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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. BALLENGER).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 9, 1998.

I hereby designate the Honorable CASS BALLENGER to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3811. An act to establish felony violations for the failure to pay legal child support obligations, and for other purposes.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Guam (Mr. UNDERWOOD) for 5 minutes.

GUAM'S CENTENNIAL COMMEMORATION OF THE SPANISH-AMERICAN WAR

Mr. UNDERWOOD. Mr. Speaker, the Spanish-American War, which we are in the 100th year commemorating this year, was not a self-contained event. To the contrary, those events 100 years ago have far-reaching consequences today.

The fact that I am standing here representing Guam, speaking from the floor of the House, is testimony to the effects of the Spanish-American War. Guam's American journey began on June 20, 1898, when Captain Glass, U.S. Commander of the USS *Charleston*, accepted the surrender of Spanish forces based on Guam. From that initial point, our relationship with the U.S. has progressed from an island governed by the Navy Department and subjected to travel restrictions to an American unincorporated territory with a democratically elected local government.

However, the people of Guam continue to strive for political development, and since 1988, Guam has continually requested a new political status, a Commonwealth with the United States. Unfortunately, this next step in our political development has not yet been fully addressed.

The centennial anniversary is a time of reflection for our island. I have spoken from the well many times on the significance of this occasion, and I believe the centennial anniversary of 100 years under American governance should be a time for enlightened retrospection on Guam's relationship with the U.S.

If one were to analyze our relationship with the United States, it does not take a think tank strategist to figure out that Guam was and continues to be of primary strategic importance in the Pacific. If you were to fly a 7-hour airplane trip from Guam in any direction, you will hit a larger percentage of the world's population than if you fly from any city inside the United States. In fact, Guam was first used by American forces as a coaling station, and today we are an important base for the forward deployment and strategic positioning of military forces in the Asia-Pacific region.

One would also easily notice that Guam's relationship with the United States is characterized by the faith of the people of Guam in the American system of government and promise for self-determination. For example, Guam's first petition regarding the clarification of their political status was in 1901, 2 years after Guam was acquired. In 1933 a petition signed by the island was presented asking for political status clarification.

Guam is the only American territory that was occupied by enemy forces during World War II. Not only did the people of Guam withstand brutal marches and abuse for 32 months under the occupation forces, men and women even risked their lives to clothe and feed U.S. servicemen hiding from the Japanese Army.

To assist in our efforts to further understand the Spanish-American War, I am pleased to announce that the University of Guam's Richard Flores Taitano Micronesia Area Research Center is sponsoring a conference entitled ''The Legacy of the Spanish-American War, a Centennial Conference.''

I would like to enter into the RECORD a calendar of events. We have international participants for this truly international issue. Academic and professionals from the United States, Spain, Germany, Philippines, and Guam will be on hand to discuss the Spanish-American War itself. On June 21, later on this month, there will be a reenactment of the raising of the American flag over Guam.

Commemorating the centennial of that flag-raising will be a once-in-a-lifetime opportunity for many. However, I would like to emphasize, that for the people of Guam, 1998 is a year of commemoration, a year to remember Guam's transfer from Spanish to American jurisdiction. It was an act of colonialism based upon a previous Spanish

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act of conquest and an American victory in war. The people of Guam, my people, really had very little to do with it.

The Treaty of Paris, signed between the United States and Spain, stipulates that the United States Congress is obligated to determine the civil rights and political status of Guam's native inhabitants. One hundred years has passed, and this obligation has not been entirely fulfilled. The people of Guam certainly have much to reflect upon, and I hope that we do not wait for another 100 years before this country brings the full meaning of democracy to an area first taken in the spirit of imperialism.

Mr. Speaker, I include the program of the conference I mentioned earlier.

The material referred to is as follows:

[The Richard Flores Taitano Micronesian Area Research Center, University of Guam, Presents]

THE LEGACY OF THE SPANISH AMERICAN WAR IN THE PACIFIC: A CENTENNIAL CONFERENCE—17, 18 AND 19 JUNE 1998

Inauguration: Hilton Hotel, Wednesday 17 June 1998, 6:15 p.m.–9:30 p.m. Panels: Hilton Hotel, Thursday 18 June 1998, 8:00 a.m.–5:00 p.m. Guided Tour to Historical Sites: Friday 19 June 1998, 8:00 a.m.–5:00 p.m. Conclusion: Hagana Cathedral-Basilica Friday 19 June 1998, 7:00 p.m.

Registration, Hilton Hotel, Wednesday 17 June 1998, 5:00 p.m., $25.00.

Join this interdisciplinary conference, which offers the possibility for an exchange of ideas among local, national and international scholars. As an academic conference, it will increase discussion regarding the effects of 1898, not only on Guam, but on other areas of the Pacific.

This year, 1998, the centennial of the Spanish American War, provides an opportunity to reflect on the events that directly affected the people of Guam and the Pacific. It is important to consider those historical events that show the links of Guam with the Philippines and Spain in the past and with the United States today, while paying significant attention to the expectations of its people.

Featured Panelists:

Key Note Speaker, Congressman Robert Underwood.

Lourdes Diaz-Trechuclo, Ph.D., Universidad de Cordoba, Spain ''Spanish Politics and the Mariana Islands.''

Herman Hiery, Ph.D., University of Bayreuth, Germany ''War with Germany is Imminent: Germany and the Philippines in the Spanish American War.''

Thomas H. Neale, U.S. Library of Congress ''Reluctant Imperialist? U.S. Congress and the War of 1898.''

Wilfrido Vallacorta, Ph.D., De la Salle University, Philippines.

Logan Wagner, Ph.D., University of Texas ''Architectural and Urban Design Legacy of Guam's Spanish Period.''

Javier Galváin, Architect, School of Architecture, Madrid ''The Preservation of the Architectural Legacy of Micronesia.''

Jorge Loyzaga, Senior Architect, Mexico.

Dirk A. Ballendorf, Ed.D., University of Guam ''The Americans, the Spanish-American War, and the Caroline Islands.''

Prof. Augusto de Viana, University Ateneo de Manila ''Apolinario Mabini and other Revolutionaries exiled in Guam by the Americans.''

Florentino Rodao, Ph.D., Universidad Complutense, Madrid ''Monsignor Olano, Bishop of Guam.''

Arnold M. Leibowitz, Esq., Washington, D.C. ''The Concept of Commonwealth and Freely Associate States.''

Most Rev. Anthony Apuron, O.F.M. Cap, D.D. ''The Role of the Church in the Preservation of the Chamorro Language.''

Rafael Rodiguez-Ponga, Ph.D., Director General of International Cooperation of the Ministry of Education and Culture of Spain. ''The Spanish Influence in the Chamorro Language.''

Laura T. Sauder, Ph.D., CEO, Betances & Associates, Chicago ''Enduring Legacies: A Catholic Socio-religious Identity, An American Socio-political Identity.''

Antonio Garcia-Abasolo, Ph.D., Universidad de Cordoba, Spain ''Spanish Migration and Population to the Philippines.''

Ann Hattori, Ph.D., candidate, University of Hawaii at Manoa ''Feminine Hygiene: Gender and Health Under the U.S. Naval Government of Guam, 1898–1941.''

Robert E. Statham, Ph.D., University of Guam ''The U.S. Commonwealth of Puerto Rico: Pragmatism and the Empty Promise of Confederal Autonomy in the American Federal Republic.''

Michael Phillips, Esq., Guam ''Give 'em an inch; they take a yard. Grant 'em an easement; they take it all.''

Donald Platt, Ph.D., University of Guam ''Humanitarianism, Imperialism, or what? Demythologizing the United States' Reasons for going to War with Spain in 1898.''

Robert F. Rogers, Ph.D., University of Guam (R) ''From Spanish Lake to America Lake: The Enduring Geopolitical Legacy of the Spanish American War.''

For more information contact RFT MARC 735–2150 or Professor Omaira Brunal-Perry, Chairperson Organizing Committee 735–2157.

This program is supported by The University of Guam, The Richard Flores Taitano Micronesian Area Research Center, the Director General of International Cooperation of the Ministry of Education and Culture of Spain, the Guam Preservation Trust, the Guam Visitors Bureau, the U.S. Department of Interior, the Office of Delegate Robert Underwood, Title VI NRC/FLAGS Grant Project, the 24th Guam Legislature and the Centennial Task Force.

THE 2000 CENSUS: POLLING VERSUS AN ACTUAL COUNT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida (Mr. MILLER) is recognized during morning hour debates for 5 minutes.

Mr. MILLER of Florida. Mr. Speaker, we are less than 2 years from the beginning of the decennial census. The decennial census is a requirement of our Constitution where we count everybody living in America every 10 years. Since 1970 we have been doing it, and we are gearing up now for the 2000 census. It is one of the most important and controversial issues faced in public policy today.

It is controversial because, for the first time in history, the Clinton administration has proposed a radically different approach to be conducting the census. They have proposed this radical change without the approval of Congress. For the first time in history since 1790, for the first time, they do not want to count everybody. They only want to count some of the people and guess at the rest of them. They want to use science to come up with estimates of a population, rather than actually counting people, the hard work of counting people. From the days of Jefferson and Washington, we have been counting the population. Now they have come up with this radical idea.

It is a very important issue because it is fundamental to our democratic system of government, because most elected officials in this country are dependent upon an accurate census, and hundreds of billions of dollars flow out of Washington and out of State capitals on the census, so it is a critical issue.

The problem we are facing is we are moving towards a failed census. The General Accounting Office, who is the independent auditor of the Federal Government, has reported time and again that we are moving towards a failed census. The Inspector General for the Commerce Department has also warned us. So we have a serious problem.

Last week the President flew to Houston, mainly to raise money, but also to talk about the census. I am glad the President has entered this debate personally. His arguments in Houston were exactly why we should not use his plan.

What the President talked about was polling versus sampling. Polling is something we are all very familiar with. It is used in politics and actually in business and for a wide variety of areas. What the President was saying, and there is an interesting analogy, is that polling, and let me quote the President, ''Most people understand that a poll taken before an election is a statistical sample. Sometimes it is wrong, but more often than not, it is right.'' That is what the President said. ''Sometimes it is wrong, but more often than not, it is right.''

Well, let us look at what really happens with polling. We will see the problems with it and why it is so dangerous and risky to try to use polling on the upcoming decennial census. One of the best ways to evaluate whether a poll is accurate is looking at election results. Let us look back at the last Presidential election in 1996, less than 2 short years ago.

Right before the election in November, all the major polls came up with the results that weekend before the Tuesday election. As we all know, President Clinton won and beat Bob Dole by 8 percentage points. That is a factor, what do you win by, and what is the difference between the winner and loser. Bill Clinton won and got 8.4 percent higher votes, percentage points, than Bob Dole.

CBS/New York Times, on the weekend before the election, the polling said the victory is going to be 18 points, not 8 percent, 18 percentage points. ABC said 12 percentage points. The Harris poll said 12 percentage. The Wall Street Journal/NBC, said it was going to be a 12-point election. CNN/USA Today, conducted by the Gallup poll, said a 13-

point spread, not 8 points. That was a 50 percent mistake.

How can we rely on polling? We cannot just say it is close enough for government work. We are going to spend $4 billion on a poll that is not going to be close, if it is based on the polling ideas, the President wants us to risk that, and especially since it is something that is so important and that is fundamental to our democratic system. It is just wrong.

The President did not mention that back in 1990 we attempted to use sampling. It failed in 1990. When they tried to use sampling to adjust the population enumeration, it was a failure. It was a failure because it would have, for example, taken a congressional seat away from Pennsylvania and given it away without justification, because it turned out 2 years later it was a computer error and never should have been recommended.

It also says that adjusting, based on sampling, is less accurate when you have populations of less than 100,000 people. I am sure big-city mayors may like this, but we have to work with census tracts, we have to work with smaller communities. How do we show this is going to be trustworthy?

There is another thing I was concerned about in President Clinton's comments. I do not think President Clinton means to divide America. He said that Texas would have gained $1 billion if we had used sampling. We are talking about a zero sum game. A zero sum game means if you give $1 billion to Texas, you are going to take away $1 billion from somewhere else. We only have a fixed amount of money when we get to block grants. When we take money from one area to another area, we had better explain to people why we are taking the money away.

For example, when we start adjusting the census and subtracting people from the population, which they tried to do in 1990, that is when we start making people upset and not trusting our system. We cannot use this. This is not close enough for government work. It is wrong. We need to do an actual enumeration.

E-RATE/TRUTH IN BILLING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, over the course of recent months, I have taken to this floor in support of one of the critical elements of the 1996 Telecommunication Act, which was an agreement that was forged between Congress and the telecommunications industry for the benefit of our schools and libraries.

It was decreed that the concept of universal service, which has been employed since 1934 to subsidize the cost of extending service to rural areas, areas that provide very high costs, would be extended to include the Internet access for our schools and libraries through a mechanism known as the E-Rate.

It was determined that the E-Rate would be paid for by the savings that would be received by the telecommunication industry as a result of deregulation.

Over the course of this last year and a half, 30,000 schools and libraries across America are seeking to capitalize on this provision in the agreement. They have put tens of thousands of dollars into developing technology plans and applying for the discounts on services they need to give America's school kids access to the information highway. This is an important opportunity to remedy the fact that barely a quarter of America's classrooms have Internet access today.

Through a mechanism that would provide discounts ranging from 20 to 80 percent based on the cost of providing service and the poverty level in the individual community, this access would be provided.

Of late we have seen a certain amount of controversy arise surrounding the FCC and its handling of the new E-Rate authority. I will be the first to admit that there are a host of management and universal service issues. There are concerns, perhaps, about the mechanism chosen by the previous FCC Chair to pursue application approval.

□ 1245

But as evidenced by the recent surcharges that have been imposed by some of the giant telecommunications companies, and the people's reaction to them, there is also some controversy over whether adequate savings have materialized to cover the E-Rate costs or whether phone companies are seeking to recoup costs they have already recovered under deregulation.

I have received and examined information from the FCC that suggests that there are already over $2 billion worth of savings that have been granted to the telecommunications industry with hundreds of millions of dollars more underway; more than enough to offset the proposed $2 billion that is currently in the pipeline of applications from our schools and libraries.

But my concern, Mr. Speaker, is that we cannot let these controversies derail the promise of Internet and the benefits for schools that were approved under the act in 1996.

Mr. Speaker, I am introducing legislation today that would call for a General Accounting Office study on the actual savings and give consumers some truth in billing. It would show how much money has been saved by the telecommunication carriers as a result of these hundreds of millions of dollars in reduction. It would show how much has been passed back through to the consumers, and how much additional cost telecommunications carriers will have to bear, if any, in the implementation of the E-Rate.

In addition, my legislation would require that for those companies that seek to add additional line items to their bills, that these line items reflect the full and the accurate picture of both savings and costs to the carriers as a result of the Federal regulatory actions.

Similar language has already passed in the United States Senate, a part of their antislamming legislation, by a vote of 99-to-nothing.

The complex arguments surrounding implementation of a complex bill are hard for everybody to follow, but it will be lost on the thousands of representatives of our communities who are now operating in good faith to take advantage of what they understood to be a promise to help our schools and libraries.

We cannot end up holding our kids hostage to an intergovernmental dispute. This Congress will end up doing very little for education, the number one priority for most Americans. We must ensure that America's school kids have access to the information resources they need.

NATIONAL MEN'S HEALTH WEEK

The SPEAKER pro tempore (Mr. BALLENGER). Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida (Mr. FOLEY) is recognized during morning hour debates for 5 minutes.

Mr. FOLEY. Mr. Speaker, I have just returned from Florida and had my usual town hall meeting where we have a chance to discuss issues of the day with our constituents, and one of the things I find myself frequently talking about is health care, the cost of health care, the spiraling cost of health care and its impact on the human spirit and the human condition.

Regrettably, in society, we are spending a lot of time finding ways to spend money after disease onsets the human body. We talk about prostate cancer after the fact rather than PSA tests that could quickly arrest prostate cancer in the early beginning.

I found myself this morning reading a magazine on my flight from Florida, Men's Health, and I see a new nationwide survey reveals that men are not only avoiding important health checks, they are significantly behind women in the awareness of the importance of preventive health care. A nationwide survey conducted for Men's Health Magazine and CNN by Opinion Research Corporation finds that 1 in 10 or approximately 7 million men have avoided getting regular health exams for more than a decade. Over all, slightly more than 15 million men have not had a basic health check in over 15 years.

Let us talk about some of the statistics affecting men's health. An estimated 184,500 new cases of prostate cancer will be diagnosed in 1998. At least an estimated 2.5 million men, or

one-third of all men with diabetes, do not even know they have the disease. Despite advances in medical technology and research, the life expectancy of men continues to be an average of 7 years less than women.

Nearly 120,000 men aged 25 to 64 died from heart disease or stroke in 1995. The death rate of men from prostate cancer has increased by 23 percent since 1973. Twenty-seven percent of men will die within one year after having a heart attack.

In 1997, the bulk of government funding for breast cancer research was approximately $332 million; for prostate cancer, $82.3 million. An estimated 39,200 men will die of prostate cancer in 1998. It is the second leading cause of cancer death in men.

Women visit doctors 30 percent more than men do. In 1995, nearly three-fourths of heart transplant patients in the United States were male and over 30 percent of men in the United States are overweight.

Why do I reveal these statistics? Because it is vitally important that America get healthy. One simple change would be encouraging men to take an active role, as women do, in regularly visiting their physician for basic treatment and examinations. The rate of male mortality could significantly be reduced if we would encourage men to seek treatment before symptoms have reached a critical stage.

For example, a good friend of mine, Senator Bob Dole, is alive today because he sought early care for prostate cancer. Others, such as Muppet creator, Jim Henson, and Time-Warner Chair, Steve Ross, waited far too long for medical advice.

Now, in 1994, Congress inaugurated National Men's Health Week, which begins this year on June 15 and culminates on Father's Day, June 21.

Why is it vitally important that men become more aware of their health care needs? First and foremost for their longevity. Secondly, for the quality of life. Thirdly, as we look at the Federal budget and the growth of funding in Medicare and other programs, it is vitally important to rein in the costs of spending. It is much better in society for us to take preventive measures, to look at the healthy aspect of life, to look at ways to prevent the onslaught of disease by doing several things: One, exercise; one, controlling fat intake; one, obviously eliminating smoking as part of one's lifestyle; minimizing drinking. All of these things can be accomplished.

In addition for this week, nongender-specific issues such as heart disease, cholesterol count, blood pressure; specific health issues that deal with men such as stroke, colon cancer, prostate cancer, suicide, alcoholism, and men's fear of doctors, among others, should be focused on.

What will a week's difference make in the scheme of things? What will the difference in June 15 to June 21 yield? Well, when the problems of women's breast cancer and its rising rates became apparent over the past several years, the designation of October as National Breast Cancer Awareness Month enabled a broad collation of health organizations, associations, individual groups and the media to focus on the vital role simple steps such as breast exams can play in preventing this deadly disease. As a result, more women than ever before are taking steps to detect and treat breast cancer in its earlier stages, thereby sustaining their life and preventing the onslaught of a ravaging disease.

By developing an entire week on the broad range of health issues affecting men and ultimately their families, National Men's Health Week attempts to achieve the same positive behavioral changes among men that is already being undertaken by women.

So I urge men to follow the advice, read up on publications, try and exercise in order to preserve their health and, obviously, their family's.

DON HENLEY AND THE WALDEN WOODS PROJECT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Texas (Mr. LAMPSON) is recognized during morning hour debates for 5 minutes.

Mr. LAMPSON. Mr. Speaker, I want to take a moment to honor a special man, Don Henley. Many of us know Mr. Henley for the numerous hit records that he has produced over the years. He has been recognized countless times for his fine musical achievements.

But today I want to honor Don Henley for something far more than the hit music that he has brought to us over the years. I want to recognize him for the wonderful work that he has done with the Walden Woods project and the Thoreau Institute to preserve the area around Walden Pond. These woods served as an inspiration for Henry David Thoreau's great work, ''Walden.''

Don Henley was drawn to Thoreau's writings as a high school student growing up in East Texas. He was troubled when he learned that the Walden Woods were threatened in 1989 by two commercial development projects. Plans were underway for the construction of an office complex 700 yards from Thoreau's cabin site and 139 condominiums less than 2 miles from Walden Pond itself.

In 1990, Mr. Henley founded the Walden Woods project, a nonprofit organization focused on the preservation of the land within the Walden Woods ecosystem. The project was able to raise enough money to purchase and to protect 100 acres of the woods, including the two sites slated for development.

Don Henley's work continues as the Walden Woods project has combined efforts with the Thoreau Society to form the Thoreau Institute. On June 5, the Institute was formally inaugurated at the same beautiful landscape that captivated the attention and the appreciation of the great author.

The Thoreau Institute will work to unite interest in saving the environmental riches of the woods with the study of Thoreau's scholarly writing. The Institute aspires to bring Thoreau's writings to individuals around the world.

