Caucus. He has worked hard, he has got two lovely daughters that are here with his wife, Simone-Marie. His brothers and his family are here to support him as they were during the great election that with more than a half a dozen candidates, he came through with 57 percent of that vote.

At this time I would like to yield to a senior member, the senior Republican Member of our delegation, the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, Chairman RANGEL, serving as the chair of our New York delegation, and my colleagues of the New York delegation, and all of our colleagues, we are so pleased to be able to welcome Mr. MEEKS to the Congress.

Our retired colleague, Floyd Flake, amassed a distinguished record of congressional service. His dedication in fighting for the concerns of his 6th District, his patriotism, his hard work are a testament to the leadership that he displayed, and while Congressman Flake leaves his shoes to fill, his successor seems to me to be able to come with a great potential to do just that.

GREGORY MEEKS comes to the Congress after already having had a distinguished career in public service, graduating from Howard University Law School. He joined the Queens County District Attorney's Office, was quickly promoted to the Office of Special Narcotics Prosecutor, something Mr. RANGEL and I have been working on for a number of years in our battle against drugs. We are pleased to welcome a legislator with the experience and determination in fighting the war on drugs. Congressman MEEKS, I know while he was serving on the New York State Commission on Investigation, directed criminal and civil investigations and major organized crime figures, and we hope he will continue his devotion to

fighting crime as he did in the past. We want to commend you and we wish you well. I am pleased to welcome you and your two daughters, Ebony and Aja and your wife, Simone, to the pantheon of congressional families, and we are here ready to help you in your work. God bless.

Mr. RANGEL. Mr. Speaker, reclaiming my time, there are so many Members that would like to be heard, but a lot of people have to make trains and planes, and so we have in our delegation not only an outstanding Member from Queens County, but the Democratic county leader that was able to guide the membership of the great organization there so that they were able to make the proper decision for the election, TOM MANTON, for purposes of introducing our brand-new member.

WELCOMING CONGRESSMAN
MEEKS

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

Mr. MANTON. Mr. Speaker, my colleagues, our newly-elected Member, GREGORY MEEKS, it gives me a great deal of pleasure to welcome you, GREGORY and your family and all of your supporters in Southeast Queens from the 6th Congressional District to this great Hall. I am not going to be repetitive here, but I would just like to say that your credentials were impeccable, starting off after law school as a prosecutor, and later on as a judge in the worker's compensation system, and then your service in the New York State Assembly.

□ 1430

So you have come here, you have hit the ground running, and we welcome you and ask that you have a long career in these sacred halls.

The SPEAKER. Will the gentleman from New York yield?

Mr. MANTON. Mr. Speaker, I am happy to yield to the Speaker.

The SPEAKER. It would please the Chair to recognize for his first time here the newly elected gentleman from New York (Mr. MEEKS), and to recognize him on behalf of the House and offer him an opportunity to speak to the House.

EXPRESSION OF THANKS FOR
SUPPORT

(Mr. MEEKS of New York asked and was given permission to address the House for 1 minute.)

Mr. MEEKS of New York. Mr. Speaker, thank you.

The first feeling that I have is: God is good. God is good. He has truly blessed me, and but by His grace am I here today. He has blessed me for an individual who grew up in public housing and a product of public education to be able to go on and receive a degree at the great institution known as Howard University School of Law, which I am

proud of; to be blessed with individuals who are really responsible for me being here.

Mr. Speaker, it started with my mother, who is not with us any longer, but she is with us. She gave me the strength, the support, and the upbringing so that this day could be possible. She gave me the vision and the determination to make things happen, and I will be so ever thankful to God who blessed me with her as a mother.

I want to thank my dad, who is here, who always was behind me and taught me the lessons of life and family.

I want to bless and thank my wife, Simone-Marie, who gave her energy, her time, and gave me her permission to seek the office of the United States House of Representatives.

My sisters, Rosalyn and Janella, who are here, who worked diligently day and night on this campaign, thank you.

And the Lord blessed me with two beautiful daughters who I am so proud of for all that they are doing and how they are growing up. That is Ebony and Aja.

And, as indicated, my mother is not with me, but the Lord blessed me with a great mother-in-law, Miss Eleanor Sing.

Mr. Speaker, let me say thank you, particularly, to my political godfather, Bob Simmons, and all of the individuals who are up in the balcony who are responsible for that huge victory on February 3. I will never forget them, for they are why I am here to represent the constituency and the people of the 6th Congressional District.

I know that I have very big shoes to fill, and I can say that I am not Floyd Flake. I am GREGORY MEEKS. I am going to do the best I can. I believe that Floyd Flake was on the right path, the same path of many of the Members of this hall that I have admired for a long time. The path of Barbara Jordan who sat here. The path of Shirley Chisholm. The path of Adam Powell. The path of Brother DELLUMS. The path of Charlie Rangel. The path of Thomas Manton.

Mr. Speaker, I look forward to working with you. I look forward to trying to make a difference in the lives of the people of this great country. I look forward to living the dream that Dr. King had that all of us will be able to walk together, talk together, live together under this big tent and this great Nation. Thank you very much.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to simply observe for the RECORD, if I might, that we are welcoming a new Member whom we are delighted to have with us and who we think has a great future. We are welcoming him on a day when we are losing a great Member who has had a great career and to whom we are all indebted for being a model of representing democracy in a free society.

So while we are saying good-bye to the gentleman from California (Mr.

DELLUMS) we are saying hello to the gentleman from New York (Mr. MEEKS) and that is the biological process by which a free people renews itself.

We will miss you, Mr. DELLUMS; and we are grateful to have you here, Mr. MEEKS.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. FAZIO of California. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H.Res. 351) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 351

Resolved, That the following named Members be, and are hereby elected to the following standing committees of the House of Representatives:

To the Committee on Banking and Financial Services:

Max Sandlin of Texas; Gregory Meeks of New York.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 105-415) on the resolution (H. Res. 352) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I ask for this time for the purposes of inquiring from the distinguished Chief Deputy Majority Whip regarding the schedule for today, the remainder of the week, and the following week.

Mr. HASTERT. Mr. Speaker, if the gentleman from Michigan, my good friend, will yield, I am pleased to announce that we have finished the legislative business for the week.

The House will reconvene on Wednesday, February 11, at 3 p.m. for legislative business. Members should note that we do not expect any recorded votes before 5 p.m. on Wednesday; and on Thursday, February 12, the House will meet at 10 a.m. for legislative business.

On Wednesday and Thursday, the House will consider the following legislation: a resolution providing for consideration of motions to suspend the rules and a resolution regarding the contested election in the 46th Congressional District of California.

Once the rule allowing suspensions next week has been agreed to, we hope to consider the following bills under suspension of rules:

H.R. 1428, the Voter Eligibility Verification Act; H. Con. Res. 202, the Daycare Fairness for Stay-at-Home Parents; and, S. 927, the National Sea Grant College Program Reauthorization Act of 1997.

Mr. Speaker, we hope to conclude legislative business for the week by early afternoon on Thursday, February 12. Friday, February 13, marks the beginning of the President's Day district work period from which the House will return on Tuesday, February 24.

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

Mr. BONIOR. Mr. Speaker, reclaiming my time, could the gentleman clarify two points for me? On the return date of Tuesday the 24th, can the gentleman enlighten us on when we can expect the first vote on that day?

Mr. HASTERT. Mr. Speaker, there will be no votes until after 5 o'clock.

Mr. BONIOR. Mr. Speaker, I thank the gentleman.

Finally, the gentleman said that on February 12, which is Thursday next, I think, we will meet at 12 for legislative business?

Mr. HASTERT. Mr. Speaker, 10 o'clock for legislative business.

Mr. BONIOR. Mr. Speaker, I thank the gentleman.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

A MATTER OF TRUTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Mr. Speaker, I want to take a moment to speak on what has been happening in the country lately. It is not about impeachment of the President or prosecution of the President; it is about what is on my mind and my conscience.

First of all, for all the clamor in the press and on radio and TV about allegations swirling around the President, there has been a blanket of silence on the part of many who ought to provide commentary on the moral tone of this country. And I am not sure why there has been this silence. Perhaps there is

a "do not rock the boat" feeling. Times are good and let us just sweep this under the rug and not focus on the moral aspects of this.

Perhaps the talk of impeachment and prosecution, which I think have been gotten out there too early, may have preempted those who might have felt obligated to comment on the moral issue and its impact on the leadership of the country.

Their reluctance was not evident in earlier cases. The young woman who flew the Air Force B-52s. The military general passed over for Chairman of the Joint Chiefs. The Tailhook scandal, which touched a number of senior Navy officials. Charges against a former Senator who resigned. A Supreme Court nominee and a Presidential candidate and others brought a tidal wave of comment from every corner of America.

In America, a person is innocent until proven guilty. But we are not talking about a court of law. We are talking about right and wrong.

We must give the President the benefit of the doubt. But let us not say that these things do not matter, because they do. They are at the very heart of honor, integrity, character and leadership.

What a person does in private affects the type of person he or she is in public, and a leader has an obligation to take responsibility for his or her actions and not try to explain them away or blame others.

If, indeed, we have lost the capacity to distinguish vice from virtue, if we believe that private behavior has no public consequences, if we believe that our Nation's leaders do not have to be good or moral and righteous men and women who live by the truth, then we abandon the very heritage of this Nation.

□ 1445

I believe America ought to expect more from its leaders, and I think most of the American people agree. If, as has been the case for ages, kids want to grow up to be President of the United States, then like it or not the person holding that title has a special responsibility, and we have every right to hold him or her accountable to that duty.

Saying Americans do not care just does not wash with me. Truth is something we have always honored in this country. We teach our children from an early age to be truthful. George Washington's birthday is coming soon, and we have long told the story about him admitting to cutting down the cherry tree, where he said, I cannot tell a lie.

When any President takes office, there is an implied promise that he or she will level with the people, that he or she will be honest with them. A solemn bond of trust has always existed between the President and its people. And it must always be that way. Every President has an obligation to tell the whole truth. If Richard Nixon had told

the whole truth and had asked the American people for forgiveness, I believe he would have been forgiven.

Today there is a pall of doubt over the Presidency. Not being forthcoming with whatever the truth may be leaves doubt about the bond of trust between the President and the people and keeps open the question of fitness to serve in high office. The only way America can put this behind us once and for all is to be assured that when the President speaks, he is telling the truth. I hope this President can give this assurance. If President Clinton tells the American people the whole truth and needs forgiveness, I believe he will be forgiven.

But let us remember, all of us, all of us err and make mistakes, including me. No one, not one is perfect. But for forgiveness and healing to take place, there must first be confession and truth, and then we can move on.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mrs. LINDA SMITH) is recognized for 5 minutes.

(Mrs. LINDA SMITH of Washington addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HONORING KAREN SUE NOBUMOTO

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 rise today to commemorate a remarkable woman from the 37th District of California: Karen Sue Nobumoto. Ms. Nobumoto is an exceptional leader in the field of law within the African American community and the Los Angeles area. She has inspired young lawyers and law students throughout her long history with the John M. Langston Bar Association, and has dedicated her life to giving back to her community. As she completes her one year term as President of the Langston Bar Association, I would like to take this opportunity to recognize her long list of achievements.

Ms. Nobumoto received her Bachelor of Arts degree in Political Science from the University of Hartford in West Hartford, Connecticut in 1973. She continued her studies at Southwestern University School of Law in Los Angeles, where she obtained her Juris Doctorate degree in 1989. Throughout her years at Southwestern University, Ms. Nobumoto served as an active student leader. She was the President of the Black Law Students Association and Vice-Dean of the Delta Theta Phi Law Fraternity.

Ms. Nobumoto has served on the board of directors of the John M. Langston Bar Association continuously since 1987. In 1988, she received the President's Special Recognition Award and received the same award again in 1996. She served as the first student Section Chairperson and worked with the past president to institute the Langston Law Student Career Day and Mentor Program. She also managed the Law Student Scholarship Program in

1990 and succeeded in increasing the scholarship funds distributed to African American law students over the past seven years.

Perhaps more important than this long list of achievements, is Ms. Nobumoto's unyielding determination and strong commitment to leaving no stone unturned when it comes to planning the critical path to success. She has attended every Langston board meeting and monthly meeting and represented the Langston Bar Association at over sixty-five different events throughout this past year. In addition to her work for Langston, Ms. Nobumoto is a hardworking Trial Deputy in the Office of the District Attorney in Los Angeles. She has also served on the Ethnic Minority Relations Committee of the State Bar from 1987 to 1990 and was the Vice-Chair of the Committee from 1989 to 1990. In 1990, she was also elected to a District 7 seat on the California Young Lawyers Association Board of Directors.

Clearly, Karen Nobumoto's commitment to carrying forward the tradition of service and leadership that defines the Langston Bar Association has made her one of the greatest Presidents to serve Langston. I am honored to know Ms. Nobumoto and wish her the best of luck as she pursues a position on the State Bar Board of Governors. Karen Nobumoto is a shining example of what it means to lead, to educate and to truly make a difference for the generations of today and tomorrow.

A RESOLUTION TO PROTECT WINNIE THE POOH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. LOWEY) is recognized for 5 minutes.

Mrs. LOWEY. Mr. Speaker, I rise to introduce a resolution to protect Winnie the Pooh and his friends from being taken away from their safe and comfortable home at the New York Public Library. For 10 years Winnie the Pooh has held court in the New York Public Library, delighting millions of New Yorkers. But in recent days a member of the British Parliament has been expressing her intention to take them away from their home.

As a mother of three and a grandmother of two, I am determined to keep Winnie the Pooh right where he belongs in New York City. Quite frankly, the British have their heads in a honey jar, if they think they are taking Winnie the Pooh out of New York City.

Mr. Speaker, Christopher Milne, son of the creator of Winnie the Pooh and the real life model for Christopher Robin, gave his blessing to the New York Public Library's display of his childhood friends before his death 2 years ago. Winnie the Pooh, Tigger, Eeyore, Kanga and Piglet belong in New York, and this resolution will ensure that they stay there.

H. CON. RES. —

Whereas Winnie-the-Pooh, Tigger, Eeyore, Kanga, and Piglet have lived safely and comfortably in a climate-controlled, bulletproof case at the New York Public Library for ten years.

Whereas they bring happiness to the 750,000 people who visit them each year.

Whereas Christopher Milne, the model for Christopher Robin, gave his blessing to the New York Public Library's public display of his childhood friends before his death.

Resolved by the House of Representatives (the Senate concurring). That the Congress of the United States expresses its strong support for the residents of Pooh Corner to remain at the New York Public Library.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

(Mr. FOLEY addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

THE FUTURE OPPORTUNITY AND WELL-BEING OF OUR CHILDREN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California (Mr. RIGGS) is recognized for 60 minutes as the designee of the majority leader.

Mr. RIGGS. Mr. Speaker, I want to take this opportunity to address the House under special orders on a topic that I think is of really paramount importance to our country, and that is the future opportunity and well-being of our children. I rise to talk today a little bit about our congressional, by that I mean House and Senate, Republican agenda for improvement of our schools, to ensure that every American child, especially those that come from disadvantaged backgrounds, socioeconomically disadvantaged backgrounds, has access to a high quality education and the kind of skills training that can unlock the future for that young person.

I have had the opportunity on many occasions, as many of the Members of this House have, to have my children accompany me to work sort of a dad takes daughter to work day. I have had my young daughter Sarah Anne, who is 11, going on 21, I think, at times, with me here on the House floor. And it has been a wonderful experience. It has given her an opportunity to see firsthand what I do as an elected Member of Congress. It has helped her not only better understand what I do, but it has helped her, I think, become a more responsible young person in her upbringing.

I can harken back a few years ago, when I first was elected to Congress, and the Sarah who is now in the fifth grade back then was in the second grade. And on the first day of school as the boys and girls were going around the classroom, when it came her turn to say what mom and dad do for a living, she piped up very proudly, my dad is FRANK RIGGS. He runs for Congress. Well, as they say, out of the mouths of babes. Since then, as I mentioned, she has come to have a far better understanding of what I do and what the purpose is of the Congress as our National Legislature.

I think our primary purpose, our most important objective has got to be,

as I said before, the future of our children. They are all our children. They are, they represent our hopes, our dreams, our common mission. I am here today out of concern for, addressing the House under special orders out of concern for her future and the future of her generation, and for that matter a generation of children yet unborn.

I want to talk about how the children of tomorrow can receive a better education today and what we might do in the remaining months of this legislative session of Congress over the course of this year, between now and the targeted final adjournment of this Congress in early October.

But before I get into that, as I was talking about my daughter Sarah Anne, I also harken back to my days as a local Little League and school board president. I had the dubious distinction of serving in both capacities at the same time, and I like to tell my colleagues that if they really want to know what politics are all about, they should try being both a Little League president and a school board president at the same time.

There is an old saying that was, I believe, coined by a former Speaker of the House of Representatives, Tip O'Neill, who said that all politics are local, and it does not get any more local than being Little League president and school board president at the same time.

