

WAIVER OF APPLICATION OF SUBSECTIONS 402(a) AND (b) OF TRADE ACT OF 1974 WITH RESPECT TO VIETNAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-227)

The SPEAKER pro tempore. I laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

Pursuant to section 402(c)(2)(A) of the Trade Act of 1974, as amended (the "Act"), I have determined that a waiver of the application of subsections 402(a) and (b) with respect to Vietnam will substantially promote the objectives of section 402. A copy of that determination is attached. I also have received assurances with respect to the emigration practices of Vietnam required by section 402(c)(2)(B) of the Act. This message constitutes the report to the Congress required by section 402(c)(2).

Pursuant to subsection 402(c)(2) of the Act, I shall issue an Executive order waiving the application of subsections (a) and (b) of section 402 of the Act with respect to Vietnam.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 9, 1998.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Ms. ROS-LEHTINEN] is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. SMITH of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Ms. WOOLSEY] is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. KLINK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

JUSTICE FOR THE FLATOW FAMILY AND A TOOL AGAINST TERRORIST ATTACKS

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

Mr. SAXTON. Mr. Speaker, today was a momentous day for many of us who have worked for over a year to accomplish what I guess I would describe as a very, very important and worthwhile goal.

On April 9, 1995, a young lady by the name of Alicia Flatow was the victim of a terrorist attack as a college student while riding in a bus in the Gaza strip. Soon after the terrorist attack, the Islamic Jihad claimed responsibility.

Then about a year and a half ago, Alicia's father, who was a resident of New Jersey, Steven Flatow, came to visit me in my office with his attorney, Steve Perles, from Washington, DC. It seems that they had filed suit against the Islamic Republic of Iran for the part they played in this terrorist attack, and for allegedly supporting the terrorist attack.

I was informed by Mr. Flatow and his attorney that in filing and successfully pursuing such a court case, that momentous expenses are incurred, and at the most, under then current law, under then law, that law that existed at that time, a year and a half ago, the most that could be recovered would be something slightly over \$1 million, and that in order to pursue a proper remedy, that Federal law would have to be changed to permit recovery for punitive damages.

I went to see the gentleman from Illinois [Mr. HENRY HYDE], explained the situation to him, and he agreed that if the chairman of the Committee on International Relations also agreed, that we would make the appropriate change in the law. We did, and in the Senate, Senator LAUTENBERG lent his

hand, and the change in the law was made.

Today, at a little after 10 o'clock this morning, Federal District Judge Royce Lambeth issued the statement in which was embodied his decision. The State of Iran this morning was entered against a judgment for \$247 million for the part they played in the killing of young Alicia Flatow. This is justice for the Flatow family. It sadly does little to remedy the damage that was done to the young lady, but it is some form of justice to the family.

But just as importantly, perhaps more importantly, we have established through law and through now judicial process that there is yet another tool that the citizens of the United States of America have available to use against terrorist attacks like the one that occurred on April 9, 1995, in the Gaza strip.

I hope that the message goes out loud and clear to terrorists around the world, wherever they may be, and would-be terrorists, and, importantly, very importantly, today's governments around the world that are known to be supporters of terrorism, that the United States and the citizens of the United States and the Congress of United States and the court system in the United States, that none of us are going to rest easy until every act of terrorism is stopped.

Today was a good day in our fight against terrorism, but we must be determined to carry this battle further in the days ahead. So today I thank all of those who were involved in this process. I thank the gentleman from Illinois [Mr. HENRY HYDE] for the part he played, the gentleman from New York [Mr. BEN GILMAN] for the part he played, and the court system and Judge Royce Lambeth for the part he played.

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EVERY AMERICAN MUST COUNT

The SPEAKER pro tempore (Mr. EWING). Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, today I rise to discuss an issue that is critical to democracy, fairness and representation in this country. The issue to which I am referring is the year 2000 census.

As a newly appointed member to the Subcommittee on the Census, I look forward to working closely with other members to make sure that every citizen in America is indeed counted. Since 1790, during the first census, there was a significant undercount, especially among the poor and disenfranchised. Two hundred years later, in 1990, it is estimated that the census missed 10 percent of the population or 26 million people. Most of those who were not counted were poor people living in cities and rural communities throughout America, African

Americans, Latinos, immigrants and children.

The City of Chicago's undercount was about 2.4 percent and the African American undercount was about 5.6 percent. We can ill afford to have a count in the year 2000 that does not include every American citizen. Too much is at stake.

The census count determines who receives billions of dollars in Federal aid. Every year census information directs an estimated \$170 billion in Federal spending. Census data helps to determine where the money goes for better roads, highways and transit systems, schools, senior citizen centers, health care facilities and programs for Head Start and school lunches. In addition to money, representation is at stake. Congress, State legislatures, city councils, county boards and other political subdivisions are redrawn as a result of the census count.

There are some in this body who would deny representation and resources to millions of citizens in the name of maintaining the status quo. Under the Census Bureau's plan, everybody counts. All Americans will be included in the census. But if we keep taking the census the old way, we will continue to miss millions of people, and one might wonder if we have learned anything since 1790.