Last September, Mr. Henley was awarded a National Humanities Medal by President Clinton for his extraordinary work to save Walden Pond. The President noted that the award was given to those men and women who keep the American memory alive and infuse the future with new ideas.

Mr. Henley has always been committed to the goals of preserving our environment and our natural resources. Through his hard work and his dedication, Don Henley has ensured that the legacy of Walden Pond will continue to be an inspiration for generations to come.

SELF-DETERMINATION FOR THE AMERICAN CITIZENS OF PUERTO RICO

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) is recognized during morning hour debates for 5 minutes.

Mr. ROMERO-BARCELÓ. Mr. Speaker, 3.8 million American citizens of Puerto Rico are eager to exercise self-determination. We care passionately about our political status and we support congressional measures which call for a referendum, define status options, and provide for the implementation of the status choice that prevails.

Opponents of these bills object to the fact that if a majority of the 3.8 million U.S. citizens vote for statehood, a process might begin which would lead to the islands's full incorporation into the United States as an equal partner. So, some may be wondering what is the problem? What is the problem with having American citizens achieve the right to vote and the right to representation? If my colleagues should ask me, nothing. But some Members of Congress want to impose a supermajority requirement on Puerto Rico if we were to vote for statehood. If they have their way, even if a majority of American citizens in Puerto Rico voted for statehood and only 44 percent voted for Commonwealth, we would remain as a Commonwealth.

Why? Why should the will of a minority decide the relationship of 3.8 million American citizens? Why should a minority keep almost 4 million American citizens disenfranchised and denied the right to participate in their Nation's democratic process?

Mr. Speaker, is the imposition of such a threshold not unprecedented and shameful? Of course it is. It is also undemocratic.

H.R. 856 or S.472 would allow the American citizens in Puerto Rico to exercise their right to self-determination. They would give the American citizens in Puerto Rico an honest choice by providing congressionally approved and constitutionally sound definitions which explicitly detail the privileges and limitation of each of the status options.

In such a contest, statehood most probably would prevail. That apparently is not acceptable for the opponents of Puerto Rican self-determination. They imagine that the voters of all the territories overwhelmingly favored statehood before entering the Union and Puerto Ricans should do likewise.

But that simply is not the case. Most territories never even held referendums on statehood and, in some instances, the progress towards incorporation was advanced or stalled by whether or not the voters accepted their State constitutions. By this measure, voters in Colorado, Wisconsin, and Nebraska were decidedly ambivalent about the prospect of statehood, yet they all became States.

In Colorado's case, Congress passed an enabling act, but the citizens of the territory resoundingly rejected their first State constitution. A second State constitution was drafted and it prevailed by a narrow majority of 155 votes. But that is just the beginning of the story. President Andrew Johnson vetoed two statehood measures because Colorado's constitution differed substantially from the enabling act. Another 9 years passed before Colorado's voters managed to ratify a constitution compatible with the statehood measure.

Nebraska, for its part, could be nicknamed the reluctant State. Its voters rejected the first proposal floated for a convention to draft a State constitution and were happy to let the matter rest there. But 4 years later, Congress seized the initiative and, without a mandate from territorial residents, passed an enabling act for Nebraska.

□ 1300

The voters wanted nothing to do with it and wasted no time in defeating the second proposal for a State constitutional convention. Two years later, in a referendum which was plagued with irregularities, Nebraskans grudgingly consented to join the Union with statehood prevailing by a mere 100 votes.

Incorporating Texas into the U.S. was a cliffhanger as well. When the Republic of Texas and the U.S. each failed to ratify a treaty of annexation, Congress jettisoned the treaty process. It adopted a different strategy, drawing up a joint resolution for annexing Texas to the United States. Even that almost failed. In the Senate, the resolution squeaked by with just two votes to spare.

Last but not least, all of the States south of the Mason-Dixon line decided to secede from the Union in the 1860s, but they were forced to remain against their will. How can anyone claim that in order for 3.8 million American citizens to be allowed a vote and to become a State or share as partners in equal terms a simple majority is not enough?

Given the historical record, we need to abandon this pretense, this exercise in revisionist history, that this Union was conceived and expanded without thoughtful reservations on the part of all participants. We need to reject unprecedented requirements which are designated to frustrate the exercise of democracy rather than enhance it. We need to extend to the American citizens of Puerto Rico the right to self-determination in the same way it was proffered to all the territories, freely. It is the only fair and just thing to do. It is the right thing to do for Congress and for our Nation.

RECESS

The SPEAKER pro tempore (Mr. BALLENGER). Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 2 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. UPTON) at 2 o'clock.

PRAYER

The Reverend Kathleen Baskin, Greenland Hills United Methodist Church, Dallas, Texas, offered the following prayer:

Let us pray:

Most gracious one full of goodness and mercy, justice and righteousness, we know You ache for Your people to be one, as You are one with us. We pray today with a desperate longing for what is wrong in our lives and the life of our global community to be made right.

Children gaze dispassionately upon their distended bellies, and youths strike out unmercifully against family, friends, peers, and we, entangled in our own chaotic lives, struggle fiercely to soothe the world's troubled soul. Instill in us all, most especially in Your faithful servants of this body, the vision, the passion, the commitment to move beyond self-interest and to move toward peace for all Your people.

Thankful for Your confidence in us, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. TRAFICANT 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.

WELCOMING THE REVEREND KATHLEEN BASKIN

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

Mr. SESSIONS. Mr. Speaker, today I have been joined by my preacher, the Reverend Kathleen Baskin from Greenland Hills United Methodist Church in Dallas, Texas, and it is especially important for me to be here today with my preacher because, Mr. Speaker, every week when I go home, I am met by those people who are members of the church, who embrace me and my family and offer the very best to me as one of the Members of Congress, and so it is wonderful that she today is a part of that which we get to do to open the House of Representatives today.

Mr. Speaker, I give thanks not only for our heritage and our freedom, but the ability to share my preacher, a woman who speaks from the Bible, the Scripture, and who has abiding faith in our country and in our government.

So I thank you, Mr. Speaker, for allowing Kathleen Baskin and myself to be a part of that which we do today. God bless America, and God bless Texas.

KEEP THE WORKERS AND GET RID OF THE TOP DOGS AND FAT CATS

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

Mr. TRAFICANT. Mr. Speaker, last year the top dog at Bank One made $9 million. The big barker at Edison Brothers made $5 million. The kennel master at K-Mart made $6 million.

Mr. Speaker, if that is not enough to potty train a Rottweiler, the big Doberman at AT&T made $26 million, and do my colleagues know what he did? He got rid of 23,000 workers at AT&T.

Unbelievable. Big dogs go to the penthouse, American workers go to the dog house.

I think these companies are all screwed up. I think they should keep the workers and get rid of the fat cats at the top.

And listen to this very carefully: I say they can hire CEO's a lot cheaper in Mexico, too. Think about that.

HUMAN RIGHTS ATROCITIES BEING COMMITTED BY BURMESE MILITARY FORCES

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

minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, I rise today on behalf of persecuted religious believers in Burma also known as Myanmar. The Burmese Government engages in horrifying human rights violations against numerous religious and ethnic minorities.

I met a few weeks ago with a group of Christians from Burma. Reports tell of one Karen family which fled Burma after the military forced the husband to help build a pipeline for the UNOCAL and TOTAL oil companies. The husband escaped the forced labor, but soldiers hunted him down, then tortured his wife and seriously burned their 2-month-old baby. The baby died, and the rest of the family fled to refugee camps in Thailand.

This story is not unusual for the Karen and Chin peoples of Burma.

Mr. Speaker, I have photographs which reflect the atrocities committed by the Burmese military forces. The photos show the murder of a Karen man and woman. They are too horrible to describe and show, but if any Member wishes to see them privately, they can come to my office.

Human rights violations like this must not be allowed to continue. I urge the State Peace and Development Council to immediately cease these horrible human rights abuses.

SYRACUSE'S HALL OF FAME LACROSSE COACH ROY SIMMONS JR. RETIRES

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

Mr. WALSH. Mr. Speaker, I want to bring to my colleagues' attention an important occurrence in the world of collegiate sports and ask that they join me in saluting one of the sport of lacrosse's modern legends. Head coach of Syracuse University lacrosse Roy Simmons, Jr., who followed his father in making SU a national powerhouse in this increasingly popular sport, has announced his intention to retire this year. The entire sports community in central New York and others across America who love the game of lacrosse recognize the impact of this momentous decision.

Roy Simmons, Jr., was named to the lacrosse hall of fame in 1992. He has coached 140 all-Americans, four national players of the year, five national championship most valuable players, while winning six national championships. The 1990 national championship team was the first ever collegiate lacrosse team to be invited to the White House, where they met President Bush.

Roy Simmons, the most successful current intercollegiate lacrosse coach, has revolutionized the game and built a program at Syracuse University which is second to none. The fans, the team, the staff will miss his wisdom and humor. We wish him the very best in his retirement.

Thanks for the memories, Slugger.

SCHOOLCHILDREN SPENDING TOO MUCH PRECIOUS CLASS TIME TAKING NATIONALIZED TESTS

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

Mr. SHIMKUS. Mr. Speaker, there they go again. The Clinton administration is again attempting to force nationalized tests upon our schoolchildren. Unfortunately the President believes that our students must spend more precious class time taking nationalized tests created by some bureaucrats in Washington who think they know what is best for our children.

As a former teacher, instead of testing our children again, we should give them more time to do what they are supposed to do in school, learn. What a novel idea. For the last year and a half, a bipartisan majority of the House and Senate has expressed the will of the people and fought the administration on the creation of national tests. Congress has made it clear to the President that Americans do not want another standardized national test.

Please call the Federal bureaucrats back to their desk and out of the classrooms. Let the parents, teachers and local schools decide how best to test and educate our children.

Local control is still the best control.

URGING THE PRESIDENT NOT TO GO TO TIANANMEN SQUARE

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

Mr. CHABOT. Mr. Speaker, last week the world commemorated the ninth anniversary of the Tiananmen Square massacre where an estimated 2,000 unarmed prodemocracy activists were mowed down with machine guns and tanks on the orders from the Communist Chinese dictators. Later this month President Clinton plans to be received by the Beijing regime at that very site.

By doing the dictator's bidding, President Clinton will be disgracing the memories of those oppressed Chinese men and women who only wanted to enjoy the fruits of freedom, freedom that we as Americans take for granted. His presence at Tiananmen will be a setback for that cause and a public relations coup for the tyrants who routinely make a mockery of fundamental human rights.

Mr. Speaker, the United States has long been a beacon of hope for those around the world who long for the freedom that we enjoy. By joining the Communist dictators at Tiananmen, the scene of that horrible, horrible massacre, he will be insulting those throughout the world who aspire to be free.

Do not do it, Mr. President. Do not join the tyrants at Tiananmen Square.

THE CHINESE COMMUNISTS NEVER GIVE MONEY FOR NOTHING

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

Mr. BALLENGER. Mr. Speaker, you have to look at Missilegate and ask yourself one question: Why? Why would the Chinese Communists give millions of dollars in campaign contributions to the Democrat party and not the Republican Party? What is it that the Chinese Communists want? What is it the Chinese Communist Government, what is their top priority, the one thing they desperately want that the Republicans do not want to let them have? Could it be high technology?

The response from the other side is highly revealing. They say, ''Well, Reagan and Bush did it, too,'' but did the Reagan and Bush administration give waiver authority to the Commerce Department? No. Did the Reagan and Bush administrations have monitoring systems in place to ensure that no technology was used for military purposes? Of course they did. Did the Reagan and Bush administrations take campaign money from the Chinese Communists? Of course not.

And one thing to consider, the Chinese Communists never, never, never give money for nothing.

ADMINISTRATION MUST END POLICY OF SUPPLYING MASS DESTRUCTION TO ANYONE WILLING TO PAY FOR IT

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

Mr. GIBBONS. Mr. Speaker, last weekend a bomb exploded on a Pakistani train. Pakistan in turn immediately blamed India, its longtime adversary, for the death and destruction and vowed revenge. For many Americans now this tragedy makes a potential of a nuclear exchange between Pakistan and India a very, very real occurrence.

But, Mr. Speaker, the most alarming part of this scenario is that this administration and Communist China are responsible for helping both Pakistan and India acquire their nuclear technology that now threatens the peace in our world. Americans are just learning that this administration and its Commerce Department are responsible for selling nuclear weapons and missile guidance technology to China. Then China nearly provided this technology that Pakistan needed for its fledgling nuclear program. Meanwhile U.S. companies like Digital and IBM were playing a huge role in India's advances by supplying them with supercomputers.

Mr. Speaker, this administration has let the fire-breathing nuclear dragon out of its cage. The time has come for this administration to end its policy of promoting and licensing mass destruction to anyone who is willing to pay for it.

PROVIDE FOR THE COMMON DEFENSE

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

Mr. ROGAN. Mr. Speaker, the Preamble to the Constitution of the United States says America was established to provide for the common defense. That is the primary obligation of the President as Commander in Chief. But America is vulnerable today to a missile attack from abroad, and unbelievably this is the deliberate policy of the United States: to remain vulnerable to a missile attack.

How can this be? We justify this policy of mutual destruction based upon a treaty with a country that no longer exists. This policy is dangerous, obsolete and wrong. It is also deceptive because most Americans believe we are safe from a ballistic missile attack, although we are not.

It is time to honor our obligation to the Constitution and to the American people by building a missile defense system. We have the know-how, and we have the resources. It is time to act to protect America from a ballistic missile attack.

HARTMAN WIFE HAD DRUGS IN SYSTEM

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

Mr. HASTERT. Mr. Speaker, not to detract from next week's Drug-Free Athletes and Role Models Week, but today I must speak directly to the role models of our Nation's youth, and that most certainly includes the Hollywood elite.

The toxicology report is back on the death of actor Phil Hartman, and my colleagues guessed it. Hartman's assailant, his wife, was high on cocaine, other drugs and alcohol when she pulled the trigger ending his life.

□ 1415

How many more personal and public tragedies must this country endure at the hands of illegal drugs? Phil Hartman's passing, along with the deaths of Chris Farley and John Belushi, are not part of some so-called ''Saturday Night Live'' curse. These talented people are fatal victims of drug abuse.

As chairman of the Speaker's Task Force for a Drug-Free America, I urge the Hollywood elite to join this Congress in its commitment to win the war on drugs by the year 2002. As we all know, actions speak louder than any laws or any words.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. UPTON). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas or nays are ordered or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate is concluded on all motions to suspend the rules, but not before 6 p.m. today.

REGARDING IMPORTANCE OF FATHERS IN RAISING AND DEVELOPMENT OF THEIR CHILDREN

Mr. MCINTOSH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 417) regarding the importance of fathers in the rearing and development of their children, as amended.

The Clerk read as follows:

H. RES. 417

Whereas studies reveal that even in high-crime, inner-city neighborhoods, well over 90 percent of children from safe, stable, two-parent homes do not become delinquents;

Whereas researchers have linked father presence with improved fetal and infant development, and father-child interaction has been shown to promote a child's physical well-being, perceptual abilities, and competency for relatedness with other persons, even at a young age;

Whereas premature infants whose fathers spend ample time playing with them have better cognitive outcomes, and children who have higher than average self-esteem and lower than average depression report having a close relationship with their father;

Whereas both boys and girls demonstrate a greater ability to take initiative and evidence self-control when they are reared with fathers who are actively involved in their upbringing;

Whereas, although mothers often work tremendously hard to rear their children in a nurturing environment, a mother can benefit from the positive support of the father of her children;

Whereas, according to a 1996 Gallup Poll, 79.1 percent of Americans believe the most significant family or social problem facing America is the physical absence of the father from the home and the resulting lack of involvement of fathers in the rearing and development of their children;

Whereas, according to the Bureau of the Census, in 1994, 19,500,000 children in the United States (nearly one-fourth of all children in the United States) lived in families in which the father was absent;

Whereas, according to a 1996 Gallup Poll, 90.9 percent of Americans believe ''it is important for children to live in a home with both their mother and their father'';

Whereas it is estimated that half of all United States children born today will spend at least half their childhood in a family in which a father figure is absent;

Whereas estimates of the likelihood that marriages will end in divorce range from 40 percent to 50 percent, and approximately three out of every five divorcing couples have at least one child;

Whereas almost half of all 11- through 16-year-old children who live in mother-headed homes have not seen their father in the last twelve months;

Whereas the likelihood that a young male will engage in criminal activity doubles if he is reared without a father and triples if he lives in a neighborhood with a high concentration of single-parent families;

Whereas children of single-parents are less likely to complete high school and more likely to have low earnings and low employment stability as adults than children reared in two-parent families;

Whereas a 1990 Los Angeles Times poll found that 57 percent of all fathers and 55 percent of all mothers feel guilty about not spending enough time with their children;

Whereas almost 20 percent of 6th through 12th graders report that they have not had a good conversation lasting for at least 10 minutes with at least one of their parents in more than a month;

Whereas, according to a Gallup poll, over 50 percent of all adults agreed that fathers today spend less time with their children than their fathers spent with them;

Whereas President Clinton has stated that ''the single biggest social problem in our society may be the growing absence of fathers from their children's homes because it contributes to so many other social problems'' and that ''the real source of the [welfare] problem is the inordinate number of out of wedlock births in this country'';

Whereas the Congressional Task Force on Fatherhood Promotion and the Senate Task Force on Fatherhood Promotion were both formed in 1997, and the Governors Fatherhood Task Force was formed in February 1998;

Whereas the Congressional Task Force on Fatherhood Promotion is exploring the social changes that are required to ensure that every child is reared with a father who is committed to be actively involved in the rearing and development of his children;

Whereas the 36 members of the Congressional Task Force on Fatherhood Promotion are promoting fatherhood in their congressional districts;

Whereas the National Fatherhood Initiative is holding a National Summit on Fatherhood in Washington, D.C., with the purpose of mobilizing a response to father absence in several of the most powerful sectors of society, including public policy, public and private social services, education, religion, entertainment, the media, and the civic community;

Whereas both Republican and Democrat leaders of the House of Representatives and the Senate will be participating in this event; and

Whereas the promotion of fatherhood is a bipartisan issue: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes that the creation of a better America depends in large part on the active involvement of fathers in the rearing and development of their children;

(2) urges each father in America to accept his full share of responsibility for the lives of his children, to be actively involved in rearing his children, and to encourage the academic, moral, and spiritual development of his children and urges the States to aggressively prosecute those fathers who fail to fulfill their legal responsibility to pay child support;

(3) encourages each father to devote time, energy, and resources to his children, recognizing that children need not only material support, but more importantly a secure, affectionate, family environment; and

(4) expresses its support for a national summit on fatherhood.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. MCINTOSH) and the gentleman from California (Mr. MARTINEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. MCINTOSH).

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

Mr. Speaker, House Resolution 417 expresses the importance of fathers in the rearing and development of their children. This is a bipartisan measure and has the support of both the majority and minority leaders.

I am very pleased to have the opportunity this afternoon to move this resolution forward. Perhaps the committee selected me to move this forward because I am a recent father. Elizabeth Jenkins was born into our household last fall on October 23, and Ellie, as Ruthie and I have been calling her, is the source of unending joy for me and for my wife, and I share that joy with all of my colleagues who I know are also fathers, and it has meant a great deal to me.

I hope today by this resolution to be able to share some of the sense of joy and importance of fathers in rearing our children, because it should be alarming to all of us that half of the children born today are likely to spend half of their childhood in a family in which a father figure is absent. We should be especially alarmed when study after study shows new evidence of the negative impact of an absent father on children.

I would like to highlight one study in particular, a recent study that was released last October by the Department of Education's National Center of Education Statistics. This study, entitled ''Father's Involvement in Their Children's Schools,'' found that a father's involvement, whether in a two-parent family, a single-father family, or a nonresident family had a very positive impact on the children.

Specifically, this involvement increased the likelihood of their children getting mostly A's in schools, reducing the likelihood of their having to repeat a grade, and reduced the chance of being suspended or expelled from school. These associations remained even after controlling for other factors, such as the parents' education level, household income or the mother's involvement.

The fact is, a strong father's presence can improve both fetal development and infant development, promote physical well-being, and increase the ability of children to get along with each other. Conversely, the lack of a strong father figure presents an increased likelihood of delinquency and criminal behavior when the child is grown.

Social scientists are not the only ones who realize this. A 1996 Gallup poll found that nearly 80 percent of Americans, 80 percent of Americans, believe the most significant family or social problem facing America is the physical absence of the father from the home and the resulting lack of the involvement of that father in the rearing and development of their children.

Last year the leadership recognized this as well, and, with that leadership, they appointed a Task Force on Fatherhood Promotion led by the gentleman from Pennsylvania (Mr. PITTS), the gentleman from North Carolina (Mr. MCINTYRE), the gentleman from California (Mr. ROGAN) and the gentleman from Texas (Mr. TURNER). This congressional task force was formed, along with a similar task force in the Senate, as well as one by the national Governors.