So I sort of jokingly have made that statement, but quite seriously, if you want to know what politics are all about, forget about matters of war and peace and life and death, which we sometimes have to confront out on the House floor, and try dealing with the responsibilities of being Little League president and school board president at the same time and a constituency of many, many parents who do not at all times necessarily agree with the official positions of a little league or a school board.

I can say though that that experience has taught me that there is that shared concern about children. Everyone is concerned about their own children obviously, and there is a larger concern that many times extends to all children in the community, and while I personally do not agree with the philosophy that it takes a village to raise a child, because that seems to shift the responsibility for raising that child from the parents, the immediate family, to a larger and more amorphous institution known as a community or a village, and too often puts the trust and responsibility for raising children in government instead of where it properly belongs with those parents in that particular home, I can again say that we all have concerns about our children and want to create obviously a better future for our children. That is what brings us together as concerned citizens and as leaders in our respective communities, whether it be a position of elected leadership or whether it be some other position of leadership as

perhaps through civic affairs or business involvement.

I am going to talk a little bit about our children. The first thing I want to address since there is some very real concern about the future of Social Security, the first thing I want to mention is that this Congress over the course of last year and the previous Congress, which represent about 3½ years to date of a Republican control of the Congress, this Congress and the past Congress have made some tremendous strides in creating a better future for our children and fulfilling our promises to the American people. We have adopted a balanced budget, and as the President told the country the other night in his State of the Union address, we are on the verge of realizing that goal, and we are really on the verge of seeing the Federal Government for the foreseeable future generating a budget surplus, not a budget deficit, a budget surplus here in Washington. In fact, the current trend line projections for the Federal budget indicate surpluses, not deficits, surpluses as far as the eye can see. That is very encouraging news, and we are going to have a debate that will commence this year and continue again for the foreseeable future in terms of how to best utilize that budget surplus.

We have lowered taxes, especially through a \$500-per-child tax credit for hard-working, overburdened families, families, the median family income tax burden in America today being roughly 38 percent of that family's income, 38 percent going to taxing authorities at all levels, Federal, State and local. We have taken the first steps again to lower the tax burden on families, especially families with dependent children, under the theory that those families deserve to keep more of what they earn, and they are in a far better position to determine how to spend that money to benefit or to benefit their children and to create a better future for their children than any Federal Government bureaucracy back here in Washington.

We have also overhauled welfare. That reform is helping millions of our fellow Americans move from welfare to work. Many of those are single mothers that struggle against heroic odds, and by improving the quality of life for welfare recipients as they make that transition from welfare to work, we are also obviously creating a better future for the children of those households.

But we do have a long ways to go in terms of improving the future for our children. I mentioned briefly education reform. But we also are looking now at fundamental reform of the Tax Code. In my view, we have to have campaign finance reform at the Federal level because if we really want to change the way we govern, we have to change the way we campaign for office.

And we need entitlement reform or reform of the entitlement programs, the so-called old age entitlement programs of Social Security and Medicare,

if we want to make sure that those programs are preserved and strengthened; that is to say, to make sure that they are financially solvent well into the 21st century.

□ 1500

Now, House and Senate Republicans do have a real plan for Social Security, and I make reference to a commentary that was written in the Washington Times by Senator TRENT LOTT, the Senate majority leader, and he points out in this article that we are attempting to bring about fundamental restructuring of the Social Security program. His commentary begins by saying the President says he wants to talk about Social Security.

Talking is the easy part. Doing the right thing is another matter. Let us review the Clinton record. For 5 years the President has talked about entitlement reform, but almost all progress has come from a congressional coalition of Republicans and centrist Democrats. True, the President passed incremental Medicare and Medicaid changes in 1993, but unlike our more recently enacted reforms, his bill made no attempt at structural spending changes; in other words, fundamental overhaul of these programs, and instead relied on raising taxes to temporarily shore up those programs.

In 1994, the President proposed, as I think we all now know, a Federal Government, a big government takeover of health care. Setting aside the obvious demerits of subjecting one-seventh of the economy to government price controls, his plan would have created massive new entitlements and accelerated government spending. At the same time, however, the bipartisan Entitlement Commission, chaired by Democratic Senator ROBERT KERREY, Senator KERREY of Nebraska, concluded that the present spending trends for the old age entitlement programs, Social Security and Medicare, are unsustainable.

The President ignored the Entitlement Commission and its chairman, but the newly elected Republican congressional majority did not. We passed structural Medicare and Medicaid reforms in 1995, only to have them be vetoed and demagogued by the President.

The White House's demagoguery was supplemented, as we now know, by tens of millions of dollars in union-funded attack ads that were targeted at incumbent Republicans around the country, including myself in the 1996 elections and, unfortunately, made Medicare a partisan campaign issue in 1996 and turned it into just another political football, another partisan "he said, she said" type of argument. However, 1 year later, in a nonelection year, last year, 1997, the President signed reforms that were very similar to the ones that he had vetoed and demagogued for over a year. He signed similar reforms into law.

Now, early last year both a Federal commission and Alan Greenspan concluded that the Consumer Price Index

overstates increases in the cost of living by about 1 percent. Senator LOTT then proposed appointing a panel of technical experts to correct these flaws. However, again, the President and many congressional Democrats, backed by the labor unions and some of their other special interest allies, refused to address this problem, reinforcing this impression out there, this stereotype, that entitlement reform continues to be the third rail of American politics; that if one goes anywhere near it as an elected official they just might get electrocuted, in a political sense that is.

Last year the other body, the Senate, passed historic Medicare reforms, including raising the Medicare eligibility age and means testing premiums for more wealthy beneficiaries. And, in my view, they deserve a lot of credit for those actions. They also demonstrated a bipartisan willingness to make politically difficult choices in the interest of our children and in the name of their future.

U.S. News and World Report called it the Senate's magic moment and wondered whether the President would get on board. Well, the news that I share with my colleagues and the American people today is the President never even got near the boat.

Now, we do have a newly created Medicare commission, which was originally supposed to report in early 1999 to the Congress. To avoid having to address Medicare in the State of the Union address, next year's State of the Union address, the White House has proposed that the commission postpone their report to March. That would mean, if that comes to pass, that the President has ducked yet another opportunity to really exert presidential leadership and make a difficult choice on this most vexing issue.

Medicare is the second largest entitlement, and it will grow \$88 billion over the next 5 years, more than total Federal Government spending, more than total Federal taxpayer spending on crime, education and the environment combined. Yet the President proposes what we feel is a tremendously irresponsible expansion of the Medicare program for early retirees and refuses to allow seniors to use their own money to pay a doctor.

Of course, he knows in making that proposal, which he mentioned last Tuesday night, or a week ago Tuesday night in his State of the Union address, he knows that that expansion will be popular because he is offering a political goody, another entitlement, if you will, to a demographic group with a high voter turnout; upper income people in their 50s and 60s, who could afford to retire early and buy into the Medicare program.

His proposal, however, would benefit only the wealthiest beneficiaries and would encourage employers to dump older workers and early retirees into a government program.

So in the name of entitlement reform, the President raised tax employ-

ees to reduce the deficit, ignored the entitlement commission, he has demagogued both Medicare and Medicaid, he has refused to consider the Senate bipartisan proposal to fix the Consumer Price Index problem which overstates the annual rate of inflation, he has rejected the bipartisan Medicare beneficiaries reforms, and he has now delayed the Medicare commission. That is not true presidential leadership.

On top of all that, he now proposes to expand the second largest entitlement program, yet says he wants to reform the largest. He proposes to expand Medicare at the same time he is talking about reforming Social Security. Why should the American people believe him? And I am going to have more to say later on the President's trustworthiness.

So we have a tremendous challenge ahead in terms of entitlement reform. It is one of the chief pieces of unfinished business in this Congress and, in my view, will be probably confronting the next Congress, when we consider that just over the horizon, the challenge that lies just over the horizon, 75 million baby boomers will begin retiring around 2008.

That happens to be my generation. I admit it. I am one of the baby boomers. We have to address this problem and we have to adjust our programs for the aging, the graying of the American population. If we fail to do that, then these programs which constitute the social safety net in America are, in my view, in real jeopardy, especially for those who are most dependent upon these programs in their retirement, low income individuals, many of whom have to rely on a fixed income to make ends meet.

So the challenge for this Congress, and it is a bipartisan challenge, is how can we convince the President that we are willing to tackle Social Security and Medicare reform on a serious and, I would hope, nonpartisan basis. We have the proposals out on the table. And as Senator LOTT, Majority Leader in the Senate, points out, we really do need to have, and as Speaker GINGRICH has said, we really do need to have an adult conversation about reforming and preserving Social Security in this country.

We believe that Americans want more than talk; that they have a right to expect more than talk from their elected officials when it comes to entitlement reform, and that the onus is now on the President to close this enormous credibility gap that is created by the discrepancy between what he says on the one hand and what he has done on the other with respect to entitlement reform, because, as we all know, actions speak louder than words.

So entitlement reform is a critical issue facing this country. We also know that the time has come to make a commitment to fundamentally reforming the Tax Code. The current Federal income tax system is economically de-

structive. It is inconsistent with the principles of a free society, and many of us are joining together in this Congress to work towards the enactment of a new, simple and fairer system that would apply a single low rate of taxes to all Americans. We want to move from the present system of taxation to a simpler, flatter, fairer Tax Code and tax system and a single rate of taxation for all Americans.

We want to continue to provide tax relief for working Americans. And when we consider all the abuses that have come to light from recent hearings here in Washington and the hearings that many of us have had in our congressional districts around the country, we want to protect, do a better job of protecting the rights of taxpayers against tax collection abuses by the IRS.

I also believe, going back to the theme and the importance of creating a better future for our children, that we have to eliminate the bias in our present Tax Code against savings and investment. It is one of the perverse incentives that riddles American life when we consider that we have a Tax Code and a tax system that continues to promote consumption and spending over savings and investment. If we can eliminate that bias, if in fact we can emphasize savings and investment, we can reduce the tremendous strain that is going to be placed on those old age entitlement, the old age retirement programs, the Social Security and Medicare that I just mentioned a moment ago, when the baby boomer generation reaches retirement age.

So tax reform, entitlement reform, campaign finance reform, education reform are all critical in terms of the challenges facing this Congress and future Congresses as we look at the future and try to create more opportunity and more security for our young people.

I think it is safe to say that congressional Republicans want to take this country to a new level of freedom and opportunity through less taxes and more choices for families by improving our schools. And we are going to be looking at a number of educational proposals that are now pending before the Congress.

I happen to chair the education subcommittee in the House of Representatives, the so-called Subcommittee on Early Childhood, Youth and Families, and we are moving forward on a number of fronts right now. We had a very successful legislative year last year, a very ambitious year, where we passed legislation to improve the education of children with learning disabilities and special needs, to expanding vocational education and technical training opportunities for those young people who are not college bound or who, if they go to college, may not complete college, so that they actually have employable skills that they can market in the real world of business and private enterprise.

We have passed legislation that will encourage States and local school districts to create more independent public schools. These are called charter schools. And this is a very simple concept where local schools, and by local I mean that individual school is given a great deal of freedom and autonomy to experiment in education and to make improvements and innovations.

Charter schools are, to date, a very successful experiment in decentralization and deregulation in public education. And based on the early results, charter schools have led to an increase, an improvement in pupil performance at those charter schools. And that is really the bottom line.

Charter schools are also a step, a milestone, I guess we could say, on the road to creating full parental choice in public education today. I happen to believe that parents should be given the full range of choice among all competing institutions; that parents, as the consumers of education, the people who pay the majority of taxes for public education, should be empowered to select the school and the education that is most appropriate for their child, and that no one is better positioned, better able to make that decision regarding that child's welfare and the schooling that is appropriate for that child than, obviously, the parent or parents of that child.

I am encouraged that we are moving forward with charter school legislation. The Senate, the other body, has indicated that they are going to be taking up our charter school legislation in the context of their very comprehensive education plan, which they are calling the BOKS legislation, the Better Opportunities for our Kids and Schools Act, and the acronym, as I mentioned, is BOKS. So I am pleased that they are recognizing that Federal taxpayers and the Federal Government have a role in expanding charter schools.

□ 1515

I want to quote to my colleagues from an article in the Weekly Standard edition of December 8, 1997, in an article that was written by David Brooks, the senior editor of the Weekly Standard, where he says that,

The early evidence suggests that these tax-supported independent schools, charter schools, run by their own boards, their own board of trustees, their own governing board, within the public system raised student achievement. Moreover, if the country is going to shift eventually to a voucher system,

this is the idea where parents would have tuition scholarships through taxpayer funding to select the school, the education that is appropriate for their children.

Moreover, if the country is going to shift eventually to a voucher system, it will first have to pass through a charter phase so that when choice prevails there will be a variety of independent schools to choose from. Charters can

prove to the public that alternatives exist to a centralized system and so lay the intellectual groundwork for vouchers.

So I am pleased again that we are going to be moving forward on charter school legislation over the coming months in the Second Session of Congress.

However, charters are just one form of empowering parents through choice, just one way, if you will, of infusing competition and great accountability into the education system in America today.

There are several other forms of education choice, including tax credits, as have been implemented in certain States. Minnesota, under Governor Carlson, immediately comes to mind.

I mentioned tuition scholarships, or vouchers. We are going to be looking again at opportunity scholarships for underprivileged District of Columbia children here in the next few weeks, focusing specifically on those children who are attending unsafe and/or underperforming schools.

And, of course, Senator COVERDELL and Speaker GINGRICH have also proposed the ideas of education savings accounts where parents could contribute after-tax dollars to an IRA, an Individual Retirement Account, for education purposes and then make withdrawals tax-free for any education expense, including education expenses associated with their child attending a private primary or secondary, a private elementary or high school. So we are moving forward aggressively on expanding educational choice in this country and empowering parents.

Now, I do have a couple other things to mention in the area of education.

I mentioned that House and Senate Republicans are working on a comprehensive measure to improve education that would allocate money to better train teachers and parents to teach reading.

We are also looking at another pilot program for vouchers for low-income students that would be patterned after our legislation for the District of Columbia but would potentially allow other school districts, primarily urban school districts, to pursue the idea of vouchers on a pilot basis to see if, in fact, those vouchers, those tuition scholarships, increase or improve pupil performance and give parents a way out of failing school districts.

And I just cannot stress how important that is. Because I personally believe that our country could not afford to lose another generation of urban schoolchildren.

So we are going to be pursuing a voucher pilot in school districts around the country.

We mentioned charter schools. We are also looking at legislation that would require that the great majority of Federal taxpayer spending for education go down to the classroom level, down to that local school district, and from there to that individual school,

and from there into the classroom, hopefully, to pay someone who knows that child's name.

The idea is very simple. We want to get the most bang for the buck. We do not want the money continuing to be siphoned off for bureaucracy at the Federal or State or even, for that matter, local district school level. We want to drive it down locally into that classroom to pay someone who knows that child's name, under the theory that those dollars should follow the child. And, again, we are going to be looking at legislation that would test teachers' skills and provide them with merit pay raises.

I personally believe that the teaching profession is a missionary calling. It is one, quite honestly, where I think that if we are honest and admit that we cannot afford to pay the very best teachers what they are truly worth and, conversely, anything that we pay to a bad teacher is probably too much. But I think we have to understand how important the teaching profession truly is.

It has been said that a teacher can affect eternity because they never know where their influence on that child might end. So we are going to be looking at a way, again, where we can assist and enhance the teaching profession and where we can encourage more accountability and more incentive in the teaching profession.

So we are moving forward on a number of fronts in education aggressively, making it the top legislative priority for the Republican congressional Majority.

However, we are not going to do as the President has discussed, which is attempt to finance a bunch of new Federal education programs out of the future anticipated revenues resulting from a settlement of the tobacco class-action lawsuit against the States. It would be foolish. It would be unwise. It would be imprudent. It would be something that we would not do in our lives, in our homes or in our businesses, to spend money before we actually have it.

Our education proposal will be fully paid for. It will not involve new Federal spending. It will not involve raising taxes. It will not rely on the presumed revenues from the tobacco settlement.

We believe that one of the ways that we can pay for our education spending is to take all of these categorical programs that are housed back here in Washington, they are located primarily in the Department of Education, but they are spread, to be honest about it, spread about the whole Government bureaucracy, they are administered by a number of different Federal departments, agencies and commissions, and take those programs and consolidate them into a block grant to State and local school districts.

The savings that result by reducing bureaucracy here in Washington can go a long ways towards helping to pay for

education initiatives. So I want to make sure that I stress that our Federal education programs, as we prepare for a debate on the fiscal year 1999 Federal budget, we will be having a debate out here on the House floor in the coming weeks on a budget resolution, and once we adopt a budget resolution that sets the Federal spending limits for 1999 fiscal year, we will then be debating the 13 annual spending bills for the Federal Government that effectively implement the Federal Government.

But I want to emphasize that we are not going to go back to smoking mirrors budgeting. We are not going to rely on money that we do not have and may never

receive here in Washington.