I was always taught that those who failed to remember the mistakes of the past are doomed to repeat them. I have learned from the past, and the past dictates that the old way of trying to count every citizen will not work. Therefore, business as usual is unacceptable, and we must begin to do things a new way.

In addition to making sure that every American counts, the Census Bureau's plan of sampling will save the taxpayers hundreds of millions of dollars. Let us put politics aside and use a method that the experts agree will yield the most accurate count. The experts have stated that if statistical sampling is not used to conduct the 2000 census, then the question we will ask is not whether the census was accurate, but how many people did we miss.

I urge grassroots organizations all over America, as well as the more traditional ones like the NAACP, Urban League, fraternities, sororities, churches and other groups to become actively involved in trying to make sure that all of our citizens are counted. Let us remember, if you are not counted, then in reality you do not count. Census-taking must be a high priority and sampling is the most professional way to make sure that there is no significant undercount.

The SPEAKER pro tempore (Mr. SAXTON). Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

(Mrs. MALONEY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE PLIGHT OF SMALL FARMERS

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, I rise this evening to urge my colleagues to be a part of legislation that will help many farmers and ranchers who are struggling to survive. There are two initiatives that I and others will introduce to respond to serious problems confronting this Nation's farmers and ranchers, particularly small farmers and ranchers.

First, the onerous provisions of the 1996 farm bill that ban family farmers and ranchers from receiving a loan from the United States Department of Agriculture if a previous loan had been written down are causing many farmers and ranchers to go out of business. We must correct the credit barriers created by the 1996 farm bill.

Farmers who have had credit problems under that bill are treated worse than persons who are declared in bankruptcy. Work is in progress for the legislation to fix this problem.

Another damaging problem is the continuing and very real threat by the Department of Justice to issue an opinion stating that the complainants in discrimination cases that did not file a lawsuit within 2 years cannot get money damages even if they show discrimination. The Department has taken that position because of its interpretation of the law regarding the statute of limitations.

When that decision is issued, and if it holds, complainants in many of the pending cases are at risk of getting nothing for a lifetime of suffering. Again, without relief in cases where relief is merited, small farmers and ranchers who have been discriminated against will be driven out of business. We cannot tolerate that result.

Farmers have been important to this Nation's past and farmers are vital to this Nation's future, especially the small family farmers and ranchers.

American producers, who represent less than 3 percent of the population, provide more than enough food and fiber to meet the needs of our Nation as well as many nations overseas. Our Nation's farms have changed greatly since the late 1950s. In 1959, there were more than 2.4 million small farms, those less than 180 acres in the United States, and over 172,000 farms in North Carolina, representing 6.9 percent. By 1978, the Nation's number of small farms had declined to a little over 1.3, a loss of 1.1 million small farms. In that same period, North Carolina lost 106,262 small farms, bringing its total to 66,091 small farms.

It is important to note that by 1990, almost a quarter of all small farmers had income below the poverty line, more than twice the Nation's average. And by 1992, there were only 1.1 million small farms left in the United States, a 45 percent decline from 1959. North Carolina had only a little over 39,000

farms left in 1992, a decline of 23 percent.

Several factors have accelerated the demise of small producers: globalization of commerce, economies of scale, limited access to capital and technological advances. The existence of worldwide markets for all commodities, not just agriculture commodities, have created unique market forces and pressures that producers of the past did not have to compete with. But now American producers have to cope with the substantially larger and less accommodating world markets in which to vend their merchandise with competitors who play by sometimes significantly different rules.

With regard to technology, inventions have paved the way for substantial high-level mechanization and modern agriculture, but the technological advances usually come at a very high price and one that most often small farmers are unable to afford. Often small producers are also limited-resource producers. These disadvantaged farmers many times have severe constraints in access to capital for various reasons, including the sheer lack of collateral, the inability to demonstrate the wherewithal to repay a loan and the paucity of funds made available by such lending institutions.

However, all these have had an even sharper influence on minority farmers and ranchers. Indeed, we know that we must correct this issue, Mr. Speaker.

I urge my colleagues, as they will consider this legislation as it comes before them, that we cannot allow small farmers and small ranchers not to have this legislation.

Economies of scale are factors as many small producers do not have the tools necessary to achieve the most efficient methods of production as they frequently are priced out of the market for implements, land and other inputs. Also one must be cognizant of the impact of vertical integration, concentration and contract farming on the role of the twentieth-century producer.

However, the aforementioned factors have had an even sharper influence on minority farmers and ranchers. In 1920, there were over 6 million farms in the United States and close to six—926,000 were operated by African-Americans. In 1992, the landscape was very, very different. Only 1% of the 1.9 million farms in the United States are operated by African-Americans.

One-percent—18,816, is a paltry sum when African-Americans comprise 13% of the total American population. In my home state of North Carolina, there has been a 64% decline in minority farmers, just over the last 15 years, from 6,996 farms in 1978 to 2,498 farms in 1992.

There are several reasons why the number of minority and limited resource farmers are declining so rapidly, but the one that has been documented time and time again is the discrimination in the credit extended from the Department of Agriculture, the very agency established by the U.S. government to accommodate and assist the special needs of all farmers and ranchers.