One of the main goals of these groups is to highlight the importance of fatherhood, to explore the social changes that are required and to ensure that every child, every child in America, is raised with a father who is committed to that child, who will be actively involved in the rearing of that child and be involved in the development of that child.

On June 15, the National Fatherhood Initiative will hold a summit. It is a National Summit on Fatherhood here in Washington, D.C. The purpose is to mobilize a response to the problem of absent fathers. It will mobilize this response in several of the most important sectors in our community, the most powerful sectors in our society, including the public policy sector, private and public social services, education, religion, entertainment, the media, and the civic community.

This resolution that we have before us today was first introduced to the House by the gentleman from Pennsylvania (Mr. PITTS) and others who want to express support for such a summit. This resolution goes on to state that the House of Representatives, one, recognizes the creation of a better America depends in large part on the active involvement of fathers in the rearing and development of the children; two, it urges each father in America to accept his full share of responsibility for the lives of his children, to be actively involved in rearing the children and to encourage the academic, moral, and spiritual development of his children; and, thirdly, it encourages each father to devote time and energy and resources to his children, recognizing that children need not only material support, but, more importantly, the love of both parents, who provide an affectionate family environment.

I would also note that during consideration of this resolution by the Committee on Education and the Workforce, an amendment by the gentleman from Tennessee (Mr. FORD) was unanimously accepted by the committee. This amendment added a clause urging the States to aggressively prosecute those fathers who failed to fulfill their legal responsibility to pay child support. I note that this amendment and modification is entirely consistent with the Deadbeat Fathers Punishment Act of 1998, which passed the House in May by a vote of 412 to 2.

In closing, I would like to commend the gentleman from Pennsylvania (Mr. PITTS), the gentleman from Tennessee (Mr. FORD) and all the members of the Task Force on Fatherhood Promotion, the majority and minority leadership and others involved for their efforts in this area. I urge my fellow Members to support this important resolution as we bring it to the House floor today, and, hopefully, we will have a unanimous vote in favor of it.

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

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

Mr. Speaker, I want to congratulate my colleague, the gentleman from Indiana (Mr. MCINTOSH), on the birth of his first child. The committee selected him because he was a new father, I guess they selected me because I am an old father, being the father of 5 children, the grandfather of 14 children, and the great-grandfather of 2 children.

I can tell the gentleman that he has got a lot to look forward to, especially when those children just before his eyes grow into adults, get married, and have children of their own. That is the greatest time, because you get to take your grandchildren and spoil them and send them home to their parents to run their parents crazy.

Mr. Speaker, this resolution and this topic, the importance of fathers in the raising and the development of their children, is extremely important. The role of the father in the family has been one of the more prominent issues to gain public attention in recent years.

Too many of our children are growing up in families which do not have the benefit of a father. In fact, the percentage of children growing up in a home without their father nearly tripled between 1960 and the early 1990s. Today, over 24 million American children are living without their biological fathers.

Most importantly, fatherless homes have a devastating impact on our children. National research tells us that without a father, children are four times as likely to be poor, twice as likely to drop out of school, et cetera. Fatherless children also have a higher risk of suicide, teen pregnancy, drug and alcohol abuse, and delinquency.

Clearly, the important role that fathers play in the development of their children cannot go unnoticed. Unfortunately, the issue of absentee fathers is not restricted to those who do not pay child support, or ''deadbeat dads,'' as they are commonly referred to. Many fathers are tragically caught between their duties at work and their responsibilities to their families. The problems encountered by today's families are not limited to deadbeat dads. Today's families are also hampered by dead-tired dads, who want to be there for their children but do not have the time.

In closing, I want to say I am encouraged by the work of the Congressional Fatherhood Promotion Task Force. Their efforts, throughout this resolution and other activities, have begun to center attention on this very important issue. I believe this resolution sends a strong message which all Members should support. I certainly do.

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

Mr. MCINTOSH. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. PITTS), the author of this resolution.

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

Mr. Speaker, I am pleased to join my colleagues today to reiterate the importance of fatherhood in this country. As one of the cofounders of the bipartisan Congressional Task Force on Fatherhood Promotion, I am pleased to recognize the significance of this resolution.

Today, Members of Congress will commit to promoting the role that faithful, dedicated fathers play in the development of our young people and, indeed, of our Nation; and, how timely, for it is again that time of year when we honor our dads. In two Sundays, we will celebrate Father's Day, a day to acknowledge the special place which dads hold in our hearts, and recognize dad's role as father, husband, teacher, provider, care-giver, and friend.

Although every American has a father, not every American has a dad, one whom they know, love, spend time with and trust. Because of this fact, our country has suffered.

The United States is now the world's leader in fatherless families. This has taken its toll in our society, when you need no longer talk about the Dan Quayle versus Murphy Brown debate. And we have a litany of statistics supporting the position that a family unit with mother and father is an ideal environment for our children.

The realities are staggering. Four in ten children who go to bed tonight will sleep in a home in which their fathers do not reside. Overall, nearly 2.5 million children will join the ranks of the fatherless this year. This is a sad commentary. We must each be committed to bringing this to an end.

But this is not just about fatherlessness. We as a society must work to elevate the importance of fathers who value their commitments. Men across America struggle to be good dads. Many of us are co-laborers in this struggle. This is why we as elected officials must be the ones to lead by example, to take up the bully pulpit in order to effect change in this spirit of this country.

Through the events of the Congressional Fatherhood Promotion Task Force, we have sought to heighten the discussion of responsible fatherhood and emphasize the importance of fatherhood in neighborhoods and in community forums across the country.

Working with the National Fatherhood Initiative, we are looking forward to the National Summit on Fatherhood next Monday. Leaders from across the country, from the highest levels of government here in Washington to sports figures such as Evander Holyfield, Michael Singletary and entertainment celebrities such as actor Tom Selleck, all will gather to honor the role of the father and to turn our momentum to action. We will gather at the J.W. Marriott next Monday for this fatherhood summit. All Members of Congress have been invited to take part in this event, and I hope many of them will come.

The time has come for fathers to take hold of and be proud of their role as dad. In the words of filmmaker John Singleton, ''Any boy can make a baby; it takes a man to raise a son.'' The choice to place children above others is a noble one, and one which we as a society must recognize and reward.

Mr. Speaker, I urge my colleagues to support this resolution. In doing so, together, we can commit to promoting an office above all others in this country, that of the father.

Mr. Speaker, I would like to read the comments of the testimony that heavyweight champion Evander Holyfield recently gave to the Subcommittee on Early Childhood, Youth and Families of the Committee on Education and Workforce.

□ 1430

He said, ''I, Evander Holyfield, did not meet my father until I was 21 years of age. I missed the advice, the guidance, and time that only a father can give. However, thanks to my mother, Annie Laura Holyfield, and my coach at the Warren Boys' Club in Atlanta, Carter Morgan, I was given the faith, determination, and perseverance that helped make the boy into the man and father I am today.

''Perhaps the absence of my own father, but the presence of a strong and moral father figure in my childhood has helped me realize how important fatherhood is. In fact, being an active and caring father to my sons and daughters is just as important as being the three-time heavyweight champion of the world.''

His wife spoke, and, finally, they said this: ''As father and mother to our children, even with the time constraints of our careers, we realize the importance of quality time with our children. Not only is this our obligation as parents, but it is also one of our greatest sources of joy. We especially stress the areas of faith and education with our children. We love them; and loving children requires not just good intentions and feelings, but also time and attention.

''We reiterate our strong feelings about this important issue. And with God's guidance and help, we will do our part in encouraging and elevating the status of fatherhood in America.''

Mr. MCINTOSH. Mr. Speaker, I would ask the Chair how much time is remaining on each side.

The SPEAKER pro tempore (Mr. UPTON). The gentleman from Indiana (Mr. MCINTOSH) has 8 minutes remaining. The gentleman from California (Mr. MARTINEZ) has 17½ minutes remaining.

Mr. MARTINEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. BONIOR), the minority leader.

Mr. BONIOR. Mr. Speaker, I thank my friend from California for yielding to me.

First of all, Mr. Speaker, let me commend the gentleman from Pennsylvania (Mr. PITTS) for this resolution, also the gentleman from Texas (Mr. TURNER), the gentleman from North Carolina (Mr. MCINTYRE), and others who have worked on this, the gentleman from California (Mr. MARTINEZ), and others on this side of the aisle, the gentleman from Indiana (Mr. MCINTOSH) who care about this issue.

The life of a child, it goes without saying, is so critical and so important. Nobody can replace a father in the life of a child, nobody. Fathers are role models, and they are teachers, and they offer, as the gentleman from Pennsylvania mentioned in his comments by Mr. Holyfield, they offer the most important ingredients that a child could have in their childhood: love; guidance; encouragement; discipline, which is so critical, it would carry with a child throughout his or her life; wisdom; and, yes, inspiration.

Fatherhood is a responsibility, perhaps one of the greatest responsibilities, in a man's life. It is also one of the greatest joys that a man can have, along with the bumps along the way in raising a child, the joy of having the input, giving the love, providing the guidance, providing the inspiration, the encouragement when it is needed. These are all so very important in a child's development.

Mr. Speaker, America needs strong families, and America needs strong fathers. This resolution has been long in coming, and I am so proud of the fact that Members have decided to raise this issue to a higher level in the country today.

Congress recognizes the important role fathers play and honors fathers for their contribution. So it is with great pride that I rise today to thank my colleagues for offering this resolution, for recognizing fatherhood, for setting aside a day in which we can, as a community, come together and recognize the great values that emanate from fatherhood.

We sometimes talk about a lot of different issues in this institution, and we sometimes forget some of the very basic fundamental bedrock issues on which the others are built upon. Fatherhood is one of them. I am just very happy to be able to share some thoughts on this today.

I thank my colleagues for their leadership in this, and wish the event that will take place much success, and wish those who have put this together and who are trying to make sure that fatherhood is respected in this country and is honored. I thank them for their efforts.

Mr. MARTINEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. MCINTYRE).

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

Mr. MCINTYRE. Mr. Speaker, I rise today as an original cosponsor of House Resolution 417, which recognizes the importance of fathers in the rearing and development of their children. This resolution makes it clear that a better America depends on a better job at home, a more active, positive role model of our fathers in the rearing and development of their children, and honoring those who do. This resolution also calls on fathers to continually accept their fair share of responsibility in rearing children.

I am grateful for the example of love and leadership that my father has provided me throughout the years in the church and the community, and in civic, recreational, and political activities as well.

I am also grateful for the many wonderful loving gifts of time, talent, and treasure that my mother has given me in my life. And how appropriate it is for me to have this opportunity to say ''thank you'' to them as they celebrate the beginning of their union fifty years ago tomorrow, June 10th, when they have their golden wedding anniversary.

As one who served both as a charter member of the North Carolina Commission on the Family and a charter member of the North Carolina Commission on Children and Youth, I have looked at several legislative studies, considered several proposals.

I am excited today to think that here in the United States that we are giving this long-taken-for-granted role that the father plays, a much emphasized one, that we can honor fathers and encourage fathers to fulfill that important role in the lives of children.

This resolution emphasizes that family, faith, and future are the critical ingredients to the success of fathers here in America. First, unfortunately, the family often takes a back seat in many fathers' lives. Society itself has created an atmosphere in which job demands, commitments to various organizations and groups, and ambition often precede the responsibility at home.

The number of men who complain that work conflicts with family responsibilities has risen from 12 percent in 1977 to a staggering 72 percent in 1989. Other surveys show that 74 percent of fathers who live with their children prefer a ''daddy track'' job to a ''fast track'' job. Other studies show that positive father figures in the home clearly help reduce teen crime, reduce the dropout rate, and help reduce teen pregnancy.

Second, in addition to family, we, as Americans, must have faith that fatherhood can bring positive change to society. That is why, as cochairman of the Fatherhood Promotion Task Force, along with my colleagues here today who have spoken, and as a father of two boys, support efforts to make fathers a more positive influence in their children's lives.

Through a bipartisan effort such as you are witnessing right here before your eyes today, we can help focus national attention on the importance of the father in the home, or, where there may not be a father in the home for whatever reason, a positive male adult role model that can help fulfill that role. One step in this pursuit is H. Res. 417.

Third, with family and faith, we can work toward a better future for our children and for our country. This resolution sends an important message to America that the U.S. House supports fatherhood and the upcoming National Summit on Fatherhood to be held right here in Washington next Monday, June 15.

This resolution and the National Summit on Fatherhood can be just a beginning in mobilizing our society toward a positive and constructive response to the absence of fathers in home life.

I urge my colleagues to support this measure and to join me and to join all of us in the call for a positive force of fathers in the families, the faith, and the future of America.

Mr. MCINTOSH. Mr. Speaker, I yield myself 2½ minutes.

Mr. Speaker, the gentleman from Texas (Mr. DELAY) hoped to be able to make it, but is not able to be on the floor right now to endorse this resolution. I know how devoted a father he is. In fact, when I first came here, he shared with me how he had a special line put in for his daughter, that was only her number, that she could reach him in his office at all times.

He wanted to point out that oftentimes our government undermines the place of fathers in our society. When fathers abandon their families, our society does begin to break down. Fatherless children are five times more likely to be living in poverty. Violent crimes are committed overwhelmingly by males who grew up without fathers, 60 percent of America's rapists, 72 percent of adolescent murderers, and 70 percent of long-term prison inmates.

This chart here shows some of those statistics that were put together by the fatherhood initiative on the problems for children in broken homes.

It is also bad for the parents, by the way. If there are broken homes, it is likely the father will be more likely to suffer from respiratory diseases, more likely to have poor health and shorter life expectancy.

So the studies show time and time again what all of us know in our hearts, that a family that is intact, a father loving his children is the best for all of us, but certainly for those children to be raised, as many of the speakers on both sides of the aisle have said, knowing that the love of their father is there to sustain them through those troubled times that we all have in our lives.

One last thing in this 2½-minute segment, I wanted to share with my colleagues my favorite picture of my daughter and me that my wife took. She often will fall asleep on my chest. The knowledge that I have, that I have to protect and provide for her is an awesome responsibility. I would like to just encourage all of my colleagues here and all of those who are fathers around the country watching today never give up on that responsibility, because it will be a source of love and joy for you the rest of your lives.

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

Mr. MARTINEZ. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Texas (Mr. SANDLIN).

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

Mr. SANDLIN. Mr. Speaker, I rise today in strong support of American families, American fathers, and House Resolution 417.

As a father of four children, two boys and two girls, and a former youth baseball, basketball, and softball coach, someone active in Boy Scouts, a former juvenile judge, I believe that investment in our children is the finest and best investment that we can make in the United States of America to secure the future of this country.

In today's society, a strong father figure is necessary. It is more important than it ever has been in the history of our country. Our children are faced today with many difficult choices, choices that I did not have to make as a young man, and choices that our parents did not have to make as young people.

If they are to make the right choices and grow up to be strong, productive, moral citizens of this country, they need good and strong role models with whom they can identify. They need strong fathers. These models can be teachers, they can be preachers, they can be business leaders. They can be community leaders. They can be Members of Congress.

But now, more than ever, children need their parents and need their families. Children look most often to their parent. Many times even now when I have decisions to make in life, I look back and think, what would my mom and dad do? My dad gave me the one piece of advice that I take with me day in and day out and always will. My father told me, ''Do right.'' Do right. That is what I try to do.

Right now the United States is the leader in fatherless families. That is a tragedy. And 30 percent of our families are single-parent families. That does not speak well for the future. It is a disgrace.

Next week Washington will welcome the National Summit on Fatherhood. The theme this year is moving from rhetoric to action. The issue is too important for us simply to pay lip service to it. We have to put our action, we have to put our money where our mouth is.

Now more than ever we need a national strategy to create effective solutions to the problems of a lack of leadership in American families. This gathering of civic, business, religious, philanthropic governmental and cultural

leaders should be just the catalyst we need to begin the discussion and to begin the strategy in this country.

I urge all of my colleagues to support this. Support the American families. Support our fathers. Fathers in the Congress, let us take responsibility and work for H. Res. 417.

Mr. MCINTOSH. Mr. Speaker, we have one more speaker on our side, and I would like to recognize him now. He is a freshman colleague of mine and also a father of four boys, who is expecting his fifth child sometime later this year.

Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. PICKERING).

Mr. PICKERING. Mr. Speaker, I rise in strong support of the resolution recognizing the importance of fathers in America and also recognizing the hard and good work of the gentleman from Indiana (Mr. MCINTOSH). My wife is a godmother of the gentleman's recent new addition to his family, to his daughter, and we proudly celebrate that.

As the gentleman mentioned, I am the father of four boys, four boys, ages 8, 6, 4 and 2; and we have just learned recently that the fifth is coming. This is my first public announcement of that good news, and so we are looking forward to maybe finding a little girl, maybe, somewhere in our house.

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Today I rise first to recognize the role of my father and grandfathers in my life, not because it is unique to me, but it is because of what fathers and grandfathers have offered this country over our proud history. They taught me leadership and discipline. They showed me what sacrifice and service means. They showed me commitment and integrity to faith and to community. They have gave me the role model and the example and the path to follow.

As we approach Father's Day, I want to first recognize the role of my own father and my grandfather, one who was a farmer and one who was a high school principal and teacher and dean of men, and the role they played in my life.

My grandfather was committed to his wife, to his community, and to his church. He taught me what hard work meant and the joy of it. My father, who is now a Federal judge, taught me about public service. He is now the proud grandfather of 14 grandchildren, all under the age of 11. So with Father's Day coming, I thank them.

As we ask ourselves, what is the importance, what is the role of fatherhood in our country, let us put it in context. Let us put it in perspective. With the recent news of India and Pakistan and the possible escalation of the nuclear arms race, we say that that is a great threat to our security. We need to prepare for it and provide the resources, whatever it takes to defend ourselves in the future.

But I say, the greatest threat to our security is the loss of fathers in the home, and the lack of men stepping up and taking on the responsibility of being at home to teach and to provide for the well-being of their family.

As we look at education today, the greatest indicator of whether we will have educational success or failure goes back to the home and the role of the father being there. Violence and drugs are again tied back to the breakdown of the family, the loss and the lack of the male role model, of men and fathers being there; poverty.

Again, everything that we see facing our Nation, the greatest threats to our Nation, the greatest risk that we have, the greatest single determinant, the greatest factor that goes back to time and time again is whether men have accepted their role and have stepped up to the plate and assumed their responsibility. They have made a commitment and they have kept it.

Our challenge today is to call all men to assume their role, their responsibility in their home to be good husbands and to be good fathers. More important than anything we can do in this place, in Congress, is what happens in the home and what happens in the House, what happens with our families.

As the gentleman from Oklahoma (Mr. J.C. WATTS) said, the most important title to him is not Congressman, but daddy. There is no title, there is no position greater; the President of the United States, congressman, teacher, doctor, lawyer, whatever your title may be. The highest honor and the greatest obligation and responsibility, the greatest joy, is being called daddy and playing the role, and accepting the responsibility of being a good father.

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

Mr. Speaker, I will close by saying this is a resolution, as we have heard from people who are fathers and potential fathers, on how important the role of a father is. I think we simply have to look at the environment in which we live, where there are fatherless children, and those children usually run afoul of the law and have some kind of problem. We generally do not find that in a home where a father is present.

I was raised with a family of 10 children, but that important ingredient we had in our home to make our lives a success was our father being there for us in our time of need. I would simply say to all of my colleagues, this is a resolution that should get a unanimous vote.

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

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

Let me first say, Mr. Speaker, I appreciate the gentleman from California and all of the speakers on the Democratic side who have been wonderful supporters of this resolution. It truthfully is a bipartisan effort.

Second, a very quick point, some people have asked me, what about the mothers involved? Of course, mothers are critical to the raising of our children, rearing of our children. I know I could not do it without my wife, Ruthie. And I know how much my mother meant to us, because, in fact, my father died when I was only 5 years old, and she had to serve both the role of mother and father in our family.

But I think everyone knows that all of us in my family and every family where they may not have an ideal circumstance, we truly wished my father could have been there and been with us. What we are trying to say in this resolution is, to the fathers of America, do all you can to be there, to love your daughters, love your sons, and be a great father to them.

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

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentleman from Indiana (Mr. MCINTOSH) that the House suspend the rules and agree to the resolution, H. Res. 417, as amended.

The question was taken.

Mr. McINTOSH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. MCINTOSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 417.

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

There was no objection.

PERSONAL EXPLANATION

Mr. HOYER. Mr. Speaker, on Thursday, June 4, 1998, during the consideration of House Joint Resolution 78, I apparently voted contrary to my intent on one part of the amendment offered by the gentleman from Georgia.

I correctly voted ''no'' on the second part of the amendment, but thinking and intending to vote ''no'' on the first part, I apparently made a mistake and pushed the wrong button, and inadvertently voted ''yes'' on rollcall 198. I was shocked and disbelieving, Mr. Speaker, to discover my unintended vote of ''aye'' on the first part of the amendment, which would have stricken the reference to, and I quote, ''acknowledge God in our Constitution'' and replaced it with ''freedom of religion.'' I did not and do not support that proposal.