In fact, the gentleman from Texas (Mr. ARMEY), the Majority Leader, who has been a real leader in education reform both in the Congress and in the District of Columbia public schools and in other States and communities around the country, a catalyst, a change agent for fundamental reform and improvement of our schools, he has said as recently as just a couple days ago something that kind of laid out the parameters for what the Republican congressional Majority will accept with respect to tobacco legislation.

Majority Leader ARMEY said that the President wants to use the tobacco deal and about \$65 billion in anticipated revenues that may not result from the tobacco deal, the tobacco class-action lawsuit settlement, as a cash cow, that is the Majority Leader's term, to pay for a sweeping array of domestic programs. And he made it very clear that we are not going to accept that position.

The Majority Leader also said that if there is congressional action on tobacco legislation that it will be action to use the money for the correct and primary purpose of preventing teen smoking; it will be focused on prevention and cessation initiatives and on health care research. Because, after all, we have to remember that the tobacco class-action lawsuit filed by the States against the tobacco companies is to recover the cost that taxpayers in those States that both State and Federal taxpayers have incurred through spending on the Medicaid program for tobacco-related illnesses.

So we want to put the money into teen smoking initiatives, anti-smoking initiatives, and in biomedical research. And our health care initiatives, I believe, have tremendous bipartisan support as we concentrate more money through the National Institutes of Health on research into the causes and prevention of cancer-related illnesses.

That is where we are going to spend the money. We are not going to go back into smoking mirrors budgeting and start making budgeting decisions over the coming year, over the coming months, that is predicated on the settlement of this lawsuit and the receipt of millions or billions of dollars to the Federal Treasury when, in fact, those funds may not materialize.

Now, the other thing I want to say about the President's initiatives is, quite simply, that he seems well-intentioned. I do not doubt the President is sincere when he talks about trying to improve education, and I tend to agree with him that partisan politics ought to stop at the schoolhouse door when we talk about education and improving schools.

However, I also hasten to add that the President seems to want to concentrate, when he talks about education, wants to concentrate more and more power and authority, more of the dollars and the decision-making responsibility for education here in Washington. And I do not think that is the way to go; and I know that sentiment is shared by many, many of my fellow Republicans, my congressional colleagues, as well as many Republicans around the country.

I do not think it makes sense at a time when we are trying to bootstrap improvement of our schools, at a time when we are trying to encourage more responsibility and accountability in education, which, after all, has to occur at the local level, right at that individual school site level, which, again, is keeping with the long-standing American tradition of local control and decentralized decision-making education. Given that, I do not think it makes sense to try to create more and more programs here in Washington and invest more and more authority in the United States Congress and in the Federal Government bureaucracy.

It does not make sense to constantly nationalize and federalize these initiatives when, in fact, we ought to be working to reduce bureaucracy here in Washington in order to get more resources and more decision making authority out there to States and to the local school districts where it will do the most good.

I do not think, whether we are talking about national testing, as we were debating on the House floor earlier today, or any other of the President's new education proposals, to turn the Congress of the United States into some sort of national school board.

We want, again, to decentralize the funding and decision making in education. We respect the autonomy and the authority of that local school district.

I am a former school board member myself, served 5 years on my hometown school board including two terms as a school board president. I have the greatest respect for those people who were there sort of on the front lines of education, if you will, and who are making those sort of policy decisions on a daily basis in their local communities. They also are far more accountable to the people who elected them, their constituents, than we could ever be.

I go back to what I said earlier about serving as school board president and Little League president in the same year. I literally could not go anywhere

in my home community, could not go into the corner grocery store without encountering a constituent. I was in the phone book. I was accessible.

It is that accessibility that I think is paramount to improving the quality of education in America today by increasing the accountability that local school districts have to the ultimate consumers of education, parents and guardians.

That is what we want to create here in Washington. We want a new education paradigm, a paradigm shift, if you will, where we shift the attention in education from the providers of education, the whole education establishment, to the consumers of education. Again, the best way to do that is to give those consumers the right to choose the education that is most appropriate and best suits their child.

So I wanted to kind of quickly touch a little bit about where I see the Congress going.

I mentioned the Social Security problem. That is a problem not just for the baby-boomers, as I mentioned in my remarks, but for the children of the baby-boomers, the so-called echo-boomers.

Because if we do not take steps, obviously, to reform Social Security structure now well into the next century so it is solvent when the baby-boomer generation reaches retirement age, it obviously will cease to exist in subsequent years when the children of those baby-boomers, the echo-boomers, reach retirement age.

So it is critically important we address education reform, tax reform, entitlement reform, and I would hope again entitlement reform.

But as critical as all those issues are, I want to talk about one other issue in my special order. That is the importance of moral leadership in America today. Because everything that we might say or do from a policy standpoint pales to the personal example that we set as elected decision makers, as elected office holders.

With the possible exception of the clergy, I do not think that there is a position of greater public trust than holding elective office. I am afraid that, too often, we have wandered away from that realization.

I am pondering this today because, earlier today, this morning, we had the National Prayer Breakfast. While it appears that our country is sailing along on a polite course and enjoying peace and prosperity in a booming economy, underneath that veneer is a struggle going on for the soul of America. There is a moral crisis occurring that underscores the importance of ethical and moral leadership in America today.

Again, I stress this because that leadership, that kind of ethical and moral leadership is what forms the bond, if you will, between elected officeholders and the people who really obviously have the true power in a representative democracy.

□ 1530

I am very distressed about the events that have been occurring back in Washington over the last few weeks, and I have to say, as I turn to this subject, I have to say at the beginning that I cannot find the explanations that have been coming out of the White House, all the political advisers with their spin, lawyers, the First Lady, and even the President, I cannot find that orchestrated and concerted effort credible. It is not credible to me.

When I look at the compelling, even overwhelming circumstantial evidence, with daily revelations, I have to conclude that the President has not leveled, has not been honest, with the American people, and I want to say quite sincerely that I think that deceit, that stonewalling, is jeopardizing the President's tenure, and I think really imperils his Presidency.

I cannot for the life of me understand why the—and I said this a week ago when matters first came to light—I cannot understand for the life of me why the President has not stepped forward and put this matter to rest, addressed head on the allegations that have been swirling around, particularly if he was sincere and honest when he looked at the camera, stared at the American people in the face and said there was nothing to these particular allegations.

In fact, I am looking at the President's quote from an article in Roll Call, which is the Capitol Hill newspaper from last Thursday, or Thursday, January 22, when he was asked by a reporter, you said in a statement today that you had no improper relationship with this intern. What exactly was the nature of your relationship with her?

This is the President's verbatim answer: Well, let me say the relationship was not improper, and I think that is important enough to say. But because the investigation is going on and because I don't know what is out—what is going to be asked of me, I think I need to cooperate and answer the questions.

Now, I couldn't agree more. Therefore, I cannot understand the deafening silence that is coming out of the White House.

The President goes on to say, I think it is important for me to make it clear what it is not. And then at the appropriate time, I will try to answer what it is. But let me answer, it is not an improper relationship, and I know what the word means.

I don't know when the appropriate time would be, but I don't think that the President and the country are well-served by continuing to stonewall and deny on this issue. I think the appropriate time for the President to address these allegations would have been at the outset of this whole controversy, when the allegations came to light. I can only conclude that by failing to address the allegations, which the President promised the American people he would do, that that then suggests that

there is far more to this whole controversy than what the President has told the American people.

Now, let me also make clear that this is not about some sort of sexual relations, in my view. This is all about lying and obstruction of justice. This is all about the fundamental responsibility, going back to that bond, if you will, that covenant, between the elected officeholder and the people that he or she represents, and in the case obviously of the President, that is all the American citizens, all American people. This is about, again, moral leadership and setting the right example and teaching our children and future generations through that example.

I have to be honest and say again that I am really dismayed by this controversy and concerned that with every passing day there is a real problem, a real potential, rather, that this country may become paralyzed by this particular scandal or controversy, and that it could then potentially impede the ability of this body, the United States Congress, to carry out its very important work in facing the challenges that confront us as a country as we try again to create that better future with more opportunity for our children.

Now, this is another Capitol Hill publication called *The Hill*, dated January 28th, and I want to share these words, because I think it underscores the magnitude of what we are talking about here.

It goes on to say, "Even if the," and they use the term "Arkansas Houdini," "Even if the President escapes from his latest crisis and serves out his second term, the Clinton presidency as we have known it is over. His undeniable character flaws, which his family and friends and the voters have been willing to turn a blind eye to in the past, are now glaringly obvious, and have cost him dearly in terms of the moral leadership and public trust that are a President's greatest asset.

"Americans are willing to forgive their elected officials almost any sin as long as they tell the truth."

We cannot countenance not telling the truth. We cannot countenance lying and deceit and stonewalling and covering up. We cannot do that, because if we do that, we destroy the fundamental trust between the elected office holders and the American people, and we contribute to this widespread cynicism and apathy in American society when it comes to political participation and making your voice heard and your vote count.

It contributes to this alienation and distance that too many American people feel from their government, their representative government, and their elected representation.

The Hill goes on to say, "We do not believe that President Clinton has done that in the present case, and we don't know if he will or is able to, without exposing himself to charges of perjury. As a result, he must explain and justify

the all too human failings that he managed to conceal from the American people, even as he has persuaded them to entrust him with the highest office in the land.

"Until he does that, it will be impossible for him to exert the kind of moral leadership that is the true mark of Presidential character. As it is, he has forfeited the right to expect the American people to cut him any more slack. He has," and these are *The Hill's* words now, this publication, "He has disgraced and degraded the Presidency and betrayed his family and friends, his party and his country. His legacy is now uncertain and his journey across that bridge to the 21st Century is fraught with peril."

And it is fraught with peril, because I also harken to the words of a very respected political commentator and widely syndicated columnist, David Broder, who wrote in the *Washington Post* on January 21, "The controversy surrounding the President is especially disturbing and potentially dangerous, because international affairs are slipping from his control. Saddam Hussein's defiance of U.S. policy and UN weapons inspection teams is becoming more brazen," although I do believe since Mr. Broder wrote these words that in large part, because of the Republican leadership of the Congress rallying to the President's side, we have been able to bring Hussein more into check.

Broder goes on to write, "After the rebuff Congress handed President Clinton last year by denying him Fast Track trade authority, he faces a difficult struggle for approval of the funds he wants to commit to stabilizing troubled Asian economies, and Bosnia looks more and more like a place that will keep U.S. and NATO forces he enmeshed for years."

I do not necessarily agree with his take on world events, but I think his primary point is that we have a number of potential flash points around the globe, we have these brush fires that could really heat up and become a conflagration in different parts of the world, and we need a President who can exert his Presidency and use his bully pulpit to the fullest. To do that, again, he has to have, as *The Hill* suggested, the moral leadership and the public trust.

So I am profoundly disturbed by what has been going on and the fact that, from all appearances, this is going to become a typical Washington scandal, where the President is going to try to hang on as long as possible, attempting to basically divert public attention from this particular issue, rather than, again, confront the truth and level with the American people, because I just do not find him, again, believable or credible when he looked at the American people, looked that camera in the eye, and denied any relations with this young 21 year old intern.

The other fundamental question here is, really, doesn't America deserve better? I really believe the American people deserves better leadership than what we have had from the President, and the only way we can get that particular leadership is, again, for the President to level and tell the truth.

The truth is really paramount. This is an article that was in the San Diego Union Tribune back in December, and it was a column that says, "Give a child integrity for Christmas." And it talks about the sense of integrity is the most important gift that we can give our children. So how do we teach them?

Then it goes on to quote a Professor of Ethics at the University of San Diego by the name of Larry Hinman who says that he thinks about this question a lot, and certainly it has been on my mind constantly in recent days.

Professor Hinman says he struggles every day to teach integrity to his 5 year old daughter. Then it quotes him as saying, "If I talk about integrity with my child and don't practice it, I will actually undermine her sense of integrity, so I try to practice what I preach. If I tell her no shouting, I try my best to follow my own mandate, and I don't shout. Keeping promises to her is also a part of integrity. She always remembers if I make a promise, and if I don't deliver, she is quick to point it out."

So I really believe that, again, particularly to those of us who hold a position of public trust, that we should be held to a higher standard, and the only way that we can meet or even exceed that standard, is to try to demonstrate integrity and honesty in our every deed and in all our words.

Again, I hope that this somehow this particular matter can be resolved, but I worry that we are, by perhaps turning a blind eye, by going along with the political spin, we are sending exactly, precisely, the wrong message to our young people about the importance of honesty, integrity and moral leadership. We have got to, as a Nation, if we want to I think really rediscover, or recover, our greatness and fulfill our destiny as the greatest Nation in the history of the world, as the leader of the world as we enter the 21st Century, we have got to rediscover basic American values like honesty, integrity and morality, and we have to regain really a sense of moral outrage when people play fast and loose with the truth.

So, again, this morning we had the National Prayer Breakfast back here in Washington, and this is actually a sermon that was published in the paper earlier this week by an Episcopalian priest or minister in Falls Church, in Northern Virginia, just across the Potomac River.

In this sermon he said, "Let us pray this week that at the National Prayer Breakfast, that our leaders would experience a spiritual and moral renewal, whereby they aspire to the stature of a

monarch whose highest concern is obedience to God and the well-being of our Nation; that they would be men and women who would have the courage to refuse to speak anything other than the truth."

He goes on to say, and I think this is really the most important lesson we can teach our children as they develop character, as they begin to realize the importance of personal integrity and honesty in all of their words and actions, he goes on to say, "Truth matters. Truth matters, and character matters. Truth matters for the well-being of our Nation. One day all truth will be revealed when we stand at the final judgment of God, and those who have the courage to walk in and speak the truth now will not be ashamed at that final day. Whatever is true, St. Paul says, think on that. The truth, Jesus said, will free us. The truth matters in the lives of our children, our homes, at church, and in Washington."

I submit to my colleagues if it matters in your house, it certainly ought to matter in the White House.

□ 1545

EDUCATION AND SCHOOL CONSTRUCTION

The SPEAKER pro tempore (Mr. ROGAN). Under a previous order of the House, the gentlewoman from California (Ms. SANCHEZ) is recognized for 5 minutes.

Ms. SANCHEZ. Mr. Speaker, education, education, education. I sit on the Committee on Education and the Workforce. Now, Mr. Speaker, it is interesting to hear so many people this year talk about education. In particular, when I see some of them were the ones who were cutting the school lunch program for our children just a few years ago. And I remember that, because I sat on the other side of the television watching and hearing what was being debated. Today, when we were talking about national standards, something we had already resolved last year, I thought, this is not doing any good for our children. So let us talk about issues that really matter to our children.

For example, school construction. Now, this past couple of months, every weekend when I have gone back to Anaheim and Santa Ana and Garden Grove, the areas and cities that I represent, I have been visiting schools. In fact, I have probably visited almost 60 elementary and secondary schools in my district. And since I went through the public school system in Anaheim, I have gone back to many of the same schools that I graduated from. Indeed, one of the biggest reasons that I ran for Congress was because I wanted the children in Anaheim to receive the same type of education that I had received 25 years earlier.

Well, the biggest problem we have right now back home is that our children have no classrooms in which to

study. In fact, I visited an elementary school patterned exactly the way my elementary school was patterned. The same floor plan, where a teacher was holding class in what used to be the broom closet for the janitor of our school or, for example, I took a look at the classroom that was made from the breezeway because we used to walk through a silent tunnel to get from one set of classes to the other when I went to school, and now, doors have been slapped on the sides and this too has been turned into a classroom. And I held a forum just a few weeks ago in my district with minority leader GEPHARDT and JUANITA MILLENDER-MCDONALD, a former public school teacher in California, and we listened to parents and to children and to school administrators talk about what it feels like to be in an elementary school built for 500 with 1,100 children attending; with 23 permanent classrooms and 27 portable classrooms on the playground, on what used to be basketball courts, on the grass areas, and our children are going year-round to school. Even in Anaheim, we are contemplating such a shortage of classrooms that we will now be considering in July double sessions, which means our children could go to school early in the morning and be late getting out in the dark, for example.

So it becomes even more important to address the issue of school construction, and we are trying to do that. I have introduced a Rebuild America's Schools Act, which would require local parents, teachers, taxpayers, to take the responsibility of building new classrooms, and we would help them by giving them tax credits for the interest paid on bonds they would have to pay, they would have to pass in order to build new schools.

Individuals would have to take local responsibility to ensure that children have a place to study, but we need to help them. And in California where we are growing by 5, 6, 10 percent a year in the number of children who attend schools, we must find a solution. I hope that the bill that I have here in Congress now will become law. It is patterned after a program we already have on the books, one which we passed in August. Mr. Speaker, it is not just urban city children who need help. It is children in suburbs who also have many attendees in their school districts, it is children that I represent. It is not just at-risk kids who we must talk about, because all of our children are at risk right now. They are at risk when one child is hungry in the classroom and bothering those who are fed. They are at risk when there is no band program in the school. They are at risk when PE has been taken away because there is no gymnasium and no money to build those facilities, and they are at risk when our children have no playgrounds because there are portable classrooms sitting there.