As I said in my statement, Mr. Speaker, on House Joint Resolution 78, ''. . . we do need to stress that faith in God and raising our voices in prayer continues to be one of the most important things that Americans can do.'' Mr. Speaker, the right to acknowledge

one's God was fundamental to the founding of this great country. Indeed, the Founding Fathers acknowledged God as the source of our unalienable rights of life, liberty, and the pursuit of happiness.

SENSE OF HOUSE REGARDING FINANCIAL MANAGEMENT BY FEDERAL AGENCIES

Mr. HORN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 447) expressing the sense of the House of Representatives regarding financial management by Federal agencies, as amended.

The Clerk read as follows:

H. RES. 447

Whereas financial audits are an essential tool to establish accountable, responsible, and credible use of taxpayer dollars;

Whereas Congress needs such information to accurately measure performance of Federal agencies and distribute scarce resources;

Whereas Federal agencies should meet the same audit standards with which such agencies expect State and local governments, the private sector, and Federal contractors from which such agencies purchase goods and services to comply;

Whereas sections 331 and 3515 of title 31, United States Code (as enacted in section 405 of the Government Management Reform Act of 1994 (Public Law 103–356; 108 Stat. 3415)), require that Federal agencies prepare annual financial statements and have them audited, and that the Secretary of the Treasury prepare a consolidated financial statement for Federal agencies that is audited by the Comptroller General;

Whereas the enactment of these provisions resulted in the first time ever that the financial status of the entire Federal Government was subjected to the same professional scrutiny to which many who interact with the Federal Government are subject;

Whereas section 3521 of title 31, United States Code, requires that the audit follow the Generally Accepted Government Auditing Standards, which incorporate the common, private sector guidelines of the American Institute of Certified Public Accountants Statements on Auditing Standards;

Whereas Congress intended these audit requirements to provide greater accountability in managing government finances by improving financial systems, strengthening financial personnel qualifications, and generating more reliable, timely information on the costs and financial performance of government operations;

Whereas the data found in the financial reports was not sufficiently reliable to permit the General Accounting Office to render an opinion on the Government's financial statements;

Whereas only 2 of the 24 Federal agencies required to submit reports have reliable financial information, effective internal controls, and complied with applicable laws and regulations;

Whereas the financial statements of the Department of Defense could not be relied on to provide basic information regarding the existence, location, and value of much of its $635,000,000,000 in property, plant, and equipment;

Whereas the Department of Defense could not account for 2 utility boats valued at $174,000 each, 2 large harbor tug boats valued at $875,000 each, 1 floating crane valued at $468,000, 15 aircraft engines (including 2 F–18 engines valued at $4,000,000 each), and one Avenger Missile Launcher valued at $1,000,000;

Whereas inaccurate or unreliable data, such as the findings that 220 more tanks, 10 fewer helicopters, 25 fewer aircraft, and 8 fewer cruise missiles existed than those reported in the system of the Department of Defense, harms deployment activities;

Whereas the Department of Housing and Urban Development spends $18,000,000,000 each year in rent and operating subsidies, with $1 of every $18 being paid out unjustifiably;

Whereas financial management is so poor within Federal credit agencies that the true cost of the Federal Government's loan and guarantee programs cannot be reliably determined;

Whereas the Federal Aviation Administration's records regarding $5,500,000,000 in equipment and property are unreliable, including $198,000,000 in recorded assets that no longer exist, $245,000,000 in spare parts that were omitted from the financial statements, and $3,300,000,000 in works-in-process that could not be verified;

Whereas the Forest Service lacks a reliable system for tracking its reported 378,000 miles of roads;

Whereas the Medicare program identified an estimated $20,300,000,000 worth of improper payments in fiscal year 1997;

Whereas the Social Security Administration has identified $1,000,000,000 in overpayments for fiscal year 1997;

Whereas the Department of the Treasury recorded a net $12,000,000,000 ''plug'' recorded as ''unreconciled transactions'', made up of over $100,000,000,000 of unreconciled, unsupported transactions, to make its books balance; and

Whereas the disclaimers, mismanagement, and poor recordkeeping in the Federal Government expose taxpayers to continued waste, fraud, error, and mismanagement, and provide inadequate information to Congress for budget, appropriations, and reauthorization decisions: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the first-ever Governmentwide financial audit demonstrated serious concerns with financial management by the majority of Federal agencies;

(2) current efforts with respect to financial management by all too many Federal agencies have failed; and

(3) therefore, Congress must impose consequences on Federal agencies that fail their annual financial audits and conduct more vigorous oversight to ensure that Federal agencies do not waste the tax dollars of the people of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HORN) and the gentleman from Ohio (Mr. KUCINICH) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Speaker I yield myself such time as I may consume.

Mr. Speaker, on April 1, 1998, the Subcommittee on Government Management, Information, and Technology held a hearing on the first ever audit of the United States government. We were presented with the consolidated government-wide financial statements issued March 31, 1998.

The Democratic 103rd Congress, in which I was a freshmen, enacted this law on a bipartisan basis in 1994. As a result of this audit, we found the Federal Government could not balance its books. That is why we gave them 5 years to do it way back in 1994. In fact, the information in the financial statements was so poor that the auditors were not able to determine the adjustments necessary to make the information reliable.

For the first time, however, Congress was provided a concise accounting for the many financial management problems faced by the executive branch of the Federal Government. This report, by the General Accounting Office, the audit arm of the legislative branch known as the GAO, confirmed that at least tens of billions of taxpayers' dollars are being lost each year to fraud, waste, abuse and mismanagement in hundreds of programs throughout the executive branch.

Government financial management is largely in disarray in some departments. Its financial systems and practices are obsolete and ineffective, and do not provide complete, consistent, reliable, and timely information to either congressional or presidential decision-makers, let alone to agency management, which is responsible for the implementation of these various programs.

The GAO report provided a synopsis of the significant weaknesses in the financial systems: problems with fundamental recordkeeping and incomplete documentation. There were weak internal controls, including weak computer controls. These structural problems then prevent the executive branch from accurately reporting a large portion of its assets, its liabilities, and its expenses.

According to the General Accounting Office, ''These deficiencies affect the reliability of the consolidated financial statements and much of the underlying financial information.'' More important, ''These problems also,'' said the GAO, ''affect the government's ability to accurately measure the full cost and financial performance of programs, and effectively and efficiently manage its operations.''

Looking at some of the charts here, the subcommittee released the first report card measuring the effectiveness of the financial management at 24 Federal agencies, which were required over a 5-year period to prepare financial statements and have them audited. The grades were based on reports prepared by the various agency Inspectors General, independent public accountants, and the General Accounting Office.

The report card is a gauge for Congress to see where attention is needed to push agencies to get their financial affairs in order. A few agencies, most notably the Department of Energy and the National Aeronautics and Space Administration, demonstrated that they could effectively manage their finances.

However, these agencies were the exception, rather than the rule. Six other agencies earned commendable Bs. Eleven of the 24 agencies, 46 percent, were not able to meet the March 1 reporting date in the Act. That is 5 months after the close of the Federal fiscal year.

As of today, four laggard agencies, the Department of Agriculture, the Department of Education, the Federal Emergency Management Agency, the Department of State, have yet to submit audited financial statements. The Federal fiscal year ended 8 months ago.

Many other agencies could not pass muster. The Agency for International Development, the Department of Defense, the Department of Justice, the Office of Personnel Management, they all received Fs. Two more agencies that reported late, the Department of Commerce, Department of Transportation, also wound up with Fs. Another six agencies failed at the D level.

Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin (Mr. NEUMANN), the author of this resolution, one of the most fiscally conservative and fiscally articulate Members of this body, and one of the handful of us who have spoken on the unfunded liabilities facing the Federal Government. The gentleman from Wisconsin looked at a lot of these documents and drew up the resolution we have before us today.

Mr. NEUMANN. Mr. Speaker, I rise today to talk about this because I come from the private sector. In the private sector, for our business, our small business, we literally had to go through an audit every year, so I come into this looking at it with some private sector experience. I bring with me the standards and the expectations that were required of us in our business in the private sector.

I have to say, after a brief review of this, it becomes very apparent that the management here in the government is set by an entirely different set of standards than what was expected of us out in the private sector. I would like to explain exactly how an audit works, so it is clear what has happened here in this audit.

What happens in an audit is the auditors come in and look at all of the assets and the financial statements, and where the money went in a given agency. So, for example, if you are the Forest Service, you would look for a list of all the roads that were controlled and managed by the Forest Service, and where they spent their $3.4 billion in the Forest Service management. So you would take this whole list of things and then go into it and pull a couple of the things out. You would go looking for them.

Let me give another example. In the military, for example, in the Navy, they went looking for 79 ships. 79 ships they went looking for.

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Out of the 79 ships they went looking for, they found out that in fact they could not find 21 of them. Twenty-one out of 79 they could not find. I am in the home building business and when they did an audit in my company, I gave them the list of all the lots we were working with and all the houses we had built and all the money I spent on a given house, all the money we took in on a given house. We had to give our auditors that and they would pull those records on a particular house out of 120 homes that we were building in a given year. They might pull out three or four or five and see if the money that we said we spent to pay for drywall, for example, we actually had a check that we could document that we spent that money.

No, in the private sector if one fails an audit, effectively the bank shuts the business down and the company goes out of business. The businessman must go find something else to do. That is what happens in the private sector.

Our purpose for being here today is to, number one, disclose the results of this audit; and, number two, disclose how different the standards are that are being applied here in the government and what is happening here; and three, to make sure that we start doing something about the mess that has been created.

Mr. Speaker, I have brought a few pictures with me to help make this clearer. When the Navy went looking for these 79 ships, they found out they were missing tugboats. I think that is important. We are not talking about rubber duckies in the bathtub. We are talking about the tugboats, for heaven sakes, that the Navy has on their list that was not available when they went looking for it.

Another thing the Navy went looking for, they went looking for these two skiffs. These things are supposed to be out there. They are not there. They are on their list, they say where they are, they say they are supposed to be available. They are not there.

So when we go looking for 79 ships on the inactive list and 45 on the active list, 21 of the 79 could not be found. But think about this for a minute. On the active available military ships, 2 out of 45 were not available. That is to say if we were to go to some sort of a military conflict, assuming that these ships are available to move troops around or to do whatever they might do, 2 out of 45 could not be found.

I have some more examples here. As I go to the Air Force, and I go to this one that I think is very, very important, they went looking for missile launchers. In fact, they found out they could not find this particular missile launcher. Now, since the audit has been completed, they believe they have found the missile launcher. But the facts are when the time came for the auditors to go looking for this missile launcher that was supposed to be available, they could not find the missile launcher.

Now, in all fairness to the people in the uniform, and I want to make this very clear, this is not a reflection of our young men and women who are doing so much to defend our country. This is a reflection of mismanagement by bureaucrats in Washington, D.C. That is what we need to go after. This should not in any way reflect negatively on our military.

In fact, as we understand that these military parts and pieces of equipment that are so necessary for our military cannot be found, we should understand that it puts our young men and women in uniform in jeopardy and that is why it is so significant that we do something about correcting this problem.

Mr. Speaker, here is another one with the Air Force which is particularly disturbing. They said we had a C–130 transport plane. This is what it looks like. And again this is a huge plane. It is designed to move troops around. So if we were to have a military conflict and they went looking for this C–130, this troop transfer plane, it does not exist anymore.

It turns out when the auditors went to look for this C–130 plane, it had been destroyed 4 years ago in a test involving corrosion. So the military gave this list of available military equipment that if we were to have a military conflict of some sort they were expecting to be able to find, but when the auditors went looking for this particular plane, this C–130, and, remember, they just went looking for a small sample, when they went looking for this it turns out the thing had been destroyed several years back.

I do not want to stop at just the military. That would be very unfair. As we went through this audit, we found similar activities in virtually every agency we went into and looked at. Coming from the private sector, if we had ever been in this shape in the private sector, we would have been out of business instantaneously because there is not a bank in the world that would have loaned us money if we could not have found the houses we built or if we could not find the lots we were supposed to own to build the houses on in our company. That is just exactly how ridiculous this situation is.

I have here a picture of a computer. This thing weighs 825 pounds and is 5 feet tall. The Energy Department listed this $141,000 computer on their asset sheet. When they went looking for the computer, it was nowhere to be found. When people say we cannot control Washington spending and we have no more room to get spending under control in Washington, we do not have to look any farther than this waste and mismanagement to understand how far it is that we still have to go to get government spending under control.

I would like to give a couple more examples.

HUD. We hear so many cries that we have homeless people in America and HUD needs more money. It turns out the auditors went into HUD. This is the housing department and provides housing for homeless and poor people in this country. They have a budget of about $18 billion, and when they went looking for the money, approximately 1 out of the $18 billion could not be accounted for.

Let me put this in perspective. I live in Wisconsin and part of my district is a city of 85,000 roughly, Kenosha, and

another city of 80,000 people called Racine. The amount of money that HUD was missing is enough to house all the people in the City of Kenosha and all the people in the City of Racine for an entire year. That is just the money they cannot find and cannot account for in HUD.

This one hit particularly close to home. We went over to the FAA, and in this audit they went looking for some of the assets that were listed on the FAA sheets and they said they had this building out there. Well, the auditors went to look for the building. The building had been demolished years ago. I guess we were not supposed to feel too bad about that because they went to another lot that was supposed to be vacant and they found out they had built a day care center on it, but it did not show up on the asset list.

The point again is just the total mismanagement of what is going on in these agencies and how far we have to go to get this government spending under control.

I would like to read specifically, and I had this prepared as a summary for my office on this GAO audit, I would like to read a couple of the different parts and I would like to start with Medicare. This is what it says and I quote, and this is a GAO summary prepared for my office.

Quote on Medicare: $23 billion, or about 14 percent of the total payments, this is for Medicare, for reasons ranging from inadvertent mistakes to outright fraud and abuse; $23 billion in Medicare is missing. And the responsibility for reasons ranging from inadvertent mistakes to outright fraud and abuse.

Here is a scary one. This is regarding the Air Force Logistics Systems and I want to read this word for word, what the auditors found: These databases included in the Air Force's Central Logistics System contained discrepancies on equipment, on the number of assets on hand, including ground-launched and air-launched cruise missiles, aircraft, and helicopters.

Let me say that once more. This is where there were discrepancies in this Air Force Logistics System, including ground-launched and air-launched cruise missiles. They are unaccounted for. The numbers that are actually existing out in the field versus the number that we are reporting that we have at the Pentagon are two different numbers. They are not accounted for.

Mr. Speaker, that is serious. That puts our Nation in jeopardy. We need to get this system under control.

Let me read just one more. Whenever anybody says to me, ''Mark, you cannot do anything more with government spending, we need to spend more in the government, spending has to increase faster than the rate of inflation, we cannot get spending under control,'' I come back to this. And quote, word for word from the summary that was prepared for my office:

The Forest Service could not determine for what purposes it spend $215 million of its $3.4 billion in operating and program funds.

They could not account for $215 million. We are not talking about a buck or two here out of our wallet; $215 million that they could not account for out of a $3.4 billion budget.

When we looked at overall Treasury, that is the cash flow of going from one agency to another agency and the billing back and forth, the Treasury was off by over $100 billion, some plus and some minus, and in the end a net of $12 billion.

Mr. Speaker, we need to pass this resolution, we need to move forward over the course of the summer and get this mess straightened out.

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

Mr. Speaker, I think that every American agrees that we want fiscal responsibility and accountability. I think both sides of the aisle can agree on that. And I think what is important, as we set higher standards of accountability for our government is that we take an accounting of the measure of progress which has occurred under the Clinton administration, because the people of this country ought to know that before the Clinton administration took office there had never been a comprehensive review of how the government handles our tax dollars. As a matter of fact, after hearing a similar recitation to that just offered by the gentleman from Wisconsin (Mr. NEUMANN) in our Government Management, Information, and Technology Subcommittee, I questioned officials of the Department of Defense and found out that in fact for decades, for centuries, the Department of Defense has had its problems keeping track of their materiel. It does not excuse it for one year or one minute, but I think we have to establish a context of this discussion this afternoon.

When the Clinton administration began their efforts, there were no accounting standards for the Federal Government. Most Federal agencies had never issued a financial statement and there had been no governmentwide financial statement.

Furthermore, there had been no independent verification of the agencies's estimates of their financial positions. Now, thanks to the changes that have been put in place through the administration and, I might say with the help and the constant vigilance of people like the gentleman from California (Mr. HORN), we have more agencies than ever issuing financial statements and having them audited.

As Members of Congress are aware, the Subcommittee on Government Management, Information, and Technology headlined a series of hearings recently on the financial audits of the Federal Government. We conducted those hearings in a bipartisan manner because the issue of good financial management is not a partisan issue. And we need to continue to work in this manner. The sponsors of this particular resolution have accommodated our concerns, and while I may not completely agree with their positions, the need for increased attention to financial management and strong efforts leads me to support this resolution.

Without question, there is a need for intensified financial management by Federal agencies. The governmentwide audit and many of the agency audits shows that the Federal Government has a long way to go. House Resolution 447 is based on the results of the first governmentwide financial audit conducted in 1997. I want everyone to listen very carefully. In 1997, we had the results of the first governmentwide financial audit conducted that year. The law mandating this audit was passed by a Democratic Congress, with the active support of the Clinton administration. The Clinton administration is addressing financial problems at Federal agencies that date back decades. And I feel it should get credit for serious attention to this longstanding problem, just as we must place on their shoulders, because they are there now, the responsibility for making increased progress.

But real progress has been made by this administration. The key to a financial audit is whether the financial information presented in the balance sheets is reliable. When the financial information is reliable, auditors issue what is called an unqualified opinion or a clean audit.

As we can see on this chart right here, Mr. Speaker, in 1990, only two agencies had an unqualified opinion. But by 1997 under President Clinton, nine CFO agencies had unqualified opinions. Clearly, additional improvement is needed. Getting an unqualified opinion is not sufficient. Adequate internal financial controls and compliance with laws and regulations are two other areas where agencies must improve.

However, it is clear that the Clinton administration has come a long way. And by 1998, the goal, as can be seen from this chart, is to come further and to keep reaching what I think is the next plateau of 16 clean and unqualified opinions.

□ 1515

The current administration is committed to these additional improvements and to achieving a clean governmentwide audit for fiscal year 1999. To that end, the President issued a memorandum to agency heads requiring that specific agencies prepare action plans to ensure that the government receives an unqualified opinion on its fiscal year 1999 audit. Federal chief financial officers now predict that at least 15 of the 24 Federal departments will receive clean opinions of their fiscal year 1998 financial statements.

Good financial management of taxpayers' money is too important for it to become bogged down in partisan warfare. There is simply too much to the done. For that reason, I am glad we have been able to address this issue in a bipartisan way.

Again, look at this, Mr. Speaker, 1997, how far we have come from 1990, and, again, when the administration began, there were no accounting standards for the Federal Government. Most Federal agencies never issued a financial statement. There had been no governmentwide financial statement, no independent verification of the agencies' estimates of their financial positions. So we have come a distance. We have a great distance to go.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I will not take a great deal of time on this debate, but I want to take this opportunity to commend the authors of this legislation, the gentleman from California (Mr. HORN) and the gentleman from Wisconsin (Mr. NEUMANN).

As amended, the resolution underscores the importance of sound financial management. The effort to promote sound financial management should be and is bipartisan. As amended, this resolution deserves bipartisan support.

The recent governmentwide audit shows that many Federal Government agencies do not have adequate financial management. This resolution sends an important message that we need to do more.

It is also important to recognize the progress that has been made by this administration, by the Clinton administration, and by Vice President GORE's reinvention efforts. In 1992, only one Federal agency had a clean audit. Due to the administration's efforts, nine agencies now have clean audits. Next year 15 agencies are expected to have clean audits. So it is clear that while we have a long way to go, we are making progress.

This resolution says that we want to build bipartisan support to push for more progress. In that effort I join my colleagues in urging all of the Members to vote for this resolution.

Mr. KUCINICH. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding me this time.

First of all, I would like to thank the ranking member, the gentleman from Ohio (Mr. KUCINICH), for his hard work on this, and also the Chair on the subcommittee on which I had the honor to serve for many years, the gentleman from California (Mr. HORN), for working hard on this and for accepting some changes in the language from the Democrats to Resolution 447, which we are now supporting.

The bad news contained in this resolution is that the Federal Government, the world's largest financial entity, has financial problems. These problems are not new; they have existed for decades. We knew this when we decided to initiate reforms. When we began reforms, there were no accounting standards for the Federal Government. Most Federal agencies had never issued a financial statement, and there had been no independent verification of the agencies' estimates of their financial position. So in a bipartisan effort, a Democratic Congress crafted and passed the Government Management Reform Act along with the Republicans in 1994, and a Democratic President signed it into law.

The administration has worked hard to implement this law. Next year 15 of the 24 major agencies are expected to receive clean financial opinions. This year the administration met the bill's statutory deadline by completing the first governmentwide audit ever, the first in more than 200 years. We should congratulate them for this effort.

I commend the ranking member and all who have worked on this. As we have worked in the past for increased procurement reform, for increased debt management and position systems, I join my colleagues in supporting this.

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

I think it is important for the American people to have a progress report at this moment as to Federal financial management, because that is what this resolution lends itself to. We have stated earlier that prior to the administration taking office, that there were no general standards, but now a structure has been put in place to assure fiscal accountability for the American people.

Qualified chief financial officers and deputy chief financial officers have been appointed so there is accountability and there is a system of command. Accounting standards have been issued. We have had a foundation for agency financial statements, the accounting standards that have been developed by the Treasury, the Office of Management and Budget and GAO, working together through the Federal Accounting Standards Advisory Board, and that was initially created in 1990 to fill a void. But so far, through the help of OMB, we have seen some real strength put into that process, and accounting standards have been issued. And that information has been transmitted down through the departments.

The OMB has issued financial system requirements, and the agencies are now issuing audited financial statements.

I would also like to point out that it was on March 31, 1998, that the Department of the Treasury issued the first ever audited, consolidated financial statement for the Federal Government.

The President's budget states the objective of having an unqualified audit opinion, a clean audit on the government's 1999 financial statements, so the President has firmly stated the administration's goal of receiving a clean opinion on the 1999 governmentwide financial statements, and also the administration has been very interested in identifying weaknesses in the audit as far as the first ever governmentwide statement for fiscal year 1999.

As I am sure many Members know, the President has directed agency heads to submit action plans to address impediments to an unqualified audit opinion on the government's 1999 financial statements.

Mr. Speaker, we could ask, as we are thinking of our financial status and whether or not the American people are getting a good accounting, we could look at a glass and say, is it half full or is it half empty. We can point today to deficiencies which do exist, and we could say the glass is half empty. But we could also say that with all the water that has gone under the bridge, we have a lot of progress that has been made towards rebuilding the financial accountability of the country.

I know with some testimony I heard in committee, it would seem as though the glass is neither half empty nor half full, it is missing. Wherever that is the case, we certainly want to make sure that our audits work to identify wherever there is waste and inefficiencies in the Federal Government, and we need to work to rid it out.

Again, Mr. Speaker, we have come a distance. We have a great distance to go to have the kind of accountability which the American people have a right to expect, but I think at this time a progress report has been in order.

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

Mr. HORN. Mr. Speaker, I first thank both the former ranking member and the current ranking member. We have worked on a bipartisan basis. We have got a lot accomplished. I appreciate their kind words.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. ARMEY), distinguished majority leader, PhD in economics, who also knows how to read a balance sheet.

The SPEAKER pro tempore (Mr. UPTON). The gentleman from Texas (Mr. ARMEY) is recognized for 5 minutes.

Mr. ARMEY. I thank the gentleman for yielding me this time.

Mr. Speaker, I want to thank the gentleman from California (Mr. HORN) and the gentleman from Wisconsin (Mr. NEUMANN) for their persistence on this matter.

I listened with some interest to the remarks that were being made as I came in. It is always interesting to try to debate whether the glass is half full or half empty, but I think we would all agree that in any enterprise in America, other than the government, whether it be our family, whether it be our business, whether it be even a State or local government enterprise, everybody would understand that they have to have an audit to determine how much water is in the glass. Then we can debate whether it is half full or half empty, as long as we know that half of the capacity for the glass is taken up. And our problem with our government, Mr. Speaker, it does not know what it has. It does not know what it does. It loses things, sometimes

things that would be fairly difficult to lose.

A missile launcher was identified as lost for 6 months, and it is not clear to us that they realized that it was lost until Congress encouraged them to have an audit, find out what they had and where it was.

They did finally find the missile launcher. I am not so sure that without the work of this committee they would have suffered enough embarrassment and awareness of their loss to have found the missile launcher. But the job is not done. We still are missing a tugboat, a crane and other large equipment.

Nobody here is seeking to be angry or nasty about this. We are not even particularly interested in criticizing or blaming. But the fact of the matter is that every organization in the world must know what it is doing with its money, and certainly the Federal Government of the United States, a government that is given the trust and confidence of the American citizens to spend literally $1.5 trillion of our money, should be willing to subject itself to the same auditing principles, the same accountability as any small enterprise that may, in fact, find itself subject to the audits of some of those very same government agencies that are not doing so well in these audits.

Jerry Jeff Walker has a wonderful song. The song is ''The Pot Can't Call the Kettle Black.'' If the government will not accept the rigors of auditing, the rigors of accountability, how can the government have any moral basis by which they would themselves hold you and I accountable for these same rigors as they seek to regulate and invest in our lives?

The IRS might even come in and lock your doors, throw the business owners in jail for negligence, embezzlement or worse.

Now, I, as the gentleman from California said, I am an economist. I deal with all these things in theory. I am proud to tell colleagues that in theory my world is, as they like to say, tractable, all the pieces fit. That is very comforting to me.

My daughter, on the other hand, pity her, is an auditor. She understands that when she shows up, she is not going to be welcomed with open arms. As I said earlier before the committee, pity the poor auditor. They are always the skunk at the garden party.

□ 1530

But the auditor in any business will tell you, the audit department is absolutely imperative. I have made the homely observation before many times that ARMEY's axiom is, ''Nobody spends somebody else's money as wisely as they spend their own.'' The auditor does that. The auditor comes in and says to the agency of the Federal Government that is not doing well, not showing up well on the books, ''You and I are doing the same thing here. We're really quite the same. I spend that money like it's my money, and you spend that money like it's my money.''

Everybody in every agency should be encouraged to take the rigor, face the hard recordkeeping, the disciplined process of knowing exactly what they are doing with the taxpayer's dollar, having a clear idea what their responsibilities are, how they intend to fulfill those responsibilities, and what and how they spend of the taxpayers dollars in the fulfillment of those responsibilities, and then just having the fundamental decency to be accountable in the expenditure of those dollars.

Where does the Congress come in in this process? The Congress of the United States is as if we were the board of directors. It is our job to see to it that the rigors and the disciplines, the protocols, the techniques and the methods are as rigorously adhered to in each and every agency of this Government as this Government in fact would require them to be adhered to by each and every business enterprise, each and every charitable enterprise that exists in our districts.

There is another old saying that maybe comes into play here: ''What's good for the goose is good for the gander.'' The Federal Government of the United States in fulfilling its obligations and its duties to police the integrity of business practice and enterprise in America so that markets can work smoothly cannot possibly have a moral authority by which that is done unless they first accept that responsibility and fulfill that responsibility in full accountability in the manner in which they do their own job. That is really what this is all about. Will this Congress accept its responsibility, and by so doing so, can we assure our constituents that, in response, every agency of this Government fulfills its responsibility so that we can measure and we can judge and we can improve the extent to which the taxpayer gets something that is known in the private sector as value for your dollar.

Once again, I want to thank the committee for their hard work.

The SPEAKER pro tempore (Mr. UPTON). The time of the gentleman from California (Mr. HORN) has expired. The gentleman from Ohio (Mr. KUCINICH) has 5½ minutes remaining.

Mr. KUCINICH. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Speaker, I am sure the gentleman from Ohio who supports this resolution, I appreciate that, and the ranking member on the committee, I have appreciated his support.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. NEUMANN) who did the craftsmanship of this particular resolution.

Mr. NEUMANN. Mr. Speaker, I would just say it is very important to me that we keep this from becoming a partisan issue. This is not about Republicans or Democrats, or even about the Clinton administration. This is about where we are right now today. In my opinion after reviewing this audit, we have a long way to go in this Government.

It is incomprehensible to me, coming from the private sector, to look at this situation and say it is okay. It is not okay. Before we go out and spend $1.7 trillion more of the taxpayers' money next year, I think we should put some things into place that force these agencies to at least know what it is they have, where it is located, and how they are spending their money. I would hope we proceed with that over the course of the next 6 months here yet this year.

Mr. HORN. Mr. Speaker, I think as the gentleman from Ohio knows and certainly as the gentlewoman from New York (Mrs. MALONEY) knows, the ranking member, the aim of our committee over time is to assure that the Federal Government not only has audits but also that the Federal Government can measure the effectiveness of its programs which has to be basic when the President has to make a determination between do I keep this program or do I reduce or do I add to it, and the same decision has to be made by the Congress. There is only one State in the union that has a system like that, that is the State of Oregon with its benchmarking of programs. There are only two countries in the world that have a fiscal system such as that, and that is Australia and New Zealand. We have a lot to learn from both of them.

Over the last 3 years, we have been holding various hearings on how this could be done so that the program analysis becomes part of the monetary cost of the particular unit of program. That is what is important if we really want to make sure that the taxpayer dollars are not wasted.

I do not think there is a person in this Chamber that wants to waste taxpayer dollars. I think sometimes by either our failure to be very specific in a law or the executive branch's failure to interpret the law, regardless of party, regardless of ideology, but you have got a culture there that when you get to the end of the fiscal year that says, ''Well, let's spend it, and if we don't spend it, the Congress won't give it to us.'' I have seen that in universities, I have seen that in city government, I have seen that even in business, in large corporations. It is something that we have got to fight if we are going to be conscious of where the money comes from. It comes from the pockets, the hard-earned pockets of the American taxpayer.

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

Mr. Speaker, I first want to say how much I appreciate a chance to work with the gentleman from California (Mr. HORN) on issues of this import in the Subcommittee on Government Management, Information, and Technology. I congratulate him for his tireless dedication to the American taxpayer. I also want to congratulate the

gentleman from Wisconsin (Mr. NEUMANN) for bringing this resolution forward and for working with us in crafting the language which would enable it to have bipartisan support.

I think it is important that we proceed in a bipartisan manner here, because the American people expect us to, and they know the only way we can make Government accountable is if we insist from both sides that Government be accountable. Certainly it needs to be said again that the Clinton administration has taken the lead in highlighting and addressing the problems that have been discussed here today.

In 1993, Vice President GORE recommended annual consolidated financial reports and comprehensive Governmentwide accounting standards as part of his Reinventing Government Initiative. The Federal Accounting Standards Advisory Board completed basic Federal Government accounting standards in record time. And as has been previously stated, the administration submitted the first Governmentwide financial audit by the statutory deadline of March 31, 1998. President Clinton has sent a memorandum to each agency head requiring that specific agencies prepare action plans to ensure that the government receives an unqualified opinion on its fiscal year 1999 audit.

Mr. Speaker, the administration needs both of us, needs all of us, to work with it to make Government work better. I remain dedicated to that cause. I know that is a dedication that I share with my colleagues, with the gentleman from California (Mr. HORN), with the gentleman from Wisconsin (Mr. NEUMANN) and with everyone else.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and agree to the resolution, House Resolution 447, as amended.

The question was taken.

Mr. HORN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

LAKE CHELAN-WENATCHEE NATIONAL FOREST BOUNDARY ADJUSTMENT

Mrs. CHENOWETH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3520) to adjust the boundaries of the Lake Chelan National Recreation Area and the adjacent Wenatchee National Forest in the State of Washington.

The Clerk read as follows:

H.R. 3520

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

SECTION 1. BOUNDARY ADJUSTMENTS, LAKE CHELAN NATIONAL RECREATION AREA AND WENATCHEE NATIONAL FOREST, WASHINGTON.

(a) BOUNDARY ADJUSTMENTS.—

(1) LAKE CHELAN NATIONAL RECREATION AREA.—The boundary of the Lake Chelan National Recreation Area, established by section 202 of Public Law 90–544 (16 U.S.C. 90a–1), is hereby adjusted to exclude a parcel of land and waters consisting of approximately 88 acres, as depicted on the map entitled ''Proposed Management Units, North Cascades, Washington'', numbered NP–CAS–7002A, originally dated October 1967, and revised July 13, 1994.

(2) WENATCHEE NATIONAL FOREST.—The boundary of the Wenatchee National Forest is hereby adjusted to include the parcel of land and waters described in paragraph (1).

(3) AVAILABILITY OF MAP.—The map referred to in paragraph (1) shall be on file and available for public inspection in the offices of the superintendent of the Lake Chelan National Recreation Area and the Director of the National Park Service, Department of the Interior, and in the office of the Chief of the Forest Service, Department of Agriculture.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over Federal land and waters in the parcel covered by the boundary adjustments in subsection (a) is transferred from the Secretary of the Interior to the Secretary of Agriculture, and the transferred land and waters shall be managed by the Secretary of Agriculture in accordance with the laws and regulations pertaining to the National Forest System.

(c) LAND AND WATER CONSERVATION FUND.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of the Wenatchee National Forest, as adjusted by subsection (a), shall be considered to be the boundaries of the Wenatchee National Forest as of January 1, 1965.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Idaho (Mrs. CHENOWETH) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Idaho (Mrs. CHENOWETH).

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

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

Mrs. CHENOWETH. Mr. Speaker, first I would like to recognize the gentleman from Washington (Mr. HASTINGS) for all of his excellent work on this bill. The gentleman from Washington has spent numerous hours, working with the Departments of Agriculture and the Interior, finding a solution that all parties agree to. That is a monumental task, and he did it.

H.R. 3520 is a rather simple but very important piece of legislation. With this bill, 88 acres of land is placed under one jurisdiction, that of the U.S. Forest Service. Additionally and more importantly, this bill fulfills a longstanding commitment made by the National Park Service to Mr. George C. Wall, the private landowner whose acreage is within the Lake Chelan National Recreation Area. This legislation eliminates the confusion that was once caused when both the U.S. Forest Service and the National Park Service shared jurisdiction over this land. Finally, H.R. 3520 removes one of the many in-holding conflicts we currently have on our Federal lands.

This is a good bill, and it is the right thing to do. It has the support of the administration. It will help end the jurisdictional gridlock by consolidating the management authority under the U.S. Forest Service and let us keep the National Park Service's commitment to Mr. Wall. I urge my colleagues to support H.R. 3520.

Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS), the author of the legislation.

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentlewoman from Idaho for yielding me this time.

Mr. Speaker, I rise today to speak in favor of my bill, H.R. 3520, which would adjust the boundary line between the Lake Chelan National Recreation Area and the Wenatchee National Forest. This is a relatively simple, noncontroversial measure which is supported by both the U.S. Forest Service and the National Park Service.

This boundary line adjustment is meant to consolidate the property of Mr. George Wall under the jurisdiction of the U.S. Forest Service. Unfortunately, due to an original drafting error, a portion of Mr. Wall's property is included in the Lake Chelan National Recreation Area and a portion in the Wenatchee National Forest. This condition creates some confusion regarding the coordination of Federal land policy in this area.

First of all, let me make this point, that this is a very remote area of central Washington. It is several hours away by boat from the nearest city. It is primarily national forest and national wilderness lands with very little privately held land in this area. This bill is targeted to help not only one landowner but also the American people as a whole and will have no impact on any other private land.

In 1968 when the Lake Chelan National Recreation Area was created, Mr. Wall was assured that his property would remain within the Wenatchee National Forest. H.R. 3520 would uphold this original commitment to Mr. Wall by placing all of his property under the U.S. Forest Service jurisdiction.

This legislation is personally important to Mr. Wall and it is administratively important to the agencies involved. With the enactment of H.R. 3520, Mr. Wall's property would be entirely within the jurisdiction of the Forest Service, thereby alleviating Mr. Wall's continued need to respond to both Park Service and Forest Service management. Mr. Speaker, I would like to quote from a May 1995 letter from the Park Service to Senator SLADE GORTON of Washington regarding the need for this boundary adjustment. According to the National Park Service,

changing the boundary would ''contribute to enhancement of public service as well as more efficient administration of Federal lands and would be of benefit to the landowner in that it would eliminate the necessity of dealing with two separate Federal agencies with different congressional mandates and administrative procedures.''

Mr. Speaker, Mr. Wall's property lies beside Lake Chelan, and the current border cuts through the lake and directly through his property. In order to adjust the border in the most efficient manner, H.R. 3520 would adjust the line starting on the opposite side of the lake toward the northern point of Mr. Wall's land. From there, the new border would wrap around Mr. Wall's property and back to the current border. This change would mean that 65 acres of the lake and 23 acres of Mr. Wall's property would now be outside the Lake Chelan National Recreation Area. All told, 88 acres would be transferred to the Wenatchee National Forest. I might point out that the 65 acres of Lake Chelan that will hereinafter be within the National Forest system will not affect the recreational use of the area.

Mr. Speaker, Mr. Wall has waited for nearly three decades for the Federal Government to address this situation.

□ 1545

He is now in poor health, and his family has asked that we might make this adjustment as quickly as possible. I urge my colleagues to support this legislation and uphold the original commitment made to Mr. Wall when the boundary was drawn in 1968, 30 years ago.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, this legislation proposes to adjust the boundaries of the Lake Chelan National Recreation Area in the State of Washington to exclude 88 acres. Currently a private landowner is subject to dual jurisdiction by the National Park Service and the U.S. Forest Service. This bill in effect would place the lands in the Wenatchee National Forest, which is solely administered by the U.S. Forest Service. Both the National Park Service and the U.S. Forest Service support this legislation.

Mr. Speaker, I want to thank the gentleman from Washington (Mr. HASTINGS) as the chief sponsor of this legislation and for bringing this matter to the attention of the House, and I do urge the adoption of this bill.

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

Mrs. CHENOWETH. Mr. Speaker, I have no more requests for time, and I yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I have no additional speakers, but I do want to commend the gentlewoman from Idaho for her management of this legislation.

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

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentlewoman from Utah (Mrs. CHENOWETH) that the House suspend the rules and pass the bill, H.R. 3520.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CHENOWETH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3520, the bill just passed.

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

There was no objection.

NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM ACT OF 1998

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1635) to establish within the United States National Park Service the National Underground Railroad Network to Freedom program, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1635

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Underground Railroad Network to Freedom Act of 1998''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) The Underground Railroad, which flourished from the end of the 18th century to the end of the Civil War, was one of the most significant expressions of the American civil rights movement during its evolution over more than 3 centuries.

(2) The Underground Railroad bridged the divides of race, religion, sectional differences, and nationality; spanned State lines and international borders; and joined the American ideals of liberty and freedom expressed in the Declaration of Independence and the Constitution to the extraordinary actions of ordinary men and women working in common purpose to free a people.

(3) Pursuant to title VI of Public Law 101–628 (16 U.S.C. 1a–5 note; 104 Stat. 4495), the Underground Railroad Advisory Committee conducted a study of the appropriate means of establishing an enduring national commemorative Underground Railroad program of education, example, reflection, and reconciliation.

(4) The Underground Railroad Advisory Committee found that—

(A) although a few elements of the Underground Railroad story are represented in existing National Park Service units and other sites, many sites are in imminent danger of being lost or destroyed, and many important resource types are not adequately represented and protected;

(B) there are many important sites which have high potential for preservation and visitor use in 29 States, the District of Columbia, and the Virgin Islands;

(C) no single site or route completely reflects and characterizes the Underground Railroad, since its story and associated resources involve networks and regions of the country rather than individual sites and trails; and

(D) establishment of a variety of partnerships between the Federal Government and other levels of government and the private sector would be most appropriate for the protection and interpretation of the Underground Railroad.

(5) The National Park Service can play a vital role in facilitating the national commemoration of the Underground Railroad.

(6) The story and significance of the Underground Railroad can best engage the American people through a national program of the National Park Service that links historic buildings, structures, and sites; routes, geographic areas, and corridors; interpretive centers, museums, and institutions; and programs, activities, community projects, exhibits, and multimedia materials, in a manner that is both unified and flexible.

(b) PURPOSES.—The purposes of this Act are the following:

(1) To recognize the importance of the Underground Railroad, the sacrifices made by those who used the Underground Railroad in search of freedom from tyranny and oppression, and the sacrifices made by the people who helped them.

(2) To authorize the National Park Service to coordinate and facilitate Federal and non-Federal activities to commemorate, honor, and interpret the history of the Underground Railroad, its significance as a crucial element in the evolution of the national civil rights movement, and its relevance in fostering the spirit of racial harmony and national reconciliation.

SEC. 3. NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM PROGRAM.

(a) IN GENERAL.—The Secretary of the Interior (in this Act referred to as the ''Secretary'') shall establish in the National Park Service a program to be known as the ''National Underground Railroad Network to Freedom'' (in this Act referred to as the ''national network''). Under the program, the Secretary shall—

(1) produce and disseminate appropriate educational materials, such as handbooks, maps, interpretive guides, or electronic information;

(2) enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance under subsection (c); and

(3) create and adopt an official, uniform symbol or device for the national network and issue regulations for its use.

(b) ELEMENTS.—The national network shall encompass the following elements:

(1) All units and programs of the National Park Service determined by the Secretary to pertain to the Underground Railroad.