Let us really talk about what matters to our children.

SUNDRY MESSAGES FROM THE
PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

CENTENNIAL ANNIVERSARY OF
THE SPANISH-AMERICAN WAR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 60 minutes as the designee of the minority leader.

Mr. UNDERWOOD. Mr. Speaker, this year 1998 marks the centennial anniversary of the Spanish-American War. History tells us that it was fought to liberate the Cuban people from the yoke of Spanish colonialism. Historians and scholars are still debating America's true motivation for engaging in a fight between the Spanish empire and its long-held colonial possessions in the Caribbean and in the Pacific. They are still addressing, at least in an academic sense, the long-term effects and the many uncomfortable and the unresolved political issues that are the aftermath of the Spanish-American War. For 100 years now, the American flag has fluttered, both literally and philosophically, over the spoils of what has been termed the splendid little war.

In the months ahead I am sure that students throughout the Nation will be introduced to historical anecdotes which set the stage for the Spanish-American War in 1898. In the wake of the Civil War, the U.S. was cementing its identity not only as a unified Nation of separate States, but also as a rising power rich in natural resources, growing and prospering and spreading the benefits of American democracy from the Atlantic to the Pacific. Against this backdrop the plight of oppressed Cubans and the depravity of a crumbling European power became rich fodder for American newspapers. The Cuban uprising, the sinking of the USS *Maine*, Teddy Roosevelt and his Rough Riders and the charge up San Juan Hill, are likely to command the most attention, while the capture of Guam, the Filipino insurrection, General Emilio Aguinaldo and his Freedom Fighters and the Battle of Manila Bay will certainly not get equal attention.

The Pacific theater of the Spanish-American War is as colorful and rich in history as the Caribbean theater, but it is certainly not as well-known. Even here in the hallowed halls of Congress, few understand the 100-year progression between the arrival of an American warship on Guam in 1898 and the presence of a Guam delegate in the U.S. House of Representatives today. It is ironic, Mr. Speaker, that a war fought over Cuba and over issues pertaining to the Caribbean saw its first strike in the Pacific within a month.

The warship that stopped on Guam, the USS *Charleston*, under the command of Captain Henry Glass, was transporting American troops to the Philippines en route from Hawaii. Captain Glass received orders to stop and take the island of Guam. The *Charleston* arrived at Apra Harbor on June 21, 1898, and then, at that time, Guam was part of the Spanish empire, pretty much underfunded and pretty much forgotten within the realm of the Spanish empire.

What then was the U.S. interest in Guam in 1898 that a warship should be detoured from its intended course and ordered to take possession of what was a run-down Spanish garrison and its ill-informed commanders? Well, alas, like the declining Spanish empire, the emerging U.S. empire wanted a foothold on Asia's doorstep. Under American rule, Guam was converted from a provisioning port for Spanish galleons to a cooling station for naval ships, American naval ships. And while seemingly undramatic, this conversion reverberates with profound effects to this very day.

The Spanish-American War ended in December 1898 with the signing of a peace treaty in Paris. The Treaty of Paris ceded Guam, Puerto Rico and the Philippines to the United States and charged Congress with determining the civil rights and political status of the innovative inhabitants of these areas. A few days after the signing of the treaty on December 23, President William McKinley placed Guam under the full control of the Navy, ordering the Secretary of the Navy to "take such steps as may be necessary to establish the authority of the United States and give it the necessary protection and government." Once again, Guam, like in the previous 200 years, was given over to military rule.

Like their Spanish predecessors, the American naval officers who were assigned to Guam lamented the lack of adequate funding for support of a naval station, but they managed to build some roads and schools and raise some health and educational standards, and improve the lives of the Chamorro people. After more than 100 years of neglect under Spanish rule, the people of Guam were grateful for the improvement in their lives and hopeful for a bright and prosperous future under American rule. In fact, so eager were they to prove themselves worthy new members of the American household that in the interim, which lasted almost a year, in the interim between the removal from Guam of all Spanish government officials as prisoners of war and the arrival of Guam's first American naval governor, the people of Guam attempted to establish their own civilian government patterned after the American model under the leadership of Joaquin Perez. Guam's first naval governor arrived in August 1899 and the naval government of Guam began to take shape in the months that followed. In its efforts to erase every

vestige of foreign rule and establish America's presence and influence, the naval government imposed many new rules and regulations. Its orders were unilateral and beyond question. Its rule was strict and often clumsily racist, and still hoping to secure the benefits of American democracy for Guam, a group of island leaders drafted a petition in 1901 asking Congress to establish a permanent civilian government for Guam, one that would enable the people to mold their institutions to American standards and prepare themselves and their children for the rights, obligations and privileges as loyal subjects of the United States, and one which would remove the yoke of military government over Guam. That petition was not adhered to until 49 years later.

Mr. Speaker, 100 years ago the United States acquired Guam from Spain and established a military government of Guam. Now Guam was considered at that time a possession of the United States, and there is still much confusion as to what these small territories are in actual practice. Sometimes the term "possession" is used, sometimes the term "territory," sometimes a "protectorate," and as a "position," as if it were a thing to be owned and moved around. But in reality, the actual term and the appropriate legal term, which is also a part of the legacy of the Spanish-American War, is "unincorporated territory of the United States."

An unincorporated territory of the United States means that we are owned by the United States, but we are unincorporated. We are not fully a part of the United States. Until we change that status, congressional authority, congressional plenary authority, remains in full effect and the Constitution applies to Guam only to the extent that Congress sees fit to apply it to Guam. That is what happens when something is a territory; the Constitution applies to all American citizens, except in the territories when Congress decides which parts of the Constitution apply.

□ 1600

One of the main elements of great discussion about political theory today and the appropriate relationship between the Federal Government and the local government is the use of the 10th amendment of the Constitution where certain powers are reserved to the States or to the people.

We frequently hear references to the 10th amendment on the floor of the House in order to describe the appropriate relationship between the Federal Government and State governments and individual citizens. The concept of devolution in those cases used, as a core article, obviously draws its faith from the full application of the 10th amendment. However, the 10th amendment is not applied to Guam or any of the small territories as decided by Congress.

It was not until after World War II, and during which Guam suffered an horrific occupation by the Japanese, with the passage of the Organic Act that Guam was called an unincorporated territory. And the Organic Act of Guam is the governing document, is the basic law of Guam, and it simply means the organizing act of Guam.

For 50 years, the Navy was the primary instrument of government over Guam and the commanding officer of the naval station was also the Governor of Guam. The commander of the Marines was the head of the Department of Public Safety. The Navy chaplain was automatically the head of the Department of Education. This was the system of government which existed on Guam for the first 50 years after the Spanish-American war.

Under naval rule, political participation was very limited for island residents. A Guam Congress was authorized, but it was entirely advisory in nature. Certainly unlike any of the citizens of the 50 States, or even the District of Columbia, the citizens of Guam do not enjoy all the full protections of the U.S. Constitution. And by being and remaining an unincorporated territory in its current form, the U.S. has broad powers over the affairs of Guam and ultimately the future of the Chamorro people of Guam.

After the passage of the Organic Act in 1950, Guam had a civilian government under the U.S. flag. And in 1970, Guam was authorized the right to elect its own governor. Here we are 100 years later and we still have not solved the final political status situation for Guam.

It is ironic that in this, the 100th year of the commemoration of the Spanish-American war, there are really two remnants of that war which cry out for attention. Those are Guam and Puerto Rico. So it is a very difficult time for those two areas, and I cannot speak for Puerto Rico, but I can certainly speak for Guam, that it is a very difficult item for us to try to relate to.

How do we seek to commemorate 1898? In 1898, we had a flag raising on Guam. Implicit in that flag raising was the promise of the fulfillment of American democracy. One hundred years later, that promise has yet to be fulfilled.

How Guam commemorates the 100th anniversary of 1898 will be, in many respects, a measure of how Guamanians who are today U.S. citizens, see themselves as a society.

The other areas that were a part of the process of the Spanish-American war, namely Cuba and the Philippines, as political projects are complete. But Puerto Rico and Guam are not complete. Guam remains one of the two last pieces of the puzzle of 100 years that has come from the Spanish-American war. And it is interesting to note that when Spain lost the Spanish-American war, Spain had claims not only to the Philippines but throughout much of the central Pacific; all of the

islands in Micronesia, including the Northern Marianas, much of the Caroline Islands, Palau, Yap, Ponape, Chuuk and Kosrae.

And even though America had the opportunity to inherit those claims, it chose not to and it only took one island out of the whole Micronesian region and that island was Guam. The remaining islands were then sold by Spain to Germany. Then, after World War I, those islands became a part of a League of Nations mandate that was given over to Japan. After World War II, those islands were then given as a United Nations trust territory over to the United States.

All of those islands have had their political status resolved by today. Three freely associated governments, the Republic of Palau, the Republic of the Marshalls, and the Federated States of Micronesia and the new Commonwealth of the Northern Marianas all came out of those islands which the United States chose to ignore in 1898. It makes one think that perhaps had Guam been ignored at that time, by this time today we would have our political status fully resolved.

It is ironic that those who have been most associated with the United States in the Pacific are those who have waited the longest to see their political dreams fulfilled.

Because Congress is constitutionally mandated to make all of the decisions regarding the territories, and please bear in mind that we are talking about very small units, it is particularly incumbent upon this body to examine Guam's quest for political status change.

Now, in the year 1998, in the 100th anniversary of the centennial, now is an appropriate time to take a look at the issue of Guam's political status and its quest for commonwealth.

I would also like to focus upon another issue which is directly related to the centennial celebrations. As we celebrate in the United States the centennial of the Spanish-American war, the people of the Philippines will celebrate the centennial of their Declaration of Independence.

The Philippines declared its independence in 1898 but did not actually achieve it until 1945. And although most of us recognize 1898 as the beginning of our long relationship with the Republic of the Philippines, I think it is most unfortunate that I believe a majority of Americans today are unaware of the dynamics and the nature of our initial relationship with the Filipinos.

F.E. Warren Air Force Base in Cheyenne, Wyoming, a former Army post occupied by Army Indian fighters, plays host to historical artifacts that are becoming a concern to more and more Americans and is already a concern to many, many Filipinos. I am referring to a couple of church bells taken from a Catholic church in the Philippines by members of the 11th Infantry in 1901. Known to many as the

"Bells of Balangiga," which have become the center of a century-old controversy which have placed the people of the Republic of the Philippines and many of the residents of Cheyenne, Wyoming, at odds.

The people of the Philippines have repeatedly requested the return of the bells, and they would particularly like to have them back for their 100th anniversary celebration of this year of their declaration of independence from Spain. Several residents of Cheyenne, however, have expressed strong opposition to this request.

On November 7, 1997, I introduced H. Res. 312, a resolution urging the President to authorize the transfer of the ownership of one of the two bells currently displayed at F.E. Warren Air Force Base to the people of the Philippines. My purpose here is neither to glorify any of the actions taken nor condemn any of the atrocities committed at the time the bells were taken, but to shed light upon and clarify the issues behind the Bells of Balangiga.

At the onset of the Spanish-American war in 1898, the American fleet under George Dewey was ordered to attack the Spaniards at Manila Bay. Admiral Dewey and E. Spencer Pratt, the American consul in Singapore, convinced Filipino rebel leader, Emilio Aguinaldo, to ally his troops with the Americans, indicating that independence would probably be granted to the Philippines.

After Spain's defeat, however, it became evident that the Americans never intended to recognize the legitimacy of the Philippine republic declared in 1898. Aguinaldo, whose troops lacked the arms and discipline required to directly engage Americans in combat, issued a proclamation calling upon Filipinos to employ guerrilla tactics against Americans. The next few years saw a war which engendered much controversy in this country, but which is not well understood today, in which 4,200 Americans and an estimated 220,000 Filipinos lost their lives. Needless to say, atrocities were committed on both sides.

Mr. Speaker, 4,200 Americans died subduing the Philippines. In the course of the entire Spanish-American war, including the charge up San Juan Hill, only 398 Americans died in battle. But in subduing the Philippines over the next few years, 4,200 Americans died.

One particular example of the tragedy of the so-called Philippine insurrection occurred in the island of Samar. In September 26, 1901, rebels disguised as women smuggled weapons, mostly bolos, past inattentive sentries. While preparing for breakfast, the townspeople simultaneously attacked and killed Members of the Ninth Infantry "C" Company. Reinforcements were sent through the 11th Infantry and, in retaliation, Brigadier General Jacob Smith ordered every village on the island of Samar to be burned and every male Filipino over 10 years of age to be killed.

Evidence suggests that the priests at Balangiga rang the town's church bells every time the American troops were about to engage in search and destroy missions. The church bells were most likely confiscated by American troops in an attempt to ensure the secrecy and heighten the efficiency of these missions.

Three of these bells are known to exist. The survivors of the Ninth Infantry "C" Company took possession of one bell, which is now in a traveling collection maintained by the Ninth Infantry in Korea. The Eleventh Infantry also took two bells and a 15th-century English cannon with them to the U.S. when the unit was assigned to what was then Fort D.A. Russell in Cheyenne, Wyoming.

In 1949, Fort Russell was converted to the present Air Force base which house the Bells of Balangiga after having been left there by the Eleventh Infantry. There was a time when the officers at F.E. Warren wanted to get rid of the bells. These brass relics have no relevance for F.E. Warren Air Force Base, which is a missile base. Few people seemed to know or care about these bells. That is until the government of the Philippines asked for their return.

The President of the Philippines, the current President, Fidel Ramos, first became interested in the bells as a West Point cadet in the 1950s as he attended the U.S. Military Academy.

In the late 1980s, as defense minister, Fidel Ramos sought the help of his U.S. counterpart, former Wyoming U.S. Congressman Dick Cheney, who was then the Secretary of Defense.

For the 50th anniversary of Philippine's independence from the United States in 1996, the matter was brought to President Clinton's attention. However, these efforts, along with those of many others, including mine, have fallen on deaf ears. It seems that a vast majority of the people involved have made a decision that, instead of being on the right side of this issue, they would certainly rather be on the safe side.

It is true that there has been some vocal opposition against the return of the bells. However, this opposition may not fully understand the events of the past.

Although the insurrection cost the lives of American soldiers, let us not forget that the U.S. sent troops to the Philippines in 1898 in order to subdue a country that wanted to be independent. Let us also not forget that, later on, these very same people and their descendants suffered, fought, and died fighting with our troops for a common cause in the battlefields of Bataan, Corregidor, Korea and Vietnam, making the Philippines the only Asian country that has stood with the United States in every conflict in this century.

For almost 100 years, the Philippines has been our closest friend and ally, and in the name of friendship and cooperation it would only be fitting and

proper for the United States to share the Bells of Balangiga with the people of the Philippines for their centennial celebrations.

Still, there are a number of veterans groups in Wyoming vehemently opposing the return of the bells, claiming that by doing so a sacred memorial would be desecrated and dismantled.

□ 1615

I beg to differ. Although Filipinos and the majority of the people with whom I have come into contact feel that both of the bells should be returned, a proposed compromise offered by the Philippine Government calls for the United States and the Republic of the Philippines to share the bells. The bells will be recast and duplicates made. The United States and the Philippines will each keep one original and one duplicate, and the Philippines Government has even offered to absorb all of the costs involved. H. Res. 312 would facilitate this proposal.

I assure everyone that this compromise would not in any way desecrate or dismantle the memorial at Trophy Park. What we presently have at F.E. Warren is a century-old reminder of death, suffering and treachery, brought about by vicious guerrilla warfare in a highly misunderstood conflict. By having the bells and duplicates both in the Philippines and in Wyoming, this solitary memorial will be converted into fitting monuments located on both sides of the world, dedicated to the peace, friendship and cooperation that have since existed between the American and the Filipino people.

The memory of those who perished, both Americans and Filipinos, will then be associated with a compromise of peace and friendship, cemented 100 years after they volunteered to travel halfway around the world to seek and secure this same peace and friendship from the people of Asia and the Far East. We have the world to gain and nothing but silly pride to lose.

My grandfather, from whom I got my name, although I am a native of Guam, James Holland Underwood, was a marine who served during the Spanish-American War prior to being mustered out on Guam. His brother and my namesake, Robert Oscar Underwood, was also a veteran of that war. He served in the Philippines during the time of the Philippine insurrection. I am sure that these men would understand and support the concept of having national symbols such as the Bells of Balangiga unite us and not divide us, those of us who care about independence and democracy and freedom for peoples around the world. Had they been alive today, I am sure that they would applaud my efforts because they will surely realize that the Bells of Balangiga would always mean more to the Filipinos than they could ever mean to us.

Sharing the Bells of Balangiga with the Filipinos is the honorable thing to

do. It is the sensible thing to do. It is the right thing to do.

On behalf of a growing number of people who have expressed their support, I urge my colleagues to cosponsor H. Res. 312.

A FURTHER TRIBUTE TO THE HONORABLE RONALD V. DELLUMS

The SPEAKER pro tempore (Mr. GIBBONS). Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Mr. Speaker, this is the last day for one of our most distinguished Members, RONALD DELLUMS, who has represented Oakland, California, for almost 27 years. Yesterday or the day before there have been some tributes to RON DELLUMS. There were so many Members who wanted to step up and speak their piece that some of us simply ran out of time. I did not want to end today, have Mr. DELLUMS retire or for myself for me to go home without saying a few words on his behalf.

I am a freshman on the Committee on National Security on which he has been the former chairman and now the ranking member for the Democratic Party. In the course of my experience with RON DELLUMS on the Committee on National Security, I have been struck by several things. He is a ranking member who has been always careful to make sure that he takes part of his time and allocates it to newer Members. He has forgone questioning witnesses on his own to make sure that new Members have a chance to ask questions themselves. Throughout his management of that committee, throughout his management of the minority, he has been very careful to show respect for others because he cares for others.

Today when he spoke here in the well of the House for the last time, he talked about learning the lessons of patience and the lessons of humility during his 27 years here in the House. He treated us all consistently with respect, and those who heard his remarks today will understand how much he values this House and how much he values its traditions.

I will also cherish some of my private conversations with RON DELLUMS. During one of those conversations, we talked about something that Martin Luther King, Jr. once said. Reverend King once said, the most radical action that anyone can take is to assert the full measure of his citizenship, to assert the full measure of his citizenship. When I go back to Maine and I talk to people in Maine and I want to encourage them to participate in civil society, when I want to encourage them to do everything that they can to participate in this political process, I use that quotation, and I cannot think of anyone who better exemplifies the full participation of his citizenship than RON DELLUMS.

As a freshman Member when I go back to Maine, I am often asked what

I think of other people in this Chamber, how I regard other Members of Congress, how they stack up. And several times in the last few months people have said to me, is there anyone in Congress that you regard as truly great? My answer has always been the same: RON DELLUMS. RON DELLUMS is a truly great man. This Chamber will miss him.

REPORT OF COMMODITY CREDIT CORPORATION FOR FISCAL YEAR 1995—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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 Agriculture:

To the Congress of the United States:

As required by the provisions of section 13, Public Law 806, 80th Congress (15 U.S.C. 714k), I transmit herewith the report of the Commodity Credit Corporation for fiscal year 1995.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 5, 1998.

ANNUAL REPORT OF NATIONAL ENDOWMENT FOR THE HUMANITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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 Education and the Workforce:

To the Congress of the United States:

I am pleased to present to you the 1996 annual report of the National Endowment for the Humanities (NEH), the Federal agency charged with fostering scholarship and enriching the ideas and wisdom born of the humanities. The agency supports an impressive range of projects encompassing the worlds of history, literature, philosophy, and culture. Through these projects, Americans of all walks of life are able to explore and share in the uniqueness of our Nation's democratic experience.

The activities of the NEH touch tens of millions of our citizens—from the youngest students to the most veteran professors, to men and women who simply strive for a greater appreciation of our Nation's past, present, and future. The NEH has supported projects as diverse as the widely viewed documentary, *The West*, and research as specialized as that conducted on the Lakota Tribe. Small historical societies have received support, as have some of the Nation's largest cultural institutions.

Throughout our history, the humanities have provided Americans with the knowledge, insights, and perspectives needed to move ourselves and our civ-

ilization forward. Today, the NEH remains vitally important to promoting our Nation's culture. Not only does its work continue to add immeasurably to our civic life, it strengthens the democratic spirit so essential to our country and our world on the eve of a new century.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 5, 1998.

AGREEMENT BETWEEN GOVERNMENTS OF UNITED STATES AND REPUBLIC OF POLAND CONCERNING FISHERIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-211)

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 Resources and ordered to be printed:

To the Congress of the United States:

In accordance with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), I transmit herewith an Agreement between the Government of the United States of America and the Government of the Republic of Poland extending the Agreement of August 1, 1985, Concerning Fisheries Off the Coasts of the United States, with annexes and agreed minutes, as amended and extended (the 1985 Agreement). The Agreement, which was effected by an exchange of notes at Warsaw on February 5 and August 25, 1997, extends the 1985 Agreement to December 31, 1999.

In light of the importance of our fisheries relationship with the Republic of Poland, I urge that the Congress give favorable consideration to this Agreement at an early date.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 5, 1998.

PROPOSED TOBACCO SETTLEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, let me state at the outset that I do not smoke, nor do I encourage others to smoke. Children should not smoke, nor should they be enticed to smoke. I applaud the President Clinton's efforts to curb and ultimately reduce the incidence of youth smoking in the United States in the near future.

Tobacco, the mere word, engenders many strong feelings and opinions in most Americans and especially in those of us who serve in Congress. With regard to the pending tobacco settlement, no matter how you feel about tobacco, one must view it for what it is, a legal commodity grown by many American farmers.

North Carolina grows quite a lot of tobacco, both burley and flue-cured. Over 65 percent of the total U.S. pro-

duction is grown in North Carolina of flue-cured. In fact, my constituency, the First Congressional District, produces more flue-cured tobacco than any other in the Nation. These eastern North Carolina farmers produced over 225 million pounds in 1995.

These North Carolina farmers, our tobacco farmers, want the same things as other Americans, a good quality of life overall for them and their families, for their children to have a good education, for them to have sufficient resources with which to provide their families with food, shelter and other amenities of life, savings for their retirement, a secure environment in which to live and work, and most importantly, hope for the future.

These farmers, our tobacco farmers, care about their children as well as other children in their community, instilling in them the values of honesty and hard work. Many of them are third and fourth generation tobacco farmers, even though some of them must seek additional employment off the farms as teachers, business persons, factory workers and other occupations. Many of them serve as leaders in their communities, in their schools, in their churches, in their synagogues and in other local and civic organizations.

Like other American farmers, like those in many of your home States, these North Carolinians prepared their land, tilled it carefully, planted their crops, tended their fields, harvested their yields and marketed their product, much like any other commodity such as corn and wheat. These farmers are often small family farms. The average size in North Carolina is 172 acres, as compared to 491 acres nationally.

Tobacco is one of the main reasons that small farmers are able to stay in business because no other crop yields as much income per acre. Most of these farmers are unable to find an alternate crop that provides a comparable income. It would take almost 8 times as much cotton, 15 times as much acreage of corn, 20 times more acreage of soybeans and 30 times more acreage of wheat to equal the income of a single acre of tobacco. Farmers would have to acquire the land, secure the needed equipment, purchase the required seed, fertilizer and pesticides and hire the labor, undue and perhaps impossible financial burdens of acquiring extra loans and debt, all too often not available to those socially disadvantaged farmers or to minority farmers.

The total income impact for North Carolina was more than \$7.7 billion last year, income that came from a combination of the production, the manufacture and the marketing. North Carolina entrepreneurs and employees, all of those benefit from those resources. The money earned by farmers and those employed in tobacco-related business flow into their communities, spreading those profits around. It has been estimated that the agriculture dollar turns over about 10 times, so 7.7 billion multiplied means there is a possibility of \$77 billion available to rural

communities providing many necessities and public purposes. Much of that goes to supply the value of the taxes that support schools and hospitals. So all of these programs are interrelated in terms of a quality of life that is possible in eastern North Carolina.

The present tobacco program operates on a no net cost to the Federal Government and, through the deficit reduction marketing assessment, actually contributes an average of \$30 million a year to the U.S. Treasury. The continued existence of the program is vital to the continued ability of tobacco farmers to survive in this modern world of agriculture.

I believe as Congress contemplates the broad policy implications of the proposed tobacco settlement, there are several things we should consider. First, quota equity must be protected because land value reflects that cost. Two, farm income stability must be preserved in order to protect against market volatility caused by the settlement. Three, global export market excess must be preserved. Four, economic assistance for impacted communities must be provided along with assistance for those farmers. All of these must be considered if indeed we are going to have a fair and equitable.

Finally, fifth, we cannot ignore the value it would have of removing these resources from the classroom for young children. Therefore, we must find funds to speak to the needs of our youth development. I ask that any discussion on a proposed settlement as we are having will continue to include the consideration of all these factors. And please understand, as we pursue this worthy policy, we must also find the implication it would mean for thousands of tobacco farmers living in my district.

□ 1630

TRIBUTE TO ROBERT DORNAN

The SPEAKER pro tempore (Mr. GIBBONS). Under the Speaker's announced policy of January 7, 1997, the gentleman from Florida (Mr. STEARNS) is recognized for 30 minutes.

Mr. STEARNS. Mr. Speaker, it is an honor and a pleasure to come on the House floor tonight to speak of my good friend Bob Dornan, who has been in the press recently dealing with the decision by Congress to allow the election to go forward in the Dornan-Sanchez race.

My purpose tonight in coming forward is while Mr. Dornan has been in the press recently and there has been some controversy about this particular election, I sort of share his views, and I believe in many ways that he should still be here in Congress. My feeling is that eagles do not flock together, we have to find them one at a time. And Bob Dornan is really one of those outstanding Americans that should still be here. He represented the best of this

House, and so I wanted to take a few moments tonight to talk a little bit about Bob Dornan.

The hour is late, and many of my colleagues are on their way back home to their districts, and I will be going back tomorrow, but I thought it appropriate to come to the House floor and speak about this great individual, this good friend, and what I think is an American eagle, one of a kind.

I think many of my colleagues know his personal history. He volunteered for pilot training at age 19. Was still in college and he served as a fighter pilot in the Air Force from 1952 to 1958. He served in the Air Force Reserves from 1962 to 1975 and served in the Air National Guard from 1958 to 1961. So he is a true patriot, a person that believes serving our country is important, and he is proud of his record and he makes no bones about the fact that he has great regard and respect for the military and he thinks Americans should serve their country.

He worked as a civilian combat photographer. Five of his eight trips to wartime Vietnam were served in this capacity. One of the things about this individual I like the most is he is willing to speak his mind forthrightly.

Many of us saw that great movie Jerry McGuire, in which Jerry McGuire is represented as a sports agent for Rod Tidwell in the movie, who was a football star. And Jerry McGuire writes this book which gets him fired, which essentially says I am going to tell the truth about what people really believe and not what they say. And this, of course, caused quite a stir in his sports agency and he was fired. But he went on to represent with great compassion Rod Tidwell, and eventually he was vindicated in the movie when Rod Tidwell received an \$11.3 million contract when most people thought that this professional football player would not succeed. But Jerry McGuire had the faith and courage and, sometimes lack of confidence, but in the end persevered because he was willing to put his heart and mind in the same place; that his spirit and what he believed in his heart was what came out when he spoke: sincerity and honesty.

Bob Dornan is such a man, and he is to be commended for being willing to say some things that people will not say at times. He represented leadership on the House floor that many of us commend him for. One of the areas in which he was particularly articulate and also a strong advocate was the pro-life position. He was the original sponsor of the Right to Life Act, which would effectively declare abortion unconstitutional. He led the fight to end Federal funding for fetal tissue research at military hospitals and government organizations. He was one of the strongest pro-life advocates in Congress. He made no bones about that, and many of us, like myself, agree with him and look to him for leadership in that area.

He was also a humanitarian advocate, the former chairman of two important House subcommittees, the National Security Subcommittee on Military Personnel and Intelligence Subcommittee on Technical and Tactical Intelligence. He gathered and learned information for his responsibilities firsthand by traveling around this globe and visiting areas of engagement like Central America and Somalia.

He was loadmaster on twelve humanitarian missions to Africa. Now, a lot of us might go on these trips to England, we might go to France, or we might go to China and stay at the best hotels, but not Bob Dornan. When he went on a trip, he was involved at a grass roots level and as a loadmaster, not on one, not on five, not on eight, but on twelve humanitarian missions to Africa.

He visited a refugee camp in Honduras as a longtime member of the Human Rights Caucus consistently. These were part of his activities. He opposed excessive cutbacks in defense spending, especially in California in his Congressional District. He added an amendment to the 1994 crime bill that imposed the death penalty for espionage that leads to the death of U.S. agents.

The reason I talk about this is because I have been on a trip with Bob Dornan, when we went for the 50th anniversary of D-Day. This was an extraordinary time. It was bipartisan. We had 18 Senators and 25 Members of Congress. The delegation was led by Sonny Montgomery. And what was so extraordinary about this trip was to see some of these old veterans come back and to see the emotion and feeling in the people of France; how glad they were to see Americans return 50 years later, and to have the whole sense of this great movement in history because of D-Day and other successes against the Nazi government.

Most of us went through the standard procedure for the 50th anniversary and went and attended most of the functions, and we would come back at 11 o'clock at night and be very tired. One night when we came back, Bob Dornan wanted to go out again, and so the Army was kind enough to provide him a driver and a jeep and he went out because he wanted to go to some of the graves. He wanted to walk and see some of those young soldiers that died. He wanted to see their grave sites.

And he did not get back until about 5 or 6 o'clock the next morning. When we all assembled on the bus the next morning, Bob Dornan came on time and talked about the terrific experience he had, highly emotionalized experience that went to the core of the reason we were there, to show respect and honor for these men who gave their life for their country and for this momentous occasion that turned the entire history of the Western Civilization.

He has always been a supporter of higher military pay and benefits, and

endorsed the investigation of the POW-MIAs not accounted for in Vietnam. He initiated the POW-MIA bracelet. Remember, all the bracelets all of us started wearing? Bob Dornan is the one that initiated this bracelet, worn by many veterans. He led the charge to oppose the normalization of relations with Vietnam until full account of the POW-MIAs were provided, and he helped design a program to help to seek military personnel become teachers.

I mean I have more here that I want to go on, and we are going to do a special order later on for Bob Dornan, but I was just compelled to come to the floor and I am joined here with another distinguished Member of Congress from California, who is also compelled out of sheer friendship, out of sheer respect, out of sheer love for our colleague, Bob Dornan. The gentleman from San Diego (Mr. DUNCAN HUNTER) perhaps knows Bob Dornan better than anyone else on the House floor, so I will yield part of my time to the gentleman.

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding, and Bob Dornan is a guy who deserves more than 15 or 20 minutes of discussion. He is a guy who deserves days of discussion, because he brought to this House of Representatives unique qualities that we had not seen before he got here and we are not going to see again for years.

I am a Member of the Committee on National Security, and I have to tell my colleagues a story about myself and Bob Dornan. When I came here as a freshman and I was competing with a lot of other people to get on the Committee on Armed Services, we had one seat we thought was from California, from a senior Member retiring. Everybody who wanted that seat, including Bob, got up to make their presentation and tell why they should get that very coveted committee seat.

When Bob got up, he started to talk in his own favor. And then he stopped and he said, you know, actually, we have this young guy down from San Diego who was in the military, who loves the military and loves national security issues, and I think we should give this thing to DUNCAN HUNTER. And he did that when I was a freshman. I had never seen such an act of generosity, such an act of goodness coming from a senior member, and I have never seen it since.

And that was Bob Dornan, a guy who had just an absolutely great heart. But beyond that, and the gentleman from Florida (Mr. STEARNS) knows this well, Bob Dornan probably had the best background in terms of all the military aircraft and all the military equipment that we look at and analyze in the Committee on National Security because he flew everything from the B-2 bomber to the newest Navy trainer. Bob Dornan was in the cockpit. And when we had authorization bills coming up, deciding how we would spend billions of dollars, it was Bob Dornan who had the hands-on experience with

those pieces of equipment, who was able to give us little insights into whether or not these were really good buys.

Mr. STEARNS. If the gentleman will yield for a second, I wanted to read some of the aircraft he has piloted. A lot of us go out on these field trips and we look at these aircraft, but Bob Dornan is a little different than most of us. He has actually piloted some of these. Of course, he piloted, as the gentleman mentioned, the B-1 bomber, plus the SR-71 Blackbird, the B-52, the U-2, the FB-111, the F-15, F-16, the F-18, the AV-8 Harrier, A-10, F-111F, the F-5 Tiger and 17 other high performance fighters.

I mean this is a Congressman that got involved. He was not a back-bencher. He was not somebody that stood by and said let us talk about the appropriations for some of these aircraft. I want to find out if they operate. I want to see how well they operate, and I want to talk to the pilots and the people that operate, the repairmen, the enlisted people, noncommissioned officers. It is just an extraordinary thing to realize that this Member of Congress went out and did those things.

And I yield again to the gentleman.

Mr. HUNTER. And I say to my friend, he cared not only about what kind of equipment our military people used, but he also really cared about those people.

When we lost the Rangers in Somalia a couple of years ago, there was one member of the Committee on National Security who went out and got into an aircraft and flew about 20 hours to get over to Somalia and looked at all the facts, all the things that had happened, got debriefed on that tragedy, and then flew all the way back here and contacted every single member of the families of those Rangers who had been killed in Somalia. That was Bob Dornan.

And I felt so proud when I heard that Bob had done that, because that reflected so well on us as a Committee on National Security, the old Committee on Armed Services, because it is filled with people who really care about people in uniform and Bob had kept that tradition and kept that legacy going on.