(2) Other Federal, State, local, and privately owned properties pertaining to the Underground Railroad that have a verifiable connection to the Underground Railroad and that are included on, or determined by the Secretary to be eligible for inclusion on, the National Register of Historic Places.

(3) Other governmental and nongovernmental facilities and programs of an educational, research, or interpretive nature that are directly related to the Underground Railroad.

(c) COOPERATIVE AGREEMENTS AND MEMORANDA OF UNDERSTANDING.—To achieve the purposes of this Act and to ensure effective coordination of the Federal and non-Federal elements of the national network referred to in subsection (b) with National Park Service units and programs, the Secretary may enter into cooperative

agreements and memoranda of understanding with, and provide technical assistance to—

(1) the heads of other Federal agencies, States, localities, regional governmental bodies, and private entities; and

(2) in cooperation with the Secretary of State, the governments of Canada, Mexico, and any appropriate country in the Caribbean.

(d) APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act not more than $500,000 for each fiscal year. No amounts may be appropriated for the purposes of this Act except to the Secretary for carrying out the responsibilities of the Secretary as set forth in section 3(a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

H.R. 1635, as amended, is a bill introduced by the gentleman from Ohio (Mr. STOKES), my colleague. Mr. Stokes and the gentleman from Ohio (Mr. PORTMAN) are to be congratulated on working very hard on this bill which would establish the National Underground Railroad Network to Freedom Program within the National Park Service. This program facilitates partnerships among the Federal, State and local governments and the private sector to assist in interpreting and commemorating the network of buildings, museums and routes that portray the movement to resist slavery in the United States in the decades prior to the Civil War. H.R. 1635 does not create any new units of the National Park system and caps appropriation at 500,000 per year to staff and to coordinate this program.

Commemorating the Underground Railroad Network, as H.R. 165 will do, is well-deserved and will help every American understand what the Underground Railroad was and how it helped thousands of slaves to secure their freedom and their place in history.

Mr. Speaker, this is a completely bipartisan measure that is also supported by the administration, and I urge my colleagues to support H.R. 1635

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

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

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

Mr. MILLER of California. Mr. Speaker, as a cosponsor of H.R. 1635, I am pleased that this legislation has finally come to the floor of the House of Representatives for consideration. Although it has been a long and overdue process, I am happy to note that H.R. 1635 now has the bipartisan support of 148 cosponsors.

This bill will establish a National Underground Railroad Network to Freedom program within the National Park Service, to facilitate partnerships among Federal, state and local governments and the private sector to identify and commemorate the Underground Railroad.

This bill comes at a time when divisiveness among our Nation's races and cultures seems to be on the rise. Through the program, structures, routes, and sites which were significant to the Underground Railroad will be identified. The National Park Service will create a logo to identify these sites and distribute interpretive information for visitors to understand the use of the Railroad.

The uplifting stories of the risks taken by all involved with the Underground Railroad put against the stark reality of our past with slavery, will provide visitors with powerful examples of the precious value of freedom and the strengthen of cooperation.

Mr. Speaker, the Underground Railroad is probably the best example of successful civil disobedience this nation has ever seen and the stories must be told. I commend our colleague, Mr. STOKES, for all his hard work on this legislation and I urge my colleagues on both sides of the aisle to vote for H.R. 1635 so that this powerful story may be preserved for generations to come.

Mr. FALEOMAVAEGA. Mr. Speaker, I am proud that the House of Representatives is finally considering legislation to honor the Underground Railroad. This bill, H.R. 1635, introduced by our highly respected colleague, the gentleman from Ohio (Mr. STOKES), would establish the National Underground Railroad Network to Freedom Program under the National Park Service. Mr. STOKES and my friend and colleague, the gentleman from Ohio (Mr. PORTMAN), worked together to establish this program to identify sites and areas important to the struggle for freedom known as the Underground Railroad. This bill is without a doubt a long and overdue recognition of an important piece of American history.

Mr. Speaker, the program will incorporate Underground Railroad routes and sites with interpretive information about the railroad and the people involved. The National Park Service will work in cooperation with State and local governments and the private sector to develop a comprehensive written history.

The Underground Railroad stretched for thousands of miles from Kentucky and Virginia across Ohio and Indiana. In a northerly direction it stretched from Maryland across Pennsylvania and through New York and through New England. This was not just a route north though, and the network this legislation establishes will link numerous locations and landmarks within the United States as well the Caribbean, Mexico and Canada.

It is estimated that in the decade before the Civil War, the Underground Railroad movement was responsible for helping approximately 70,000 slaves escape and journey safely to freedom. Many never made it to freedom, dying along the way or caught and forced to endure unspeakable punishments and torture. Attempts made through the Underground Railroad were made at tremendous risk for those fleeing slavery and anyone who helped along the way.

The movement involved Americans of many different backgrounds. Bringing its experience and lessons to bear on the present, it is inherently a multiracial process. Each generically different experience is grounded in race and personal wealth, but together they shared much in this experience of the freedom story that transcended race and echoed common commitments among fellow human beings.

Mr. Speaker, I wholeheartedly support the intention of this legislation, but as I mentioned throughout consideration of this bill, I am deeply concerned that a $500,000 authorization will not cover the costs of this most important program. I understand that the majority Members feel that this is all that would be acceptable to their leadership, and therefore I will not fight it. But I would be remiss if I did not raise my belief that it would be a terrible disservice to the memory of the tens of thousands who suffered and braved so much to be involved with the Underground Railroad if this Nation does not adequately fund this important endeavor.

Mr. Speaker, I urge my colleagues to pass this important legislation.

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

Mr. HANSEN. Mr. Speaker, the gentleman from Ohio (Mr. STOKES) and the gentleman from Ohio (Mr. PORTMAN) worked diligently on this piece of legislation, and I yield 5 minutes to the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, I thank the gentleman for yielding this time to me and mostly for all the help he has given us to this point. We would not be here this afternoon on the floor if not for the subcommittee Chairman's willingness to hold a hearing and then mark up this legislation, and I want him to know that both the gentleman from Ohio (Mr. STOKES) and I greatly appreciate that and moving it through the process.

I, of course, rise in very strong support of this historic legislation that will help preserve this powerful and often untold chapter in our Nation's history. I want to thank my colleague, the gentleman from Ohio (Mr. STOKES), who is seated on the other side of the aisle, for his leadership on this project. We have worked for the last few years on putting this legislation together and making this a reality. In addition to the gentleman from Utah (Mr. HANSEN), I also want to thank the gentleman from Alaska (Mr. YOUNG), the gentleman from California (Mr. MILLER), and the gentleman from American Samoa (Mr. FALEOMAVAEGA), who just spoke a moment ago, and the 150 other bipartisan cosponsors of this legislation.

Specifically the bill does three things. First it creates within the National Park Service a National Underground Railroad Network for the first time of all the existing sites, historic buildings, interpretive centers, research facilities, community projects

and activities directly related to the Underground Railroad. The purpose is to commemorate and retell the future generations the important story of the Underground Railroad. So much of what we know, of course, about the Underground Railroad today has been handed down through oral traditions, and over the years as a result, as a recent Park Service study has told us, a lot of that tangible evidence is now in danger of being lost forever. So this bill will help collect, preserve and integrate all the pieces of this fascinating and important part of our history.

Second, it will require the Park Service to produce and disseminate educational materials, maps, handbooks, interpretive guides, electronic information; enter into cooperative agreements to help technical assistance facilities around the country that have a verifiable connection to the Underground Railroad; and will create a uniform official symbol for the national network and issue regulations for how that symbol can be used.

Third, and I think very importantly, it requires appropriate public-private partnerships so that we can facilitate strong private support for this important part of our history. I think this is perhaps one of the most significant parts of the legislation because it represents a way for us to maximize and leverage the resources from the private sector to enhance a national public network.

One brief example the gentleman from American Samoa (Mr. FALEOMAVAEGA) talked about, the funding in the bill, there is some funding in the bill, but in our own area of Cincinnati that I represent, we hope to raise up to $80 million for a National Freedom Center, which would be part of this linkage, and with those kinds of private sector funds we can do much more with regard to commemorating this part of our history.

The legislation, I think, really can foster a sense of racial harmony, and just as the Underground Railroad itself bridged a divide of race and religion and nationality, joined people together in common purpose, so has this bill. The powerful and largely untold stories of the brave men and women of the Underground Railroad can inspire us even today, and must, about racial cooperation, about reconciliation, about determination and about courage. In a very real sense this act, I think, is a tangible effort that is bringing together people of different races today that helps to advance our ongoing national dialogue we must have about race relations in this great country.

Like so many other people in this Chamber and around this country, I have a personal connection to the Underground Railroad. I knew about it before this project got started, but I learned a lot more about it. The family home of my namesake and grandfather, whose name was Robert Jones, was a stop on the railroad. His great-grandparents and grandparents were Quakers and abolitionists who lived in a farmhouse near West Milton, Ohio, just north of Dayton. In fact, I visited their home a couple of weeks ago with my family and was able to show my three children the attic above the kitchen where my grandfather told me that, in fact, slaves were harbored as they sought freedom.

Many of the prominent figures of the Underground Railroad, it turns out, lived and worked in the district I represent. Levi Coffin, considered by many to be the president of Underground Railroad, worked for most of the time out of Cincinnati, also a Quaker. Harriet Beecher Stowe was a native of Cincinnati who wrote portions of Uncle Tom's Cabin, which helped in Cincinnati, and of course that book help galvanize antislavery forces in the 1850s and 1860s.

John Parker of Ripley, Ohio, in my district was a former slave who bought his freedom, was a successful inventor and foundry owner and entrepreneur, and became a major conductor on the Underground Railroad. We are now trying to restore his home in Ripley, Ohio.

The Reverend John Rankin, also of Ripley, sheltered over a thousand people fleeing slavery. His home is restored. It is a site that sits on the hill above Ripley, Ohio, and one of the people who he saved was the character of Eliza actually in Uncle Tom's Cabin.

Another town in my district, Springboro, Ohio, has a number of stations, they think 15 or 16 stops, on the Underground Railroad, and they are now doing more work to uncover and authenticate those sites.

One of the very exciting aspects of this bill is its encouragement of public-private partnerships. In the greater Cincinnati region I represent, a national Underground Railroad Freedom Center, which expects to raise about, as I said, $70 million of private sector money, has been started. The freedom center is expected to open in the year 2003 on the banks of the Ohio River, an appropriate place, the dividing line between free and slave States. It will employ state-of-the-art technology and advance interdisciplinary education to commemorate, educate, and inspire and promote reconciliation, assisted by a national advisory board of distinguished leaders in their number. I will just list a few: Desmond Tutu; Rosa Parks; Dick Cheney, a former Member of this Chamber, and others.

This center will be an international resource for scholarship, human relations education and genealogical study. It will be one of the first distributive museums around the country, meaning it will be in contact with this linkage that we are setting up through this legislation, the networking, and it will also be the first major museum focused exclusively on the Underground Railroad experience. The center will create cooperative programming and educational opportunities across the continent. It has already attracted substantial private sector support, and again it should be a critical and leading link in the network envisioned by the legislation.

I would like to give special thanks today to a friend and a fellow Cincinnatian, Ed Rigaud, who is leading that effort in Cincinnati and has taught me a lot about the national significance of the Underground Railroad. Also, Iantha Gantt-Wright is with the National Parks and Conservation Association, and that group has worked with the gentleman from Ohio (Mr. STOKES) and myself over the last couple of years, gave us a lot of input in the process of putting together the legislation.

□ 1600

Finally, I want to single out Jan Oliver of my staff and the staff of the House Committee on Resources for all their good work on the legislation. I urge bipartisan support of this important and I think landmark legislation, to preserve the story of the Underground Railroad, the lessons of which can guide us in our quest for racial cooperation and understanding even today.

Mr. FALEOMAVAEGA. Mr. Speaker, I certainly want to compliment the gentleman from Ohio (Mr. PORTMAN), the cosponsor of this legislation, for his eloquent remarks.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend from American Samoa for yielding me time.

Mr. Speaker, I rise in support of H.R. 1635, the National Underground Railroad Network to Freedom Act of 1998. As an original cosponsor, I am pleased the House is considering this important legislation today.

Mr. Speaker, I would like to take this opportunity to talk about the important role that Oberlin, Ohio in my district played in this struggle for freedom. Oberlin is probably best known as the site of an historic uprising in which 300 residents of Oberlin and neighboring Wellington rescued John Price, an escaped slave from Kentucky, from arrest by a determined group of slave catchers led by a U.S. marshal in September 1858. This incident drew international attention to the plight of American slaves, contributing to an increasing awareness of the abolitionist movement. The participants in the rescue included students, freed slaves and townspeople of all classes. The open defiance of the residents of Oberlin led to the nickname ''The town that started the Civil War.''

In April, I was pleased to join Interior Secretary Bruce Babbitt in Oberlin to designate the Wilson Bruce Evans House as a National Historic Landmark which was home to Wilson and Henry Evans, two of the leaders in this historic uprising.

Additionally, the City of Oberlin is home to several other sites which played prominent roles in the Underground Railroad movement. First

Church in Oberlin served as a meeting site for the Oberlin Anti-Slavery Society.

Erected in Martin Luther King Park are several monuments, including a memorial to the three African-American men, Shields Green, John Copeland and Lewis Sheridan Leary, who died with John Brown during his march on Harper's Ferry, Virginia, which served as a prelude to the Civil War. Additionally, several other homes of prominent abolitionists, including James Monroe and John Mercer Langston, still stand in Oberlin.

Mr. Speaker, we must ensure that future generations learn about the role that brave and righteous women and men in communities like Oberlin played in establishing and running the Underground Railroad and how their actions led to the end of slavery in the United States and the beginning of the civil rights movement.

Mr. Speaker, I add my support to H.R. 1635, thanking especially the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Ohio (Mr. STOKES) for their leadership.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Ohio, (Mr. STOKES), a cosponsor of this legislation.

Mr. STOKES. Mr. Speaker, I want to thank the distinguished ranking member, the gentleman from American Samoa (Mr. FALEOMAVAEGA), for yielding me time.

Mr. Speaker, I rise in support of H.R. 1635, the National Underground Railroad Network to Freedom Act. I am proud to share authorship of this legislation with my friend and colleague, the gentleman from Ohio (Mr. PORTMAN). It has been a pleasure to work with him and his able staff in bringing this historic legislation to the floor.

I want to express my appreciation to the chairman of the full committee, the gentleman from Alaska (Mr. YOUNG), for his support and interest in this legislation. I also wanted to thank my good friend, the gentleman from Utah (Mr. HANSEN), chairman of the subcommittee, for his cooperation in conducting an excellent and outstanding hearing on this legislation and for also marking it up in the subcommittee.

Since its introduction, the Underground Railroad bill has enjoyed broad bipartisan support. We are pleased to bring this bill to the floor with 156 cosponsors from both sides of the aisle and congressional districts across America. I must also acknowledge the significant role that the National Park Service provided in working with me and the gentleman from Ohio (Mr. PORTMAN) at all stages of this legislative process. Their assistance has been invaluable.

Mr. Speaker, second only to the protests and martyrdom of abolitionists, the Underground Railroad was the most dramatic protest against slavery in the history of America. The Underground Railroad, which reached its peak from 1830 to 1865, spanned more than 22 States, crossed the Mexican and Canadian borders, and thrived in the District of Columbia and the Caribbean. The railways were back roads, waterways, mountains, forests and swamps. Its conveyances were mules, wagons and boats. In short, the railroad was every route escaped slaves took or attempted to take to freedom.

Last year when we introduced the National Underground Network to Freedom Act, we did so in memory of the contributions made by our ancestors, black and white, Quaker and Protestant, Native American and many others who played key roles in the quest of American slaves for freedom. As we debate this issue today, we realize that regardless of whether we trace our ancestry to those who were enslaved, those who were slave owners, or those who were abolitionists and freedom fighters, the Underground Railroad bill will allow us to engage in constructive dialogue and memorialize an important period in American history.

Mr. Speaker, I am proud to have authored, along with the gentleman from Ohio (Mr. PORTMAN), this significant legislation, which will enable the National Park Service to identify routes, geographic areas and corridors associated with the Underground Railroad. The Park Service will also be charged with linking historic buildings and structures relating to the Underground Railroad. Lastly, the National Park Service will provide technical assistance and support to museums, institutions and centers to facilitate the telling of the story of the Underground Railroad.

This bill also encourages the Secretary of the Interior to enter into cooperative agreements with the governments of Canada, Mexico and appropriate countries in the Caribbean.

Mr. Speaker, before closing, I want to commend two members of my staff for their work on this bill, Joyce Larkin and Minnie Kenney. Their service has been outstanding.

Mr. Speaker, H.R. 1635 is a good bill that each of us should be proud to support. I urge my colleagues to vote in its favor.

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from Ohio for his most comprehensive and eloquent remarks concerning this legislation.

Mr. Speaker, I yield 3 minutes to my good friend, the gentleman from Maine (Mr. ALLEN).

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

Mr. Speaker, I rise today as a cosponsor and supporter of H.R. 1635, the National Underground Railroad Network to Freedom Act. The act has 156 cosponsors and enjoys substantial bipartisan support. The act requires the Secretary of the Interior to establish a nationwide network of historic sites and museums dedicated to preserving the legacy of the Underground Railroad.

Mr. Speaker, the Underground Railroad was used during the 18th and first half of the 19th century to smuggle African-American slaves to freedom. Maine's citizens were active participants in the Underground Railroad. There are 59 possible Underground Railroad sites across the State of Maine. These safe havens were used to harbor runaway slaves and are located in or near towns like Portland, Biddeford, Kennebunkport, Machias, and Waterboro.

In particular, the Abyssian Meetinghouse in Portland was an important link in the Underground Railroad. Oral history verifies that the site functioned as a way station for slaves on their way to freedom.

Oral history is a useful tool to help determine what buildings were part of the Underground Railroad. Someone's grandmother may remember hearing stories about how slaves were hidden in the town church. Organizations in Maine are working to recover these oral histories in order to identify additional Underground Railroad sites. As people age and die, the stories and information they carry with them die as well. The National Underground Railroad Network to Freedom Act will ensure the preservation of this aspect of American history so that future generations can learn and benefit from it.

Mr. Speaker, I am proud that Maine people were an important part of the national effort to help slaves attain their freedom. Maine served as a final link between the United States and freedom in Canada. The people that comprised the Underground Railroad were motivated by the principles on which our Nation's democracy rests, that all men and all women are created free and equal.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. BONIOR), the distinguished minority whip.

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding me time and for the support.

Mr. Speaker, I want to take this time also to congratulate the gentleman from Ohio (Mr. STOKES) and the gentleman from Ohio (Mr. PORTMAN) on bringing this legislation to the floor. I also want to thank the gentleman from Utah (Mr. HANSEN) and the gentleman from Alaska (Mr. YOUNG) for being cooperative and supportive of this piece of legislation in the committee.

My interest, Mr. Speaker, on this issue revolves around the great history and the struggle that is part of the Underground Railroad and the cooperation to make it happen, but also because I have in my district a place called the Spring Hill Farm. It is located in Shelby Township, and from 1850 to 1865 this farm served as a place where runaway slaves could come and get shelter.

This was out in the middle of the country. The slaves would see this

huge cedar tree, over 100 feet tall. They would know that the spring-in-the-hill cave on this farm was a place where they could get refuge. They would go there, and within the cave by the spring in the hill would be food and blankets and necessities to keep them going on their journey. The farm was owned by Peter and Sarah Lerich. They had 10 children, and they were able to even keep the secrecy of this facility from their children for many, many, many, many years.

The significance of this particular farm revolves around a couple of things. Number one, the owners and their agents trying to intercept the slaves would often go to the Detroit River, thinking the slaves would cross over to Windsor. But what actually was happening, they would go to this farm and then move up throughout my county of Macomb and into Saint Clair County and cross up at the Saint Clair River into Canada, which was 30 or 40 miles north of the Detroit crossing, thereby avoiding the agents and owners.

Interestingly enough, this farm was purchased by the late and great humanitarian and heavyweight boxer, Joe Louis, years later in my district, before he sold the property. It is a wonderful memorial to bravery and to cooperation and to reconciliation.

The Underground Railroad is a story of great courage and determination and the struggle for freedom in this country. It is an American story, but it is a universal story in its relevance. It teaches us the important lessons about liberty, understanding, cooperation and reconciliation.

So it is with great pride that I rise this afternoon to support this wonderful idea, so that we can memorialize and understand and pass on to our children and our grandchildren the great struggle that ensued in this country, so that they will never, ever forget the sacrifices that were made and, of course, the cooperation and help that was given.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from the U.S. Virgin Islands (Ms. CHRISTIAN-GREEN).

Ms. CHRISTIAN-GREEN. Mr. Speaker, I thank my colleague for yielding me time.