So while the rest of us were going on trips to our district and trips overseas and were doing the work that we do here when we are in a break and have a chance to spend time with our families and maybe go out and catch up with a little relaxation time, Bob Dornan was flying in an aircraft for 20 hours straight so that he could get over to Somalia and let those people know that wear our uniform and let their families know that we cared about them.

When we stand here, we can think of all these great Bob Dornan stories. I remember one of the great stories of the Contra wars, when Ronald Reagan brought freedom to Guatemala, and Honduras, and Salvador, and Nica-

ragua, Congressman Jack Buechner was getting arrested in Nicaragua by the Sandinistas. I remember, from what I heard, Bob Dornan went up and said, listen, if you arrest this Member of Congress, you have to arrest me, too.

□ 1645

And that is how he was.

I remember there was a fight one time, a little match-up between two of our Members one time, just off the House floor. Both of them were about twice as big as Bob. But it was Bob who got in between and broke them up. Of course, the press hated that role for Bob Dornan because he was a peacemaker. He was not B-2 Bob; he was a peacemaker.

But when you flew into a foreign country and you flew into a place where a military conflict was taking place, Bob Dornan had a memory, an analytic capability with respect to facts that nobody on this floor has had before or since. He can give you population, he can give you all the various armed services that that country possessed, all the weaponry they possessed. And, similarly, he could totally analyze the adversary of that particular country so he could give you, basically, the match-up on both sides. What a great asset for this House.

Mr. STEARNS. Further reclaiming my time, let me take back my time and return to my colleague.

The gentleman went right into one of the things that I wanted to mention, which was his favorite line of scripture. Because he believes this is what our military and police officers today do for us on a daily basis and embodies the ideal of patriotism that he believes is so very important. This line of scripture sort of ties into what my colleague mentioned when he tried to separate the Members of Congress when they got into a little scuffle here. The line is, "Greater love than this no man has than he lay down his life for his friends."

When I think about Bob Dornan's willingness to sacrifice—and, as my colleagues know, his full name is Robert Kenneth Patrick Dornan. Almost, when I saw the movie *Brave Heart*, I could not help but think of Bob Dornan because of his spiritedness and his mission and willingness to go to any lengths to help his fellow man, not just on the basis of humanitarian purposes but on honor and duty and country.

Mr. HUNTER. If the gentleman would yield further, that reminds me there was in the last year or so a lot of talk about ethnic conflict and who Bob Dornan likes and who he does not like.

I was just reminded when I was in Salvador with him, that little country, we were in Salvador during the time when Jose Napoleon Duarte, that great leader, democratic leader, in Salvador was trying to move that country from its past of military dictatorships to democracy. What a great scene that was, the one when they finally had the election.

There was a lot of activity on the part of the communist guerillas, who were supplied by the then Soviet Union, and they were trying to disrupt the election. A lady stood in line, and she had blood dripping from her arm. She had a bullet wound in the arm; and somebody said, "Do you want to go to the infirmary?" She said, "No, I never had a chance to vote and I am going to vote." I am reminded of that.

I am reminded of Jose Duarte, one of Bob Dornan's real heroes. Bob had a number of us over to Jose's house, the leader of El Salvador, at a time when he was starting to make that democracy work and he had all these great hopes for the people of El Salvador. If my colleagues could have seen and all the Americans could have seen and the Hispanic-Americans could have seen Bob Dornan sitting there with that great leader, Jose Duarte, and encouraging him to continue his fight for democracy and telling him how much he admired him and everyone who loved freedom in that small country that was beset by so many troubles, I mean, your hearts would have gone out to Bob Dornan.

Of course, his other idol, his other hero, was Cardinal Obando y Bravo, that brave Catholic leader in Nicaragua who dared to stand up to the communist Sandinistas. He was always being oppressed by that group, but he hung in there, and Bob Dornan loved him for that.

Bob Dornan loved our freedom, and that is one reason he went to Vietnam eight times. He went there as a combat photographer on five different occasions. Nobody else has done that.

My colleague mentioned that Bracelet, that POW bracelet that so many people wore. What a great idea that was. Think of all the hope that that gave people over the years and comfort that it gave them. It gave them a feeling, whenever they saw another person wearing the bracelet, they knew that this American was in solidarity with them, that they appreciated their people that had been left, the POWs and MIAs.

I know that bureaucracy came to the conclusion when the Clinton administration felt like it had to recognize communist Vietnam and they felt like they had to do that and so they pushed aside the 800-and-some odd sightings of POWs that had been reported by boat people and other folks that had fled that country. But Bob Dornan, even when that became an uncomfortable position for a person in Washington, D.C., a Washington that wanted to move over, on to other issues and move on to the issues of big business doing business in communist Vietnam, Bob Dornan held tough.

We can lose a lot of things in this life and in this political life, but he never lost his loyalty to an issue or his loyalty to his friends. That loyalty was something that every Member of Congress who walks onto the House floor should take a lesson from.

Mr. STEARNS. My colleague is correct there. I would like to reclaim my time for a moment here to also make the emphasis that Bob Dornan, while he had a national agenda and was concerned about the military personnel and had a humanitarian agenda, he was also a very wonderful, strong advocate for his congressional district. This is an individual that worked hard in his district, was available, was willing to listen to anybody at any time.

I just want to talk a little bit about what he has done in his congressional district. Because the people might know Bob Dornan because of the bracelet. They might know about him because of his oratorical skills, about his advocacies for pro-life. They might talk about his traveling the country speaking against drugs and violent crime and child pornography and some of the social issues. He was willing to take a stand.

He has won the endorsement and respect from law enforcement agencies and organizations around the country, but also, in his congressional district, the Santa Ana Police Officers Association, Latino Peace Officers Association, the National Association of Police Organizations, Crime Victims United.

But here is just some of the sampling of the things that he has done for the 46th District, his congressional district. He obtained more than \$1 million for the Santa Ana Fiesta Marketplace, which is very important because it rebuilt the downtown Santa Ana neighborhood. He obtained Federal funding to assist in cleaning up neighborhoods in Buena Vista from a slum drug and prostitute area into a clean, drug-free environment for our kids. This meant he went down into the district, assessed the situation, and worked hard to get the Federal funding.

Of course, my colleagues know we were in the minority at that point. We were not in the majority. So to have a Member of Congress to get this Federal funding back into the district in which he was in the minority party is important to realize.

He assisted in obtaining police hiring grants to place new police officers in Garden Grove and Santa Ana. He facilitated in the construction of a four-acre police and fire training center in Santa Ana. He worked to ensure that the Department of Defense cleans toxic waste from El Toro Marine Corps Air Station, included a provision in the Illegal Immigration Reform Bill to empower the cities in the 46th district to apply for Federal reimbursement for costs associated with incarcerating criminal aliens.

He helped obtain almost \$1 million in Federal funds for Rancho San Diego College, and he sponsored a breast health awareness fair in his district.

So, I mean, the list goes on and on of the achievements in his district on a local level for the people he represented. So even though we know Bob for some of his national agenda, these

achievements are just a sample of what he has done just for the people in his district.

Mr. HUNTER. If the gentleman will further yield, and among those people were some of the people who were the most defenseless and the most without representation; and those, of course, are unborn children. Today, when we have the awareness, this growing awareness, by America that this late-term abortion, or partial-birth abortion, where a baby is actually partially born and then killed by the abortionist, that is waking America up to the horrors of abortion.

Bob Dornan was the advocate for a lot of little human beings who could not vote, could not campaign for him, did not have PAC money. But they were important for him because he had a big heart and because of his religion.

You know, we used to have a lot of fun with Bob. I mean, Bob was a guy who was an Irishman with a great sense of humor and a great sense of fun, and he was great to be with.

But I will tell you, when he was a first sponsor of the right to life, the fundamental right to life bill that was introduced here in the House of Representatives, when you had a right to life issue on the House floor, Bob Dornan was by far the most professional, most serious legislator I have ever seen.

He, together with the great HENRY HYDE and CHRIS SMITH from New Jersey and a lot of the rest of us who are kind of spear carriers in the battle, he led that battle. He did such a great job, because when Bob spoke from the heart, everybody heard him loud and clear.

Mr. STEARNS. Well, I think that is what happens, is that Bob Dornan had this ability to project issues. Where a lot of us cannot create the aura and the rhetoric necessary to bring this into the people's mind, he could do this.

A lot of people would say that, if Bob Dornan gets ahold of an issue, he does not let it go. He sort of root hog or die, sort of the cry that the people had when they went West from the East in their covered wagons. They were going to make it one way or the other. That is the kind of determination that he had when he had an issue.

He was a very substantive Member of Congress. He had issues. He had things he believed in. You know, I say to my colleague from San Diego, there is no use being here. There is no use getting elected every year if you do not stand for something. If you come here to go along and get along, it makes no point.

You are on the board of the directors of this most wonderful, most powerful country in the world economically and militarily. You should not come to this district and hide. You should come to this district and point the way, be a beacon of light, be a light that other people can see and project what your ideas should be for all of America.

So I think Mr. Dornan did that in an unbelievable fashion. In a very truthful

way, he said, I am going to be a credible congressman. I am going to state my mind. Only if 435 members would actively get engaged like Bob Dornan can we actually come up with a solution which is right. Then the people can say, is that a proper way? Is that truth or not? Bob Dornan made those a strong advocate of ideas.

Mr. HUNTER. While he represented his people and his constituency, he never let his principals be pushed aside by a poll.

We have the media always telling us polls are a bad thing in this country, and you should not always stick your finger up in the wind to see which way it is blowing before you make a decision as to what your principals are. Bob Dornan never made a major decision based on which way the wind was blowing. He had the principals, had that compass right inside him.

Incidentally, one thing we have not mentioned is that he was the Chairman of the Personnel Subcommittee on the Committee on National Security. He was the guy, when he was a chairman of that subcommittee, who authored the pay raise for every single man and woman who wears a uniform and who put in literally dozens and dozens of incentives to be in the military, incentives to stay, that helped retention, and all kinds of things that were good for quality of life for our military families. Military families never had a better friend in the House of Representatives than Bob Dornan.

Mr. STEARNS. Do you remember when you were in leadership and you assigned me as chairman of a personnel task force and, at that time, we were discussing lifting the ban on gays in the United States military and the new policy and we had several hearings? Bob Dornan was active in that.

Perhaps a lot of Members did not necessarily agree with Bob Dornan. But Bob Dornan had a strong principle in which he stated his position; but, at the same time, he was willing to listen to other people on this very controversial issue.

I remember having our hearings, of which you were helping us to bring in witnesses. He would attend those hearings, and he would ask the most concise and cogent questions. He helped to form our policy in the Republican Party dealing with this whole policy.

Today, in this important area of, you know, lifting the ban on gays in the military, he stood in the gap. I commend him for that.

Something else we should remember is that he participated in Dr. Martin Luther King's historic march on Washington.

□ 1700

A lot of Members of Congress watched it on TV. A lot of Members of Congress said, well, that is just an issue I am not involved in.

But Bob Dornan believes in the rights of individuals. He does not believe that any man or woman should be

discriminated on the basis of race, creed color, or national origin. So he was out there participating, and you can see his picture in some of these photographs from the civil rights movement, in which there is Bob Dornan, out there participating. Because this is part of his personality. He wanted to get involved, he knew it was the right thing to do.

He traveled to Mississippi to assist in efforts to register black voters, despite death threats from the KKK.

Mr. HUNTER. Let's hold up on that one. Some Members of the media have accused Bob of believing in ethnic differences and in oppressing ethnic groups who want to register and vote.

So here is a guy who went to Mississippi when it was not very popular to go to Mississippi, to help the black community to register and vote, and who also marched with Martin Luther King, being accused of not believing in the community of America. Bob Dornan believed in the community of America probably more than anybody else who has ever walked out on this House floor.

Mr. STEARNS. That is why earlier I mentioned that he is a true humanitarian. He makes a statement in his life and in his past activities that "I believe freedom that works; I believe all men and women should have the opportunity to enjoy success," and he was just a patriot. He was an individual that was an active proactive individual, with a high level of energy and an enormous intelligence.

So I think tonight, that is why you and I felt it so important to come down here, because we were just moved, based on what we had seen in the newspapers today, we thought, by golly, we have got to come down here and talk about, as you pointed out, his participation in this historic march on Washington with Dr. Martin Luther King.

Mr. HUNTER. I think if Bob was here, he would say to us, "You ain't seen nothing yet," because Bob Dornan still possesses all those great talents and that great heart for America. He has a lot of wonderful kids and grandkids, and I am privileged to know some of them and have spent a lot of great time with them. Robin and Kathy, and Mark and Bobby, Jr., and Terry; and the grandkids, Ricky and Para, and Kevin and Collin, and Anna and Haley, and, incidentally, that Haley is named after I think Uncle Jack Haley, who was the Tin Man in the Wizard of Oz. That is where Bob got some of the show business blood in his veins. Erin, Robbie, Liam, Molly and Morgan.

Incidentally, Bobby Dornan, Jr., is a great buddy of mine, lives out in Virginia. We were out working on a log cabin together, and he had this little tiny baby in his arms, and I said, "Who is this?" And he said, "This is little Molly Dornan."

I tell you, if you have ever seen Bob Dornan with little Molly and the all the rest of them, and you have seen

them on this bobsled run, I mean, this thing is like the Olympics. I would not get on this run, but Bob Dornan puts all these fearless grandkids together, bundles them all down around him, and goes whipping down this bobsled run at about 100 miles per hour. Bob Dornan is one of the great grandfathers in American history.

He also lets them pelt him with water balloons, and he showed an extraordinary amount of restraint when all of these grandkids started giving him the water balloon barrage.

Here is a great guy, great family man, great American. We are going to see a lot more of him.

Mr. STEARNS. You point out his family tradition. As I recollect now, I think he was been married about 43 years to one lovely woman—

Mr. HUNTER. Sally.

Mr. STEARNS. Sally. His family life exemplifies his whole life, in the sense that he is a strong family man for family, God, and all the decency that exists today in our culture.

So we will take another time to talk about our great friend and great patriot, Bob Dornan, but on this evening, we have let our sentiments to our colleagues be known.

Mr. HUNTER. God bless Bob Dornan and all those little Dornans.

Mr. STEARNS. God bless Bob Dornan.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KLINK (at the request of Mr. GEPHARDT) for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. DOGGETT) to revise and extend their remarks and include extraneous material:

Ms. SANCHEZ, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

The following Members (at the request of Mr. WOLF) to revise and extend their remarks and include extraneous material:

Mrs. LINDA SMITH of Washington, for 5 minutes, today.

Mr. FOLEY, for 5 minutes today and February 11.

The following Member (at her own request) to revise and extend her remarks and include extraneous material:

Mrs. LOWEY, for 5 minutes today.

The following Member (at her own request) to revise and extend her remarks and include extraneous material:

Mrs. CLAYTON, for 5 minutes today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

The following Members (at the request of Mr. DOGGETT) and to include extraneous matter:

Mr. VISCLOSKY.
Mr. DELLUMS.
Mr. HASTINGS.
Mr. POSHARD.
Ms. ROYBAL-ALLARD.
Mr. DAVIS of Illinois.
Mr. ANDREWS.
Mr. DAVIS of Florida.
Mr. DIXON.

The following Members (at the request of Mr. WOLF) and to include extraneous matter:

Mr. DIAZ-BALART.
Mr. RADANOVICH.
Mr. MCINTOSH.
Mr. ARCHER.
Mr. BURTON of Indiana.
Mr. SALMON.

The following Members (at the request of Mrs. CLAYTON) and to include extraneous matter:

Mr. COBLE, in two instances.
Mr. FORBES.
Mr. KIND.
Mr. ANDREWS.
Mr. HINCHEY.
Mr. ROMERO-BARCELO.
Mr. MCKEON.
Mr. BURTON of Indiana.
Mr. DIXON.
Mr. VISCLOSKY.
Mr. DELLUMS.
Ms. ROYBAL-ALLARD.
Mr. HAMILTON.
Mr. HASTINGS of Florida.
Mr. POSHARD.
Mr. SALMON.
Mr. WELDON of Florida.
Mrs. MORELLA.
Mr. GOODLING.
Mr. CALLAHAN.
Mr. HYDE.
Mr. BISHOP.
Mr. BAKER.
Mr. SOUDER.
Mr. LUCAS of Oklahoma.
Mr. PICKERING.
Ms. JOHNSON of Texas.
Mr. PICKETT.
Mr. HUTCHINSON.
Ms. KILPATRICK.
Mr. WELLER.
Mr. SOLOMON.
Mrs. FOWLER.

The following Members (at the request of Mr. STEARNS) and to include extraneous matter:

Mr. PITTS.
Mr. PAYNE.
Ms. STABENOW.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1349. An act to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Prince Nova*, and for other purposes.

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".

ADJOURNMENT

Mr. STEARNS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to the provisions of House Concurrent Resolution 201, 105th Congress, the House stands adjourned until 3 p.m. on Wednesday, February 11, 1998.