Mr. Speaker, I rise today, delighted that we finally have the opportunity to consider this bill on the floor of the House. I am especially pleased because H.R. 1635 is a fitting tribute to its sponsor, the gentleman from Ohio (Mr. STOKES), and I am honored to be among the 156 Members of the House who have joined our esteemed colleagues, the gentleman from Ohio (Mr. STOKES) and the gentleman from Ohio (Mr. PORTMAN) as cosponsors.

Mr. Speaker, the Underground Railroad network is an important part of our Nation's diverse history and deserves to be celebrated. I am particularly pleased to note that the borders of the network went beyond the North American Continent to the Caribbean. I trust that when the program which will be established by this bill is completed, it will include the escape routes to freedom which my ancestors from the Virgin Islands used to nearby Puerto Rico.

I urge all of my colleagues to unanimously support this bill. Because of H.R. 1635, we will come to know the many heretofore nameless individuals and groups who made the Underground Railroad route come alive and the traditions that created its culture. As we continue the ongoing national dialogue on race and its impact on our past, present and future, the memorializing of this testament to the courage and sacrifice of many people of all persuasions and to the spirit, strength and determination of the Africans who had been forced into brutal slavery will be an important legacy.

The Underground Railroad Network to Freedom Program will have an unlimited potential to be a part of the education process in our country, and it will also be a source to further inspire and promote the healing of our diverse community, as well as serve as a source of strength, direction and hope for our children. I urge its passage.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

□ 1615

Ms. JACKSON-LEE of Texas. Mr. Speaker, I could not help but listen to the passion and compassion of the gentleman from Ohio (Mr. PORTMAN) for this very important bill, and we thank him not only for his collaboration but the history of his family. He has joined with someone that we hold in such high respect, the gentleman from Ohio (Mr. STOKES).

We know that the gentleman will not be in the Congress in the next session, but we are gratified of his vision and his ability to collaborate and to represent, as the Portman and Stokes H.R. 1635 I hope passes unanimously in this House, what America is all about.

The Underground Railroad should be commemorated and celebrated, for it is the recognition of what volunteerism in the face of adversity can bring about. It did not single out any culture or race, any religion. Everyone who was concerned about the degradation and the tragedy in this Nation were able to participate. Up south, north, down south, south, all parts of this Nation could in some way contribute either in spirit or in actuality.

I am proud of the many midwestern States and cities whose people rose to the occasion; the Eastern Seaboard who, along that route, that was not pretty and attractive and well focused. There were no nice railroad beds. There was no stopping for refreshments, where you would stop in some lovely train station. It was, in fact, the Underground Railroad, unpleasant, but yet spirited.

Harriet Tubman, who was called General Moses, had her own way of taking tickets, for if you felt a little fearful and were about to turn around, the story tells us that Harriet Tubman had a way of saying, ''if you turn around, you will not live; if you go forward, you can go and live with me.''

So this was a challenging time. But the most important aspect of this whole Underground Railroad was a collaboration of Americans, people who came together for good, who did not ask of your background, who did not ask what color you were, but believed in freedom, and believed that this country would be better when slavery was eliminated and helped those who wanted to seek freedom, to work for freedom to be able to go safely into the night and to go into the free North.

So I want to thank the cosponsors of this legislation and particularly would like to acknowledge those who did not survive, all of those heroes and sheros who provided the food and the support that we may not even have in our history books, all the religious leaders.

In Philadelphia, in fact, the AME Church was noted as one that took in the freed slaves from the Underground Railroad, providing them with clothes, food, and support and providing them work. Everyone who became free wanted to work, wanted to contribute to America, wanted to make it better and great. So this is befitting.

We thank the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Ohio (Mr. STOKES) for their vision on this. To those who are not here to hear their stories being told in the United States Congress, you are great Americans, you are great heroes and sheros; and for this, we salute you. The National Underground Network to Freedom Act will forever put in the annals to history our tribute to the Underground Railroad.

Mr. FALEOMAVAEGA. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. STEARNS). The gentleman from American Samoa (Mr. FALEOMAVAEGA) has 1 minute remaining.

Mr. FALEOMAVAEGA. Mr. Speaker, I would like to ask my good friend, the gentleman from Utah (Mr. HANSEN) if I could indulge in his acceptance of my request for 2 additional minutes from his time.

Mr. HANSEN. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from American Samoa or to one of his speakers.

Mr. FALEOMAVAEGA. I thank the gentleman.

The SPEAKER pro tempore. Without objection, the gentleman from American Samoa is recognized for an additional 2 minutes.

There was no objection.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I am pleased to speak today on this bill,

H.R. 1635. This bill requests the National Park Service, number one, to produce and disseminate appropriate educational materials to inform people about the Underground Railroad, provide technical assistance to the Underground Railroad Partnership, which includes individuals, Federal, State, and local governments, and the private sector to ensure coordination.

Thirdly, to create and adopt a symbol to be placed at all sites designated along the network known as the Underground Railroad.

During perhaps the worst period in American history, the Underground Railroad emerged, an important historic coalition of black and white, religious and concerned citizens joined together to form the abolitionists movement.

Many of the people involved in the Underground Railroad were called conductors. Many of them were former slaves. The conductors led other slaves out of bondage to freedom.

They developed their own terminology to protect those persons involved in helping to secure freedom as well as the slaves. The slaves were known as packages or freight. The route from one safehouse to the next was called the line. The safehouses were called stations. Those who aided the fugitive slaves were conductors.

The most famous of these conductors was Harriet Tubman. It is said that she personally conducted approximately 300 persons to freedom in the North. Reportedly, she even threatened to shoot any of her charges who wanted to turn back. She felt that moving forward or death was the only way to keep the locations of the stations secret.

Without fear for her personal safety, Harriet Tubman would disappear for weeks at a time to provide safety for her passengers on the Underground Railroad. She did so even though she was hunted by slaveholders and slave hunters.

Harriet Tubman worked closely with abolitionists such as John Brown and Germain Logan, Frederick Douglas, and countless other named and unnamed Underground Railroad supporters.

After the outbreak of the Civil War, Harriet Tubman also served as a soldier, a spy, and a nurse. During the war, with her keen knowledge of the route from the south to Canada, she served as a guide to many black soldiers.

The importance of our debate here today is to begin a coordinated effort to mark some of the many sites along the route of the Underground Railroad for generations to come. The work of assisting fugitive slaves along the Underground Railroad is a critical piece of our collective history.

Before the Civil War, it is estimated that approximately 70,000 slaves escaped and made the journey safely to northern States and Canada and subsequent freedom through the Underground Railroad.

It is my hope that the designation of the sites along the Underground Railroad, along with the educational programs and information that follows, will allow Americans of all walks of life to understand the important contribution to the history of the Underground Railroad.

I would like to thank my colleague, the gentleman from Ohio (Mr. STOKES) and everybody that has been involved in making this a possibility.

Mr. FALEOMAVAEGA. Mr. Speaker, I would like to ask my good friend, the gentleman from Utah (Mr. HANSEN) for 1 additional minute.

Mr. HANSEN. Mr. Speaker, I yield 1 minute to the gentleman from American Samoa.

The SPEAKER pro tempore. Without objection, the gentleman from American Samoa is yielded 1 additional minute.

There was no objection.

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

I would just like to say again to the eloquence of my two good friends as cosponsors of this legislation, the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Ohio (Mr. STOKES) for bringing this piece of legislation to the floor for consideration and to commend them both for the spirit of bipartisanship that we have this legislation, understanding the spirit behind it, the intention. Hopefully this will be one of those remarkable pieces of history that will be helpful not only for our generation but for future generations to appreciate what these people did as they participated in the Underground Railroad system.

Mr. Speaker, I also would like to say my personal tribute to my good friend and colleague who has certainly been an inspiration to me over the years that I have served in the House, my good friend, the gentleman from Ohio (Mr. STOKES), who will not be here since he is retiring, but just to let him know how much we really appreciate the service that he has rendered, not only to this body, to his district, and certainly to the American people.

Ms. CHRISTIAN-GREEN. Mr. Speaker, I rise today delighted, that we finally have the opportunity to consider this bill on the floor of the House, and I am honored to be among the 150 members of the House who have joined our esteemed colleague, Mr. STOKES and Mr. POSTMAN, as cosponsors.

Since he has announced that he will be leaving us when his team expires at the end of the Congress, it would be a fitting tribute for this House which Congressman STOKES has served so admirably, to pass H.R. 1635 unanimously.

I want to personally take this opportunity to publicly thank Congressman STOKES for taking me under his wing, as he has done for countless other new members, and guiding me through the complexities of this body, and to commend him for his leadership, not only on this issue before us today, but especially on health care and other matters importantly to the integrity of the Nation.

My colleagues H.R. 1635 is the result a Congressional study, mandated in 1990, which required the National Park Service to look at how best to interpret and commemorate the Underground Railroad. The bill before us would establish a program in the National Park Service to be known as the National Underground Railroad Network to Freedom.

Once established, the Secretary of Interior will produce and disseminate educational materials about the railroad and provide technical assistance to other governmental agencies, private entities or Governments of Canada, Mexico and the Caribbean to ensure coordination of the network.

As my district is located in the Caribbean, I am particularly pleased to note that the borders of the network will extend beyond the North American continent to the Caribbean.

I trust when the program which will be established by this bill is completed, it will include the escape routes to freedom which my ancestors used from the Virgin Islands to nearby Puerto Rico.

My colleagues the Underground Railroad Network is an important part of our nation's diverse history and deserves to be celebrated.

As we continue with the ongoing national dialog on race and its impact on our past, present and future, the memorializing of this testament to the courage and sacrifice of many people of all persuasions, and to the spirit, strength and determination of the Africans who had been forced into brutal slavery, will be an important legacy.

I urge all of my colleagues to unanimously support this bill. Because of H.R. 1635 we will come to know the many heretofore nameless individuals and groups who made the Underground Railroad route come alive and the traditions which created its culture.

In addition, The Underground Railroad Network to Freedom Network Program will have the unlimited potential to be a part of the education process in our country and to further inspire and promote the healing of our diverse community, as well as serve as a source of strength, direction and hope for our children.

Mr. POSHARD. Mr. Speaker, I rise today to register my strong support for H.R. 1635, the ''National Underground Railroad Network to Freedom Act.'' This measure authorizes the National Park Service (NPS) to facilitate and coordinate federal and non-federal activities that honor and help people learn about the Underground Railroad. The bill establishes within the NPS the means to link Underground Railroad sites, produce educational materials and provide technical assistance to local organizations. In addition, H.R. 1365 encourages the Secretary of the Interior to enter into innovative public and private partnerships to tell the story of the Underground Railroad.

I am proud to count myself among the original co-sponsors of this important legislation. The Underground Railroad is one of the most significant events of the American civil rights movement, and although more than a century has passed since its inception, I feel that the stories of those who participated in the Underground Railroad remain vital sources of inspiration and can help promote racial understanding and cooperation. In my own congressional district, there is a building known as the ''Old Slave House,'' which was built in 1834 and has served as a meaningful history lesson to those who have been fortunate enough to visit it. The Old Slave House is unique in that

it is the only known remaining structure to have been used by kidnappers operating a kind of ''reverse'' Underground Railroad, and it is considered a key site by researchers and historians seeking to preserve relics of this critical time in American history.

Mr. Speaker, I am committed to ensuring that the Old Slave House and other sites receive the recognition and protection necessary for their preservation, so that future generations may benefit from the lessons they have to offer. The ''National Underground Railroad Network to Freedom Act'' represents a critical step in this process, and I urge my colleagues to vote for its passage today.

Mr. RUSH. Mr. Speaker, I rise today in support of an effort in the Senate to amend the Higher Education Bill. This amendment would give the Secretary of Education, in consultation with the Secretary of the Interior, the authority to provide grant money to create an educational center to research and celebrate the history of the Underground Railroad.

The Underground Railroad story is unique in American history. Tens of thousands of enslaved Black men and women risked their lives to pursue freedom. The common bond that led free Blacks, Whites, Native Americans and others to help secure safe passage for the fugitives was the firmly held belief that all human beings have an inalienable right to freedom.

Under the proposed Senate amendment, which may be considered in the next few weeks, the Department of Education would be authorized to evaluate proposals put forward by non-profit educational groups and select one that meets certain criteria, including the utilization of an existing public-private partnership and an on-going endowment to sustain the facility in the future.

In 1990, the Congress directed the National Park Service to conduct a study of alternatives for commemorating and interpreting the Underground Railroad. The Park Service found that there were numerous sites in several states involved in the Underground Railroad and, therefore, could not recommend a single site for an Underground Railroad memorial.

The effort in the Senate resolves the matter by providing funds for the development of a major ''hub'' site and the creation of satellite centers all across the country—as was the actual Underground Railroad operation. Including this bill in the Higher Education Bill also creates more than a historical monument; it provides an educational program dedicated to preserving, displaying and disseminating the history of the Underground Railroad.

Mr. Speaker, I hope the Senate will include this amendment and I encourage the House conferees to accept the language of the amendment in conference.

Mr. PAYNE. Mr. Speaker, I rise in strong support of H.R. 1635 the Underground Railroad Network to Freedom Act of 1998. With the passage of this legislation, which promotes the interpretation and commemoration of the path to freedom for escaped slaves, we will ensure that one of the most important stories in American history is told. It is a real-life drama, with all of the elements which make a compelling story—danger, courage, sacrifice and an undeniable longing for freedom which led to the establishment of the Underground Railroad. It is also a story which illustrates humanity at its best and worst, holding enduring lessons for present and future generations.

I am proud that the Underground Railroad's most famous conductor, Harriet Tubman, spent time in my home state of New Jersey carrying out her momentous mission. This brave African-American heroine, who was a fugitive slave, nurse, abolitionist, and social worker, risked her own life to lead hundreds of slaves to freedom.

Documented as an Underground Railroad Station is a home in Salem, New Jersey, which belonged to Abigail Goodwin, a Quaker and outspoken abolitionist, and her sister, Elizabeth. Under the initiative we are considering today, attention will be given to the stories of people like the Goodwin sisters and those they helped usher to freedom. As we continue a national dialogue on race, we cannot fail to remember such a critical period in our history and its impact on the development of our nation.

Mr. Speaker, as a former educator, I firmly believe in this effort to educate the public about the movement to resist slavery in the United States in the decades leading up to the Civil War. I commend my friend and colleague, Congressman LOUIS STOKES, for introducing this legislation and I look forward to working with the National Park Service and others to successfully implement thus effort to facilitate partnerships among federal, state and local governments and the private sector to highlight the Underground Railroad.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 1635, as amended.

The question was taken.

Mr. FALEOMAVAEGA. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. HANSEN. 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. 1635, the bill just considered.

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

There was no objection.

ESTABLISHING MEMORIAL TO HONOR GEORGE MASON

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 423) to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason.

The Clerk read as follows:

S. 423

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

SECTION 1. EXTENSION OF LEGISLATIVE AUTHORITY FOR MEMORIAL ESTABLISHMENT.

The legislative authority for the Board of Regents of Gunston Hall to establish a commemorative work (as defined by section 2 of the Commemorative Works Act (40 U.S.C. 1002)) shall expire August 10, 2000, notwithstanding the time period limitation specified in section 10(b) of the Commemorative Works Act (40 U.S.C. 1010(b)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, I rise in support of S. 423 and urge its adoption. The bill grants a 3-year extension for the Board of Regents of Gunston Hall to construct a memorial to honor George Mason on Federal land within the District of Columbia.

In 1990, Congress passed public law 101–358 authorizing the Board of Regents of Gunston Hall to construct a memorial to George Mason, the American patriot who was the author of the Virginia Declaration of Rights that later served as the model for the Bill of Rights in the U.S. Constitution.

George Mason was a contemporary of George Washington, Thomas Jefferson, and James Madison. However, he died in 1792, years before his colleagues; and his contributions to the drafting of the U.S. Constitution are sometimes overlooked.

Mr. Speaker, section 10(b) of the Commemorative Works Act of 1986 provides that the legislative authorization to construct a memorial expires 7 years after the date the memorial was authorized by Congress. The date for the George Mason Memorial expired on August 10, 1997. This bill extends the legislative authority for the George Mason Memorial until August 10, 2000.

The Board of Regents of Gunston Hall, George Mason's historic ancestral home, have committed to raising the estimated $1 million necessary to construct this memorial and endow a maintenance fund.

The National Park Service has approved a site for this memorial garden on Federal land within the District of Columbia, adjacent to the span on the 14th Street Bridge, which has been named in George Mason's honor, and within site of the memorial dedicated to his renowned colleague, Thomas Jefferson.

Mr. Speaker, I urge my colleagues to support passage of S. 423.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, Senate bill 423 is a noncontroversial

measure, passed by the Senate last year, that would extend for 3 years the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to George Mason.

Public law 101–358 authorized the Board of Regents of Gunston Hall to establish a memorial to George Mason, who is widely recognized for his role in events surrounding the drafting of the U.S. Constitution and its first 10 amendments known as the Bill of Rights.

Plans for the memorial provide for its location on Federal land in the district of Columbia, near the 14th Street Bridge, which was previously named in his honor.

A 3-year extension of the memorial authorization is necessary in order to allow planning and fund-raising to be brought to a successful conclusion. Senate bill 423 was favorably reported from the committee on Resources last October, without amendment. The bill does have the support of the administration. I ask my colleagues to support this legislation.

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

Mr. MORAN of Virginia. Mr. Speaker, I rise today in support of S. 423, legislation to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor a distinguished Virginian, George Mason.

In 1776, George Mason wrote the Virginia Declaration of Rights, the first document in America calling for freedom of the press, freedom of religion, proscription of unreasonable searches, and the right to a speedy trial. The Virginia Declaration of Rights not only served as a model for our national Bill or Rights; but historians believe that Mason's refusal to sign the Constitution for its failure, initially, to include a declaration of rights was a major impetus for eventual adoption of the first ten amendments of the Constitution.

George Mason sacrificed friendships by insisting that a strong national government could not be secured without also firmly establishing individual rights, and Mason inevitably chose his family over politics. He retired from public office following the Constitutional Convention and died just a few years later in 1792. His contemporaries, Thomas Jefferson and James Madison, lived decades longer and were elected presidents of the United States, and thus Mason's contributions were soon overshadowed.

During the 101st Congress legislation authorizing a private, nonprofit organization to establish a memorial to George Mason on federal land in the District of Columbia passed and was signed by then-President George Bush. In the 102nd Congress, a resolution passed concurring that George Mason was an individual ''of preeminent historical significance to the nation,'' and authorized the placement of the memorial within select Area I lands, in sight of the memorials of two of Mason's closest friends: George Washington and Thomas Jefferson. The legislation was signed into law on April 28, 1992 and approved by the National Capital Memorial Committee in December 1993.

To pay homage to a man whose ideas played a prominent role in the founding of the American republic, a fitting memorial has been designed for this site, located between Ohio Drive and the 14th Street Bridge, overlooking the Tidal Basin. The memorial designs have been completed and submitted for review to all necessary advisory and review boards and by agreement, the United States Park Service is to maintain the memorial once completed. In accordance with the Commemorative Works Act of 1986, one million dollars must be raised in non-federal funds to construct this historic monument and ground breaking must occur no later than August 1998. The Board of Regents of Gunston Hall Plantation, a historical organization that oversees Mason's family home in Fairfax County, is dedicated to raising the necessary funds for the monument and seeing this important project through to its completion, however, the August 1998 deadline is rapidly approaching. At this time, fundraising efforts, while successful, will not be completed by the August 1998 deadline. That's why I support this necessary legislation granting an extension until August 2000.

The Commemorative Works Act requires two separate acts of Congress before a memorial may be placed in Area I lands. This monument has met both requirements. The final battle is a fundraising one and the Board of Regents of Gunston Hall has a plan of attack. Last year, they launched Liberty 20000, a campaign to share George Mason's legacy of liberty. The Board of Regents hope to build an endowment fund to ensure a secure future for Gunston Hall and attain the necessary non-federal funds to break ground and complete their efforts to bring George Mason's legacy to the Mall.

This is non-controversial legislation that passed the Senate and the House Resources Committee unanimously. I ask my colleagues to join me in supporting this three-year extension so we may properly commemorate this great statesman and Virginian, George Mason.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I have no additional speakers. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the Senate bill, S. 423.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid upon the table.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 423, the Senate bill just passed.

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

There was no objection.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

□ 1630

U.S. HOLOCAUST ASSETS COMMISSION ACT OF 1998

Mr. LEACH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3662) to establish a commission to examine issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and to make recommendations to the President on further action, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3662

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''U.S. Holocaust Assets Commission Act of 1998''.

SEC. 2. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established a Presidential Commission, to be known as the ''Presidential Advisory Commission on Holocaust Assets in the United States'' (hereafter in this Act referred to as the ''Commission'').

(b) MEMBERSHIP.—

(1) NUMBER.—The Commission shall be composed of 21 members, appointed in accordance with paragraph (2).