Thereupon (at 5 o'clock and 5 minutes p.m.), pursuant to House Concurrent Resolution 201, the House adjourned until Wednesday, February 11, 1998, at 3 p.m.

OATH OF OFFICE—MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Member, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 105th Congress, pursuant to the provisions of 2 U.S.C. 25:

Honorable GREGORY W. MEEKS, Sixth District of New York.

SUPPLEMENTARY NOTICE OF PROPOSED RULEMAKING

U.S. CONGRESS,

OFFICE OF COMPLIANCE,

Washington, DC, January 26, 1998.

The Hon. NEWT GINGRICH,
Speaker of the House, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 303 of the Congressional Accountability Act of 1995, 2 U.S.C. §1383, I am transmitting the enclosed Supplementary Notice of Proposed Rulemaking (requesting further comment on proposed amendments to procedural rules previously adopted) for publication in the Congressional Record.

The Congressional Accountability Act specifies that the enclosed notices be published on the first day on which both Houses are in session following this transmittal.

Sincerely yours,

RICKY SILBERMAN,
Executive Director.

Enclosure.

OFFICE OF COMPLIANCE

The Congressional Accountability Act of 1995: Amendments to Procedural Rules.

SUPPLEMENTARY NOTICE OF PROPOSED RULEMAKING

Summary: On October 1, 1997, the Executive Director of the Office of Compliance ("Office") published a Notice of Proposed Rulemaking ("NPRM") to amend the Procedural Rules of the Office of Compliance to cover the General Accounting Office ("GAO") and the Library of Congress ("Library") and their employees. 143 Cong. Rec. S10291 (daily ed. Oct. 1, 1997). The Congressional Accountability Act of 1995 ("CAA") applies rights and protections of eleven labor, employment, and public access laws to the Legislative Branch. Sections 204-206 and 215 of the CAA, which apply rights and protections of the Employee Polygraph Protection Act of 1988 ("EPPA"), the Worker Adjustment and Retraining Notification Act ("WARN Act"), the Uniformed Services Employment and Reemployment Act of 1994 ("USERRA"), and the Occupational Safety and Health Act of 1970 ("OSHAct"), became effective with respect to GAO and the Library on December 30, 1997. The NPRM proposed to extend the Procedural Rules to cover GAO and the Library and their employees for purposes of: (1) proceedings relating to these sections 204-206 and 215, (2) proceedings relating to section 207 of the CAA, which prohibits intimidation and reprisal for the exercise of rights under the CAA, and (3) regulating *ex parte* communications.

In the only comments received in response to the NPRM, the Library questioned whether the CAA authorizes employees of the Library to initiate proceedings under the administrative and judicial procedures of the CAA alleging violations of sections 304-207 of the Act. The Office is publishing this Supplementary Notice of Proposed Rulemaking (this "Notice") to give the regulated community an opportunity to provide further comment on the questions raised by the Library's submission.

With respect to proceedings relating to section 215 of the CAA (OSHAct) and with respect to *ex parte* communications, a separate Notice of Adoption of Amendments is being prepared to extend the Procedural Rules to cover GAO and the Library and their employees and to respond to relevant portions of the Library's comments, and will be published shortly.

Dates: Comments are due within 30 days after the date of publication of this Notice.

Addresses: Submit comments in writing (an original and 10 copies) to the Executive Director, Office of Compliance, Room LA 200, John Adams Building, 110 Second Street, S.E., Washington, D.C. 20540-1999. Those wishing to receive notification of receipt of comments are requested to include a self-addressed, stamped post card. Comments may also be transmitted by facsimile ("FAX") machine to (202) 426-1913. This is not a toll-free call.

Availability of comments for public review: Copies of comments received by the Office will be available for public review at the Law Library Reading Room, Room LM-201, Law Library of Congress, James Madison Memorial Building, Washington, DC, Monday through Friday, between the hours of 9:30 a.m. and 4:00 p.m.

For further information contact: Executive Director, Office of Compliance, at (202) 724-9250 (voice), (202) 426-1912 (TTY). This Notice will also be made available in large print or braille or on computer disk upon request to the Office of Compliance.

SUPPLEMENTARY INFORMATION

The Congressional Accountability Act of 1995 ("CAA" or the "Act"), Pub. L. 104-1, 2

U.S.C. §§ 1301-1438, applies the rights and protections of eleven labor, employment, and public access laws to certain defined "covered employees" and "employing offices" in the Legislative Branch. The CAA expressly provides that GAO and the Library and their employees are included within the definitions of "covered employees" and "employing offices" for purposes of four sections of the Act:

(a) *EPPA*. Section 204, making applicable the rights and protections of the Employee Polygraph Protection Act of 1988 ("EPPA")—in which subsection (a) generally prohibits an employing office from requiring a covered employee to take a lie detector test, regardless of whether the covered employee works in that employing office; and subsection (b) provides that the remedy for a violation shall be such legal and equitable relief as may be appropriate, including employment, reinstatement, promotion, and payment of lost wages and benefits.

(b) *WARN Act*. Section 205, making applicable the rights and protections of the Worker Adjustment and Retraining Notification Act ("WARN Act")—in which subsection (a) prohibits the closure of an employing office or a mass layoff until 60 days after the employing office has served written notice on the covered employees or their representatives; and subsection (b) provides that the remedy for a violation shall generally be back pay and benefits for up to 60 days of violation.

(c) *USERRA*. Section 206, making applicable the rights and protections of section 2 of the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA")—in which subsection (a) protects covered employees who serve in the military and other uniformed services against discrimination, denial of reemployment rights, and denial of benefits by employing offices; and subsection (b) provides that the remedy for a violation shall include requiring compliance, requiring compensation for lost wages or benefits and, in case of a willful violation, an equal amount as liquidated damages, and the use of the "full equity powers" of "[t]he court" to fully vindicate rights and benefits.

(d) *OSHA Act*. Section 215, making applicable the rights and protections of the Occupational Safety and Health Act of 1970 ("OSHA Act")—in which subsection (a) protects the safety and health of covered employees from hazards in their places of employment; subsection (b) provides that the remedy for a violation shall be an order to correct the violation; and subsection (c) specifies procedures by which the Office of Compliance conducts inspections, issues and enforces citations, and grants variances.

Sections 204-206 and 215 go into effect by their own terms with respect to GAO and the Library one year after transmission to Congress of the study under section 230 of the CAA. The Board of Directors of the Office ("Board") transmitted its study (the "*Section 230 Study*") to Congress on December 30, 1996, and sections 204-206 and 215 therefore went into effect at GAO and the Library on December 30, 1997.

The NPRM proposed to extend the Procedural Rules of the Office, which govern the consideration and resolution of alleged violations of the CAA, to cover GAO and the Library and their employees in four respects:

(1) Sections 401-408 of the CAA establish administrative and judicial procedures for considering alleged violations of part A of Title II of the CAA, which includes sections 204-206, and the Procedural Rules detail the procedures administered by the Office under sections 401-406. On the premise that GAO and the Library and their employees are covered by the statutory procedures of sections 401-408 when there is an allegation that sec-

tions 204-206 have been violated, the NPRM proposed to extend the Procedural Rules to include GAO and the Library and their employees for the purpose of resolving any allegation of a violation of these sections.

(2) Section 207 prohibits employing offices from intimidating or taking reprisal against any covered employee for exercising rights under the CAA. On the premise that GAO and the Library and their employees are covered under section 207, as well as under the statutory procedures of sections 401-408 when there is an allegation that section 207 has been violated, the NPRM proposed to extend the Procedural Rules to include GAO and the Library and their employees for the purpose of resolving any allegation of intimidation or reprisal prohibited under section 207.

(3) Section 215 specifies the procedures by which the Office conducts inspections, issues citations, grants variances, and otherwise enforces section 215, and the Procedural Rules detail the procedures administered by the Office under that section. As these statutory procedures are part of section 215, which expressly covers GAO and the Library and their employees, the NPRM proposed to extend the Procedural Rules to cover these instrumentalities and employees for purposes of proceedings under section 215.

(4) Section 9.04 of the Procedural Rules, which regulates *ex parte* communications, includes within its coverage any covered employee and employing office "who is or may reasonably be expected to be involved in a proceeding or rulemaking." As GAO and the Library and their employees may reasonably be expected to be involved in proceedings and rulemakings, the NPRM proposed to extend the Procedural Rules to cover these instrumentalities and employees for purposes of section 9.04.

As to proceedings under section 215 of the CAA (OSHA Act) and *ex parte* communications, the Library's comments argue that the Library should not now come under the Office's Procedural Rules generally or under the Rules relating to section 215 proceedings specifically. After considering those arguments, the Executive Director, with the approval of the Board, has decided to amend the Procedural Rules to cover GAO and the Library and their employees with respect to proceedings under section 215 and *ex parte* communications, and a Notice of Adoption of Amendments to accomplish this and to respond to relevant portions of the Library's comments is being prepared and will be published shortly.

However, as to whether CAA procedures cover GAO and the Library and their employees for purposes of resolving disputes under section 205-207, the Library's comments raises issues of statutory interpretation upon which the Office seeks comments. The Library argues that Congress "expressly excluded" the Library and other instrumentalities from the application of all procedural and other provisions of the CAA other than the substantive provisions in Title II. The Library states: "A fair reading of the CAA is that Congress intended to ensure that the Library's employees were covered by the substantive protections of the law, but that no procedural regulations should affect the Library's employees until the Office of Compliance completed its study [under section 230], made it legislative recommendations, and Congress acted on those recommendations." (The Office of Compliance has made the Library's entire submission available for public review in the Law Library Reading Room of the Law Library of Congress, at the address and times stated at the beginning of this Notice.) The Office hereby invites the views of the entire regulated community on the issues raised by the Library, including the following specific questions:

SUPPLEMENTAL REQUEST FOR COMMENT

1. Can GAO and Library employees use the administrative and judicial procedures of sections 401-408 of the CAA when a violation of sections 204-206 (EPPA, WARN Act, USERRA) is alleged?

As noted above, the NPRM was premised on the view that the administrative and judicial procedures of section 401-408 cover GAO and the Library and their employees with respect to proceedings where violations of sections 204-206 are alleged. Because the procedures in section 401-408 can only be invoked upon an allegation that substantive rights granted in Title II have been violated, the procedures arguably derive their scope from the substantive provision involved in a particular proceeding. Sections 204-206 expressly cover GAO and the Library and their employees, and, if the premise of the NPRM is correct, proceedings under sections 401-408 that involve alleged violations of sections 204-206 may likewise cover those instrumentalities and employees. However, the Library's comment challenged this premise, arguing that Congress "expressly excluded" the Library and other instrumentalities from the application of all portions of the CAA except the substantive provisions of Title II.

Commenters are asked to provide their views as to whether the statutory procedures under sections 401-408 should be construed as covering GAO and the Library and their employees where violations of sections 204-206 are alleged, and are requested to present the legal rationales that may bear on this inquiry. Commenters should address:

The relationship, if any, between the substantive requirements and remedies granted in part A of Title II and the procedures established in Title IV of the CAA.

The definitions and usage of the defined terms "covered employee" and "employing office" in various portions of the Act.

Whether the statute can be read to provide substantive rights and remedies but not procedures.

The provision in section 415 of the CAA prohibiting the use of the Office's awards-and-settlements account for awards and settlements involving GAO and the Library.

The effect that section 225(d) of the CAA should have in determining this issue.

The canons of construction requiring that statutes in derogation of sovereign immunity must be construed strictly in favor of the sovereign and that a statutory construction which raises constitutional questions such as separation-of-powers may be adopted only if clearly required by the statutory text.

2. Notwithstanding whether the procedures established under the CAA apply, are other procedures, whether internal or external to GAO and the Library, available for considering alleged violations of sections 204-206 and for imposing the remedies available under those sections?

In conducting the *Section 230 Study*, the Board received information from GAO and the Library and their employees indicating that a variety of internal and external venues are available for consideration of employee allegations of violations of workplace rights and protections. Commenters are invited to provide their views on the extent to which procedures other than those established by the CAA are available to GAO and the Library and their employees where a violation of sections 204-206 is alleged and the monetary and equitable remedies specified in those sections are sought. Furthermore, insofar as existing procedures may not comprehensively cover any dispute or provide any remedy afforded under the CAA, do GAO, the Library, and other employing offices

have the authority to craft new procedures and, through such procedures, to grant whatever monetary and non-monetary remedies the CAA provides?

In responding to this inquiry, commenters are also asked to consider the implications of several provisions in the CAA. Do the following provisions limit the availability to GAO and the Library and their employees of the administrative, judicial, and negotiated procedures that might otherwise be available to them where violations of sections 204-206 are alleged and remedies granted under those sections are sought.

Section 225(d) and (e) and 401 contain provisions specifying, in general terms, what procedures must be used to consider a CAA violation and to seek a CAA remedy.

Section 409 and 410 allow judicial review of CAA regulations and of CAA compliance only pursuant to the procedures of section 407, which provides for judicial review of Board decisions, and section 408, which provides a private right of action.

Commenters are also requested to be clear as to whether procedures available outside of the CAA cover claims by applicants for employment, former employees, and temporary and intermittent employees, and whether these procedures cover allegations by GAO or Library employees that their rights granted under the CAA were violated by other employing offices and allegations by employees of other employing offices that their CAA rights were violated by GAO or the Library.

3. Does section 207 of the CAA cover GAO and the Library and their employees with respect to sections 204-206 and 215? If not, do other laws, regulations, and procedures covering GAO and the Library and their employees afford similar protection against intimidation and reprisal for exercising CAA rights?

The RPRM proposed to amend the Procedural Rules to cover GAO and the Library and their employees with respect to "any allegation of intimidation or reprisal prohibited under section 207 of the Act." While the Library did not object to this proposal, section 207 does not expressly cover GAO and the Library and their employees. Comment is therefore invited on whether the prohibition against intimidation and reprisal established by section 207 should be construed as covering GAO and the Library and their employees.

If section 207 is construed not to apply, would other laws and regulations covering GAO and the Library and their employees afford protection against intimidation and reprisal for exercising rights under the CAA? Would these laws and regulations afford the same substantive rights and remedies as section 207? What procedures would be available to consider violations and to impose such remedies? Commenters are requested to be clear as to whether such laws, regulations, and procedures outside of the CAA cover applicants for employment, former employees, and temporary and intermittent employees, and whether these laws, regulations, and procedures cover allegations that GAO or the Library intimidated or took reprisal against employees of other employing offices and allegations that other employing offices intimidated or took reprisal against GAO or Library employees for exercising rights granted under the CAA.

* * * * *

No decision will be made as to whether the Procedural Rules will be amended to cover GAO and the Library and their employees for purposes of alleged violations of sections 204-207 until after the comments requested in this Notice have been received and considered. During this interim period, the Office

will accept requests for counseling under section 402, requests for mediation under section 403, and complaints under section 405 filed by GAO or Library employees and/or alleging violations by GAO or the Library where violations of sections 204-207 of the CAA are alleged. Any objections to jurisdiction may be made to the hearing officer or the Board under sections 405-406 or to the court during proceedings under sections 407-408. The Office will counsel any employees who initiate such proceedings that a question has been raised as to the Office's jurisdiction and that the employees may wish to preserve their rights under any other available procedural avenues.

Signed at Washington, D.C., on this 26th day of January, 1998.

RICKY SILBERMAN,
Executive Director,
Office of Compliance.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

7006. A letter from the Secretary of Defense, transmitting the Department's Annual Report to the President and the Congress 1998, pursuant to 10 U.S.C. 113; to the Committee on National Security.

7007. A communication from the President of the United States, transmitting a copy of Presidential Determination No. 98-7: Emigration Policies of Albania, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan, pursuant to 19 U.S.C. 2432(a) and 2439(a); (H. Doc. No. 105-209); to the Committee on International Relations and ordered to be printed.

7008. A communication from the President of the United States, transmitting a report on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the U.N. Security Council, pursuant to Public Law 102-1, section 3 (105 Stat. 4); (H. Doc. No. 105-212); to the Committee on International Relations and ordered to be printed.

7009. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Department's report entitled "Country Reports on Human Rights Practices for 1997," pursuant to 22 U.S.C. 2151n(d); to the Committee on International Relations.

7010. A communication from the President of the United States, transmitting the President's report entitled "Destruction of Equipment East of the Urals"; to the Committee on International Relations.

7011. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-226, "James M. McGee, Jr., Street, S.E. Designation Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7012. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-227, "Ronald H. Brown Building Designation Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7013. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-228, "Brian T. A. Gibson Memorial Building Designation Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7014. A letter from the Chairman, Council of the District of Columbia, transmitting a

copy of D.C. Act 12-229, "Closing of a Public Alley in Square 5157, S.O. 95-107, Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7015. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-230, "Taxicab Commission Hearing Examiner Amendment Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7016. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-231, "Fleet Traffic Adjudication Amendment Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7017. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-232, "Closing of a Public Alley in Square 5405, S.O. 96-135, Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7018. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-233, "Criminal Code Technical Amendments Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7019. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-234, "Establishment of Council Contract Review Criteria Temporary Amendment Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7020. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-235, "Tax Revision Commission Establishment Temporary Amendment Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7021. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-236, "Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections Temporary Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7022. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-246, "Technical Amendments Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7023. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-249, "Chief Procurement Officer Qualification Amendment Act of 1997" received January 29, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

7024. A letter from the Interim District of Columbia Auditor, District of Columbia, transmitting a copy of a report entitled "Review of the Department of Employment Services' Surplus Tax Surcharge Funds," pursuant to D.C. Code section 47-117(d); to the Committee on Government Reform and Oversight.

7025. A letter from the Chairman, Board of Governors, Federal Reserve System, transmitting a report of activities under the Freedom of Information Act for 1997, pursuant to 5 U.S.C. 552; to the Committee on Government Reform and Oversight.

7026. A letter from the Acting Director, Office of Personnel Management, transmitting

a draft of proposed legislation entitled the "Federal Employees Health Benefits Children's Equity Act of 1997"; to the Committee on Government Reform and Oversight.

7027. A letter from the Secretary of Energy, transmitting the FY 1997 annual report under the Federal Managers' Financial Integrity Act (FMFIA) of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

7028. A letter from the Chairman, Securities and Exchange Commission, transmitting a report of activities under the Freedom of Information Act for 1997, pursuant to 5 U.S.C. 552; to the Committee on Government Reform and Oversight.

7029. A letter from the the Administrative Assistant, the Disabled American Veterans, transmitting the report of the proceedings of the organization's 76th National Convention, including their annual audit report of receipts and expenditures as of December 31, 1996, pursuant to 36 U.S.C. 90i and 44 U.S.C. 1332; (H. Doc. No. 105—208); to the Committee on Veterans' Affairs and ordered to be printed.

7030. A communication from the President of the United States, transmitting an updated report concerning the emigration laws and policies of Albania, pursuant to 19 U.S.C. 2432(b); (H. Doc. No. 105—210); to the Committee on Ways and Means and ordered to be printed.

7031. A letter from the Chairman, International Trade Commission, transmitting a draft of proposed legislation to provide authorization of appropriations for the United States International Trade Commission for fiscal year 2000; to the Committee on Ways and Means.

7032. A letter from the Executive Director, Office of Compliance, transmitting supplementary notice of proposed rulemaking for publication in the Congressional RECORD, pursuant to Public Law 104—1, section 303(b) (109 Stat. 28); jointly to the Committees on House Oversight and Education and the Workforce.

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. DREIER: Committee on Rules. House Resolution 352. Resolution providing for consideration of motions to suspend the rules (Rept. 105—415). 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. COBLE:

H.R. 3163. A bill to amend the Trademark Act of 1946 to provide protection for trade dress, and for other purposes; to the Committee on the Judiciary.

By Mr. SAXTON (for himself and Mr. YOUNG of Alaska):

H.R. 3164. A bill to describe the hydrographic services functions of the Administrator of the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Resources.

By Mr. BAKER:

H.R. 3165. A bill to amend the Securities Exchange Act of 1934 to provide an opportunity for judicial review concerning the adoption of accounting principles applicable

to issuers of federally-registered securities; to the Committee on Commerce.

By Mr. BURTON of Indiana (for himself, Mr. ARCHER, Mr. THOMAS, Mr. MICA, Mr. SALMON, Mr. SESSIONS, Mr. GILMAN, Mr. COOKSEY, Mr. CUNNINGHAM, Mr. ENSIGN, Mr. NORWOOD, Mr. CANNON, Mr. HASTERT, Mrs. KELLY, Mr. COX of California, Mr. STUMP, Mr. PAUL, Mr. BALLENGER, Mr. INGLIS of South Carolina, Mr. WALSH, Mr. PAPPAS, Mr. DREIER, Mr. CHRISTENSEN, Mr. GANSKE, Mr. KNOLLENBERG, Mr. FOLEY, Mr. MCCREERY, Mr. CRANE, Mr. BRADY, Mr. SAM JOHNSON, Mr. ENGLISH of Pennsylvania, Mr. CAMP, Ms. GRANGER, Mr. MILLER of Florida, Mr. DELAY, Mr. HILLEARY, Mr. TALENT, Mr. PETRI, Mr. COOK, Mr. HOUGHTON, Mr. MCINTOSH, Mr. BOEHNER, Mrs. MYRICK, Mr. ARMEY, Mr. HOEKSTRA, Mr. SPENCE, Mr. HAYWORTH, Mr. BARTON of Texas, Mr. PETERSON of Minnesota, Mr. BOB SCHAFFER, Mr. LINDER, Mr. METCALF, Mr. SOUDER, Mr. NUSSLE, Mr. SHADEGG, Mr. WELDON of Florida, Mr. KLUG, Mr. ROHRBACHER, and Mr. DICKEY):

H.R. 3166. A bill to amend title 5, United States Code, to permit the use of medical savings accounts under the health benefits program for Federal employees, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on Ways and Means, 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. ACKERMAN (for himself, Mr. KING of New York, Mr. LAZIO of New York, Mr. FORBES, and Mrs. MCCARTHY of New York):

H.R. 3167. A bill to designate the United States Post Office located at 297 Larkfield Road in East Northport, New York, as the "Jerome Anthony Ambro, Jr. Post Office Building"; to the Committee on Government Reform and Oversight.

By Mr. HUTCHINSON (for himself, Mr. CANADY of Florida, Mr. CONYERS, Mr. HASTINGS of Florida, Mrs. MYRICK, Mr. BLUNT, Ms. LOFGREN, Mr. OBERSTAR, Mr. ALLEN, Mr. KLECZKA, Mr. FILNER, Mr. DEFAZIO, Mr. FROST, Mr. MARTINEZ, Ms. FURSE, Mr. BARRETT of Wisconsin, Mr. WEXLER, and Mr. SHADEGG):

H.R. 3168. A bill to clarify that bail bond sureties and bounty hunters are subject to both civil and criminal liability for violations of Federal rights under existing Federal civil rights law, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island:

H.R. 3169. A bill to amend the Occupational Safety and Health Act of 1970 to include State and local law enforcement agencies under the protection of such Act; to the Committee on Education and the Workforce.

By Mrs. KENNELLY of Connecticut:

H.R. 3170. A bill to amend the Internal Revenue Code of 1986 to prevent the conversion of ordinary income or short-term capital gain into income eligible for the long-term capital gain rates, and for other purposes; to the Committee on Ways and Means.

By Mr. KLUG (for himself, Mr. OXLEY, Mr. HALL of Texas, Mr. STEARNS, and Mr. PAXON):

H.R. 3171. A bill to require the Federal Communications Commission to eliminate from its regulations the restrictions on the cross-ownership of broadcasting stations and newspapers; to the Committee on Commerce.

By Mr. PETERSON of Pennsylvania:

H.R. 3172. A bill to provide that funds received by the Federal Government from a tobacco

industry settlement shall be used for part A of Medicare; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 3173. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Ways and Means, Commerce, and Government Reform and Oversight, 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. WHITE (for himself, Mr. HASTINGS of Washington, Mr. FRANKS of New Jersey, Mrs. MALONEY of New York, and Mr. NETHERCUTT):

H.R. 3174. A bill to amend the Federal Election Campaign Act of 1971 to require electronic preservation and filing of reports filed with the Federal Election Commission by certain persons, to require such reports to be made available through the Internet, and for other purposes; to the Committee on House Oversight.

By Mr. GILMAN (for himself and Mr. GINGRICH):

H. Con. Res. 209. Concurrent resolution remembering the life of George Washington and his contributions to the Nation; to the Committee on Government Reform and Oversight.

By Mr. SHAYS (for himself, Mrs. JOHNSON of Connecticut, Mr. GREENWOOD, Mr. LIPINSKI, Mrs. KENNELLY of Connecticut, Mr. REGULA, Mr. LAFALCE, Mr. FARR of California, Mr. FROST, and Mr. GOODE):

H. Con. Res. 210. Concurrent resolution expressing the sense of Congress with respect to promoting coverage of individuals under long-term care insurance; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, 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. FAZIO of California:

H. Res. 351. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. KINGSTON (for himself, Ms. BROWN of Florida, Mr. CALLAHAN, Mrs. FOWLER, Mr. TRAFICANT, Mr. WAMP, Mr. BARRETT of Nebraska, Mrs. MALONEY of New York, and Mr. DEAL of Georgia):

H. Res. 353. A resolution expressing the sense of the House of Representatives concerning human rights and due process in Ecuador; 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. 135: Mr. BURTON of Indiana.

H.R. 347: Mr. SHADEGG.

H.R. 453: Mr. VENTO, Mrs. ROUKEMA, Mr. DEFAZIO, Ms. RIVERS, Mr. FOLEY, and Mr. WEXLER.

H.R. 586: Mr. COYNE.

H.R. 612: Mr. JEFFERSON, Mr. MCINTOSH, Mr. POSHARD, Mr. SESSIONS, Mr. BARRETT of Wisconsin, Mr. BROWN of Ohio, Mr. PETERSON of Minnesota, Mr. HASTINGS of Florida, Mr. WISE, Mr. BAESLER, Mr. PASCRELL, Mr. NETHERCUTT, Mr. KING of New York, Mr. MOLLOHAN, Mr. HEFLEY, and Mr. COOK.

H.R. 634: Mr. BONILLA.

- H.R. 859: Mr. BALLENGER, Mr. STUMP, Mr. TURNER, and Mr. JONES.
 H.R. 979: Mr. HEFNER, Mrs. TAUSCHER, Mr. METCALF, and Mr. HINOJOSA.
 H.R. 1104: Mr. FRANK of Massachusetts and Mr. SHERMAN.
 H.R. 1111: Ms. KAPTUR, Mr. SANDLIN, Mr. PRICE of North Carolina, and Mr. MOLLOHAN.
 H.R. 1114: Mr. CASTLE and Mr. COMBEST.
 H.R. 1126: Mrs. LOWEY and Mr. GORDON.
 H.R. 1215: Mr. GILMAN.
 H.R. 1231: Mr. ADAM SMITH of Washington.
 H.R. 1302: Mr. KENNEDY of Rhode Island.
 H.R. 1362: Mr. BASS.
 H.R. 1595: Mr. BALLENGER.
 H.R. 1689: Mr. TURNER, Mr. WEYGAND, Mr. LOBIONDO, and Mr. HOSTETTLER.
 H.R. 1763: Mr. SHAYS.
 H.R. 1814: Mr. FOLEY.
 H.R. 1951: Mr. JACKSON, Mr. OBERSTAR, Ms. DELAURO, Mr. POSHARD, and Mr. BLAGOJEVICH.
 H.R. 2023: Mr. KENNEDY of Rhode Island.
 H.R. 2053: Mr. FATTAH.
 H.R. 2145: Mr. FARR of California, Mr. MCHUGH, Mr. THORNBERRY, and Mr. WATKINS.
 H.R. 2154: Mr. CLYBURN, Mr. FROST, Ms. SLAUGHTER, Mr. FATTAH, Mrs. THURMAN, and Mr. GEJDENSON.
 H.R. 2191: Mr. PETERSON of Minnesota.
 H.R. 2202: Mrs. MYRICK and Mr. ENGEL.
 H.R. 2228: Mrs. MALONEY of New York.
 H.R. 2250: Mrs. MYRICK and Mr. CALVERT.
 H.R. 2363: Mr. HASTINGS of Washington.
 H.R. 2365: Mr. HINCHEY.
 H.R. 2374: Mr. DELLUMS.
 H.R. 2497: Mr. SKEEN, Mr. HILLEARY, Mr. PORTMAN, Mr. HORN, Mr. FOSSELLA, Mr. WHITFIELD, Mr. PEASE, Mr. LEWIS of California, Mr. LATHAM, Mr. SMITH of Oregon, Mr. PICKERING, Mr. BAKER, Mr. MCKEON, Mr. HUNTER.
 H.R. 2499: Mr. HOEKSTRA, Mr. BROWN of California, Mr. WATTS of Oklahoma, Mr. JACKSON, and Mr. GUTIERREZ.
 H.R. 2537: Mr. DEFAZIO and Mr. GALLEGLY.
 H.R. 2556: Mr. METCALF.
 H.R. 2560: Mr. BROWN of Ohio, Mr. MENENDEZ, Mr. HOYER, Mr. MCDERMOTT, Mr. EDWARDS, Mr. SISISKY, and Mr. ROTHMAN.
 H.R. 2604: Mr. PORTER, Mr. BARRETT of Nebraska, Mr. CANADY of Florida, and Mr. TALENT.
 H.R. 2701: Mr. MANTON, Mrs. MALONEY of New York, Mr. SCHUMER, Ms. STABENOW, Mr. McNULTY, Mr. FRANK of Massachusetts, Ms. VELAZQUEZ, Mr. NADLER, Mr. HINCHEY, Mrs. LOWEY, Mr. WALSH, Mr. SERRANO, Mr. ACKERMAN, Mr. PETERSON of Minnesota, Mrs. MCCARTHY of New York, Mr. TOWNS, Mr. KING of New York, and Mr. MOLLOHAN.
 H.R. 2713: Mr. FILNER and Mr. MCDERMOTT.
 H.R. 2714: Mr. BILBRAY.
 H.R. 2757: Mr. POSHARD.
 H.R. 2760: Mr. HANSEN.
 H.R. 2775: Mr. FATTAH, Mr. GOODLING, Mr. COYNE, Mr. KANJORSKI, and Mr. MCHALE.
 H.R. 2817: Mr. ENGLISH of Pennsylvania and Mr. BLUNT.
 H.R. 2855: Mr. DEFAZIO and Mr. BORSKI.
 H.R. 2868: Mr. DEFAZIO.
 H.R. 2870: Mr. DOOLEY of California.
 H.R. 2874: Mr. ENGLISH of Pennsylvania.
 H.R. 2884: Mr. PETRI and Mr. GOODLATTE.
 H.R. 2908: Mr. WALSH, Mr. ENGEL, Mr. GALLEGLY, Mr. LUCAS of Oklahoma, Mr. PETERSON of Minnesota, Mr. MCHUGH, Mr. ORTIZ, and Mr. HILL.
 H.R. 2912: Ms. JACKSON-LEE, Ms. STABENOW, and Mr. LUCAS of Oklahoma.
 H.R. 2914: Mr. SKELTON.
 H.R. 2923: Mr. FROST, Mr. MOLLOHAN, and Mr. CUNNINGHAM.
 H.R. 2936: Mr. ADERHOLT.
 H.R. 2939: Mr. NETHERCUTT, Mr. OXLEY, Mr. HILLEARY, Mr. MILLER of Florida, Mr. COBLE, Mr. GOODLATTE, Mr. FOLEY, and Mr. CALVERT.
 H.R. 2973: Mr. NORWOOD, Mr. LEWIS of Georgia, and Mr. SESSIONS.
 H.R. 2983: Mr. EVANS, Mr. MEEHAN, Mr. MCGOVERN, and Ms. WOOLSEY.
 H.R. 3001: Mr. ENGLISH of Pennsylvania, Mr. FILNER, and Ms. FURSE.
 H.R. 3033: Mr. FROST, Mr. MENENDEZ, Mr. CLAY, Mr. JEFFERSON, Mr. THOMPSON, Mr. STOKES, Ms. CARSON, Mr. RUSH, Mr. CUMMINGS, and Mr. NEAL of Massachusetts.
 H.R. 3086: Mr. KENNEDY of Massachusetts and Mr. RAHALL.
 H.R. 3101: Mr. FROST and Mr. ENGLISH of Pennsylvania.
 H.R. 3102: Mr. MATSUI, Mr. FRANK of Massachusetts, Mr. ENGLISH of Pennsylvania, Mr. DELAHUNT, Mr. KLUG, Mr. FOLEY, Mr. FROST, and Mr. PAUL.
 H.R. 3110: Mrs. MYRICK and Mr. ENGLISH of Pennsylvania.
 H.R. 3120: Mr. KOLBE, Mr. RADANOVICH, Mr. COOK, Mr. CRAPO, Mr. DOOLITTLE, Mr. FALEOMAVAEGA, Mr. MCKEON, and Mr. PACKARD.
 H.R. 3126: Mr. BORSKI.
 H.R. 3133: Mr. METCALF.
 H. Con. Res. 106: Mr. WEXLER.
 H. Con. Res. 202: Mr. CHRISTENSEN, Mr. SESSIONS, Mr. INGLIS of South Carolina, Mr. DICKEY, Mr. KING of New York, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. BACHUS, Mr. WATTS of Oklahoma, Mr. HOSTETTLER, Ms. PRYCE of Ohio, Mr. BUYER, and Mr. CANNON.
 H. Res. 267: Mr. SANDERS, Mr. PETRI, Mr. MCINTOSH, and Mr. FAWELL.

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. 2021: Mr. LIPINSKI.
 H. Con. Res. 182: Mr. DAVIS of Virginia.