(2) APPOINTMENTS.—Of the 21 members of the Commission—

(A) 8 shall be private citizens, appointed by the President;

(B) 4 shall be representatives of the Department of State, the Department of Justice, the Department of the Army, and the Department of the Treasury (1 representative of each such Department), appointed by the President;

(C) 2 shall be Members of the House of Representatives, appointed by the Speaker of the House of Representatives;

(D) 2 shall be Members of the House of Representatives, appointed by the minority leader of the House of Representatives;

(E) 2 shall be Members of the Senate, appointed by the majority leader of the Senate;

(F) 2 shall be Members of the Senate, appointed by the minority leader of the Senate; and

(G) 1 shall be the Chairperson of the United States Holocaust Memorial Council.

(3) CRITERIA FOR MEMBERSHIP.—Each private citizen appointed to the Commission shall be an individual who has a record of demonstrated leadership on issues relating to the Holocaust or in the fields of commerce, culture, or education that would assist the Commission in analyzing the disposition of the assets of Holocaust victims.

(4) ADVISORY PANELS.—The Chairperson of the Commission may, in the discretion of the Chairperson, establish advisory panels to the Commission, including State or local officials, representatives of organizations having an interest in the work of the Commission, or others having expertise that is relevant to the purposes of the Commission.

(5) DATE.—The appointments of the members of the Commission shall be made not later than 90 days after the date of enactment of this Act.

(c) CHAIRPERSON.—The Chairperson of the Commission shall be selected by the President from among the members of the Commission appointed under subparagraph (A) or (B) of subsection (b)(2).

(d) PERIOD OF APPOINTMENT.—Members of the Commission shall be appointed for the life of the Commission.

(e) VACANCIES.—Any vacancy in the membership of the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(f) MEETINGS.—The Commission shall meet at the call of the Chairperson at any time after the date of appointment of the Chairperson.

(g) QUORUM.—11 members of the Commission shall constitute a quorum, but a lesser number of members may hold meetings.

SEC. 3. DUTIES OF THE COMMISSION.

(a) ORIGINAL RESEARCH.—

(1) IN GENERAL.—Except as otherwise provided in paragraph (3), the Commission shall conduct a thorough study and develop a historical record of the collection and disposition of the assets described in paragraph (2), if such assets came into the possession or control of the Federal Government, including the Board of Governors of the Federal Reserve System and any Federal reserve bank, at any time after January 30, 1933—

(A) after having been obtained from victims of the Holocaust by, on behalf of, or under authority of a government referred to in subsection (c);

(B) because such assets were left unclaimed as the result of actions taken by, on behalf of, or under authority of a government referred to in subsection (c); or

(C) in the case of assets consisting of gold bullion, monetary gold, or similar assets, after such assets had been obtained by the Nazi government of Germany from governmental institutions in any area occupied by the military forces of the Nazi government of Germany.

(2) TYPES OF ASSETS.—Assets described in this paragraph include—

(A) gold, including gold bullion, monetary gold, or similar assets in the possession of or under the control of the Board of Governors of the Federal Reserve System or any Federal reserve bank;

(B) gems, jewelry, and nongold precious metals;

(C) accounts in banks in the United States;

(D) domestic financial instruments purchased before May 8, 1945, by individual victims of the Holocaust, whether recorded in the name of the victim or in the name of a nominee;

(E) insurance policies and proceeds thereof;

(F) real estate situated in the United States;

(G) works of art; and

(H) books, manuscripts, and religious objects.

(3) COORDINATION OF ACTIVITIES.—In carrying out its duties under paragraph (1), the Commission shall, to the maximum extent practicable, coordinate its activities with, and not duplicate similar activities already being undertaken by, private individuals, private entities, or government entities, whether domestic or foreign.

(4) INSURANCE POLICIES.—

(A) IN GENERAL.—In carrying out its duties under this Act, the Commission shall take note of the work of the National Association of Insurance Commissioners with regard to Holocaust-era insurance issues and shall encourage the National Association of Insurance Commissioners to prepare a report on the Holocaust-related claims practices of all insurance companies, both domestic and foreign, doing business in the United States at any time after January 30, 1933, that issued any individual life, health, or property-casualty insurance policy to any individual on any list of Holocaust victims, including the following lists:

(i) The list maintained by the United States Holocaust Memorial Museum in Washington, D.C., of Jewish Holocaust survivors.

(ii) The list maintained by the Yad Vashem Holocaust Memorial Authority in its Hall of Names of individuals who died in the Holocaust.

(B) INFORMATION TO BE INCLUDED.—The report on insurance companies prepared pursuant to subparagraph (A) should include the following, to the degree the information is available:

(i) The number of policies issued by each company to individuals described in such subparagraph.

(ii) The value of each policy at the time of issue.

(iii) The total number of policies, and the dollar amount, that have been paid out.

(iv) The total present-day value of assets in the United States of each company.

(C) COORDINATION.—The Commission shall coordinate its work on insurance issues with that of the international Washington Conference on Holocaust-Era Assets, to be convened by the Department of State and the United States Holocaust Memorial Council.

(b) COMPREHENSIVE REVIEW OF OTHER RESEARCH.—Upon receiving permission from any relevant individuals or entities, the Commission shall review comprehensively any research by private individuals, private entities, and non-Federal government entities, whether domestic or foreign, into the collection and disposition of the assets described in subsection (a)(2), to the extent that such research focuses on assets that came into the possession or control of private individuals, private entities, or non-Federal government entities within the United States at any time after January 30, 1933, either—

(1) after having been obtained from victims of the Holocaust by, on behalf of, or under authority of a government referred to in subsection (c); or

(2) because such assets were left unclaimed as the result of actions taken by, on behalf of, or under authority of a government referred to in subsection (c).

(c) GOVERNMENTS INCLUDED.—A government referred to in this subsection includes, as in existence during the period beginning on March 23, 1933, and ending on May 8, 1945—

(1) the Nazi government of Germany;

(2) any government in any area occupied by the military forces of the Nazi government of Germany;

(3) any government established with the assistance or cooperation of the Nazi government of Germany; and

(4) any government which was an ally of the Nazi government of Germany.

(d) REPORTS.—

(1) SUBMISSION TO THE PRESIDENT.—Not later than December 31, 1999, the Commission shall submit a final report to the President that shall contain any recommendations for such legislative, administrative, or other action as it deems necessary or appropriate. The Commission may submit interim reports to the President as it deems appropriate.

(2) SUBMISSION TO THE CONGRESS.—After receipt of the final report under paragraph (1), the President shall submit to the Congress any recommendations for legislative, administrative, or other action that the President considers necessary or appropriate.

SEC. 4. POWERS OF THE COMMISSION.

(a) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this Act. Upon request of the Chairperson of the Commission, the head of any such department or agency shall furnish such information to the Commission as expeditiously as possible.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(e) ADMINISTRATIVE SERVICES.—For the purposes of obtaining administrative services necessary to carry out the purposes of this Act, including the leasing of real property for use by the Commission as an office, the Commission shall have the power to—

(1) enter into contracts and modify, or consent to the modification of, any contract or agreement to which the Commission is a party; and

(2) acquire, hold, lease, maintain, or dispose of real and personal property.

SEC. 5. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION.—No member of the Commission who is a private citizen shall be compensated for service on the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) EXECUTIVE DIRECTOR, DEPUTY EXECUTIVE DIRECTOR, GENERAL COUNSEL, AND OTHER STAFF.—

(1) IN GENERAL.—Not later than 90 days after the selection of the Chairperson of the Commission under section 2, the Chairperson shall, without regard to the civil service laws and regulations, appoint an executive director, a deputy executive director, and a general counsel of the Commission, and such other additional personnel as may be necessary to enable the Commission to perform its duties under this Act.

(2) QUALIFICATIONS.—The executive director, deputy executive director, and general counsel of the Commission shall be appointed without regard to political affiliation, and shall possess all necessary security clearances for such positions.

(3) DUTIES OF EXECUTIVE DIRECTOR.—The executive director of the Commission shall—

(A) serve as principal liaison between the Commission and other Government entities;

(B) be responsible for the administration and coordination of the review of records by the Commission; and

(C) be responsible for coordinating all official activities of the Commission.

(4) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director, deputy executive director, general counsel, and other personnel employed by the Commission, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that—

(A) the rate of pay for the executive director of the Commission may not exceed the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code; and

(B) the rate of pay for the deputy executive director, the general counsel of the Commission, and other Commission personnel may not exceed the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(5) EMPLOYEE BENEFITS.—

(A) IN GENERAL.—An employee of the Commission shall be an employee for purposes of chapters 83, 84, 85, 87, and 89 of title 5, United States Code, and service as an employee of the Commission shall be service for purposes of such chapters.

(B) NONAPPLICATION TO MEMBERS.—This paragraph shall not apply to a member of the Commission.

(6) OFFICE OF PERSONNEL MANAGEMENT.—The Office of Personnel Management—

(A) may promulgate regulations to apply the provisions referred to under subsection (a) to employees of the Commission; and

(B) shall provide support services, on a reimbursable basis, relating to—

(i) the initial employment of employees of the Commission; and

(ii) other personnel needs of the Commission.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement to the agency of that employee, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) STAFF QUALIFICATIONS.—Any person appointed to the staff of or employed by the Commission shall be an individual of integrity and impartiality.

(g) CONDITIONAL EMPLOYMENT.—

(1) IN GENERAL.—The Commission may offer employment on a conditional basis to a prospective employee pending the completion of any necessary security clearance background investigation. During the pendency of any such investigation, the Commission shall ensure that such conditional employee is not given and does not have access to or responsibility involving classified or otherwise restricted material.

(2) TERMINATION.—If a person hired on a conditional basis as described in paragraph (1) is denied or otherwise does not qualify for all security clearances necessary for the fulfillment of the responsibilities of that person as an employee of the Commission, the Commission shall immediately terminate the employment of that person with the Commission.

(h) EXPEDITED SECURITY CLEARANCE PROCEDURES.—A candidate for executive director or deputy executive director of the Commission and any potential employee of the Commission shall, to the maximum extent possible, be investigated or otherwise evaluated for and granted, if applicable, any necessary security clearances on an expedited basis.

SEC. 6. ADMINISTRATIVE SUPPORT SERVICES.

Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

SEC. 7. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its final report under section 3.

SEC. 8. MISCELLANEOUS PROVISIONS.

(a) INAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the Commission.

(b) PUBLIC ATTENDANCE.—To the maximum extent practicable, each meeting of the Commission shall be open to members of the public.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated not more than $3,500,000, in total, for the interagency funding of activities of the Commission under this Act for fiscal years 1998, 1999, and 2000, of which, notwithstanding section 1346 of title 31, United States Code, and section 611 of the Treasury and General Government Appropriations Act, 1998, $537,000 shall be made available in equal amounts from funds made available for fiscal year 1998 to the Departments of Justice, State, and the Army that are otherwise unobligated. Funds made available to the Commission pursuant to this section shall remain available for obligation until December 31, 1999.

The SPEAKER pro tempore (Mr. STEARNS). Pursuant to the rule, the gentleman from Iowa (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa (Mr. LEACH).

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

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

Mr. LEACH. Mr. Speaker, I rise today in support of H.R. 3662, the United States Holocaust Assets Commission Act. The legislation enjoys broad bipartisan support, as well as the endorsement of the administration.

For nearly 3 years Congress and the administration have sought answers to questions about Nazi transactions and holdings in Switzerland and other neutral or occupied countries during World War II. The Committee on Banking and Financial Services has held a series of comprehensive hearings, really historical inquiries, on these issues. The research, including two interagency reports on U.S. and allied efforts to recover Nazi-plundered gold and other assets, revealed a broad pattern of neglect and denial of the truth.

The latest hearing, held last week, included thoughtful testimony from Under Secretary of State Stuart Eizenstat on the second of these interagency reports, which further documented the role of certain neutral countries in World War II.

Neutrality in the face of evil and on a personal and collective level is worthy of review by citizens of any age, particularly this one, where human relations had become complicated by unprecedentedly inventive instruments of war. If we as legislators are to discharge our public duties responsibly, we must develop an understanding of the evil of the Holocaust, and how many countries, including our own, responded at a time civilization was so violently challenged.

In the process of preparing reports on others, the United States has an obligation to look at its own record during the war. We have reason to take pride in the great sacrifices of American Armed Forces in combatting the Wehrmacht, but we also must remember that we did not open our doors to Jewish refugees during the war, even after our leadership had learned that Hitler had marked European Jews for extermination. We accepted only 21,000 Jewish refugees during the war, fewer than Switzerland in absolute terms, and fewer per capita than most other neutral countries.

In this context, one of the issues which remains unresolved and which H.R. 3662 is specifically designed to address is that of assets of Holocaust victims which may have been located in the United States. In the years following World War II, Congress recognized that some of the assets held in this country under nominal German or Swiss ownership may, in fact, have belonged to Jewish victims of the Holocaust who sent their assets abroad for safekeeping.

For that reason Congress, 35 years ago, authorized up to $3 million in claims for such heirless assets to provide relief and rehabilitation for needy Holocaust survivors. However, the political difficulties associated with such a commitment led Congress ultimately to settle on a $500,000 contribution. Although the document record and asset ownership was and still is sparse, it is likely that heirless assets in the U.S. were worth more than the 1962 settlement figure.

Today we have the opportunity to approve legislation which will resolve this question. It is fitting for the United States to undertake this task and practice what it preaches to others. To date, more than a dozen countries, including Switzerland, have formed historical committees or commissions to study their role and attitudes during the war period. H.R. 3662 would bring the United States into parity with other nations by creating a similar body.

The commission proposed under this bill would be composed of 21 individuals, including 8 Members of the House and Senate. Their mandate and responsibility would be to research and determine what happened to any Holocaust victims' assets that came under Federal Government control after January 30, 1933, the day Hitler came to power in Germany. The assets would be defined broadly to include everything from bank accounts and securities to real estate and rare books.

The commission would report its findings to the President and the Congress no later than December 31, 1999, with a goal as we enter the new millennium of helping to bring one of the darkest chapters in human history to a compassionate closure.

Moral quandaries are central to restitution issues. As one of our hearing witnesses, Professor Leora Baznitzky, noted, the Nazis robbed Holocaust victims not only of their possessions and lives, but also their memories of their existence on this earth.

Another witness, Professor Mark Larrimore, underlined this point. The map, he observed, with the help of which we try to orient ourselves as human beings, trying to live good and decent lives, is a map with Auschwitz on it. Inquiries into the nature of evil and how to behave in the face of it are not the normal stuff of governmental review.

In this case, however, such questions are relevant not only to the behavior of all countries involved in World War II, including our own, but to the question of establishing retrospective justice, and the broader responsibility of each generation of leadership to learn from the past.

Our century has been indelibly marked by the Holocaust, and our perception of human nature has been profoundly altered by it. It is imperative that every credible review effort be undertaken, of which this is one. Accordingly, I urge my colleagues to give this legislation broad bipartisan support.

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

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

Mr. Speaker, on June 4, 1998, the Committee on Banking and Financial Services reported H.R. 3662 by voice vote. The bill allows the United States to continue its leadership in uncovering the truth about the disposition of Holocaust assets during and following World War II. This bill mirrors closely Senate 1900, which was passed unanimously by the Senate on May 1.

The Holocaust Assets Commission Act would establish a commission comprised of Members of Congress from the House and Senate, representatives from the executive branch, and private citizens to research archived documents and investigate the disposition of Holocaust-related assets in the United States.

The commission would create a historical record that is both necessary and overdue. There are more than 350,000 Holocaust survivors, and approximately 100,000 live in the United States. It is important for those survivors living in the United States to know and understand the extent of assets that may have come under control of the United States or within United States borders.

Mr. Speaker, the United States has already demonstrated outstanding leadership through Under Secretary of State Stuart Eizenstat, who has directed two groundbreaking studies on the disposition of Holocaust assets. The first was released in May of 1997 and revealed the extent of looted gold flowing to and through Switzerland from Germany, along with evidence that some of that gold was stolen from Holocaust victims.

The second report, released last week, showed the extent of involvement of the so-called neutral countries in supporting the Nazi war machine by providing essential war materials. In the process, these neutral countries filled their reserves with tons of gold. Yet, Under Secretary Eizenstat's report also reveals the complexity of the neutral countries' activities and their support of the Allies' activities, and their acceptance of thousands of Jewish refugees.

I cite these two reports to demonstrate the unwavering commitment of the United States to uncover the truth about Holocaust-related assets and the role of various countries during this Nazi period.

Since the United States began its investigations into the disposition of gold and other assets, several countries have established commissions and committees to do similar research. Among these are Switzerland, the United Kingdom, France, Belgium, Canada, the Netherlands, Norway, Sweden, Portugal, Spain, Argentina, Turkey, and Croatia. The United States must do no less.

Under Secretary Eizenstat's efforts and reports have spawned considerable worldwide effort to reveal the truth. Discoveries are made monthly about previously unknown accounts and about activities on the part of banks and insurance companies. Class action lawsuits have been filed, and framework agreements and negotiations have begun between commercial banks and the aggrieved parties.

The establishment of a U.S. commission to investigate the disposition of Holocaust assets in the United States is the logical and necessary next step to uncovering the truth and righting past wrongs.

Mr. Speaker, I urge support of H.R. 3662, and urge each of my colleagues to do the same. It is the right thing to do, and it is important that we do so now.

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

Mr. LEACH. Mr. Speaker, I yield 5 minutes to my good friend, the gentleman from New York (Mr. GILMAN), a distinguished cosponsor of this particular bill.

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

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

Mr. Speaker, I want to take this opportunity to commend our distinguished chairman of the Committee on Banking and Financial Services, the gentleman from Iowa (Mr. LEACH), who is also a senior member of our Committee on International Relations, for his ongoing leadership on this issue of Holocaust-era assets in Swiss banks, and his ranking member, the gentleman from New York (Mr. LAFALCE).

Having worked with the gentleman from Iowa (Mr. LEACH), Under Secretary of State Stuart Eizenstat, and the World Jewish Congress to resolve existing concerns, I am pleased to be able to support H.R. 3663, creating this U.S.-Holocaust Assets Commission.

In the past few years hearings, meetings, conferences, and negotiations have tried to reconstruct what happened to the assets of Jewish victims and others during the Holocaust period. As the gentleman from Iowa (Chairman LEACH) can attest, and as the gentleman from New York (Mr. LAFALCE) has noted, the dam has burst, and information is starting to seep forth on a variety of topics.

As a result, the disposition of Holocaust-era assets in our Nation needs to be reviewed as well. The proposed legislation seeks to empower a commission to discern the status of various types of Holocaust-era assets in our own Nation. These assets include gold, gems, jewelry, insurance policies, art books, manuscripts, religious objects, as well as bank accounts, domestic financial instruments, and real estate.

The measure before us would create a U.S. Holocaust Assets Commission, also to be known as the Presidential Commission on Holocaust Assets in the United States. This commission would be charged with reviewing Holocaust-era assets in our Nation to search for similar gaps as have been found in Europe.

The commission would be composed of private citizens, representatives of the Departments of State, Justice, and the Treasury, as well as Members of the House and Senate. The commission shall be charged with conducting a thorough study and developing a historical record in the collection and disposition of the assets that I have described.

It shall determine whether our government came into the control of any of these assets any time after January, 1933, and to determine the disposition of those assets through hearings, meetings, and the collection of information from a wide variety of sources.

I would like to note that the United States Mint is at West Point, in my district, or adjoining my district. I have been told there may very well be some gold bars that have been stored there that came out of that period of time, and I think that is worthwhile looking into.

The legislation proposes that the commission shall then make recommendations to the President regarding any legislative or administrative actions that should be undertaken as a result of their inquiry.

This commission is an important step in shedding much-needed light on what happened to billions of dollars of assets in the Holocaust era. Accordingly, I urge my colleagues to vote for the pending measure, and I want to commend the gentleman from Iowa (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE), both of whom worked hard on this measure, and for bringing it to the floor at this time.

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

Mr. LAFALCE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FILNER).

□ 1645

Mr. FILNER. Mr. Speaker, I rise today in strong support of the U.S. Holocaust Assets Commission Act. I believe this legislation is the most logical and responsible way in which to respond to the growing international appeals to address and resolve the issue of the ill-gotten bounty of the Holocaust.

The United States Federal Government must honorably and accurately determine what, if any, assets of Holocaust victims came into its possession and control and their current location and status. Only then, with this precise accounting, can we go about the duty of deciding what actions are necessary and appropriate to find the rightful owners or heirs to these resources.

The time is now to close this disturbing and unfinished chapter of one of the darkest periods in this century, and the U.S. Holocaust Assets Commission Act is the first step in the right direction toward achieving this just goal.

Mr. LEACH. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Florida (Mr. FOLEY), who has worked so hard, particularly on related insurance issues and is an author of a principal part of this bill.

Mr. FOLEY. Mr. Speaker, I thank the gentleman from New York (Chairman LEACH) for introducing this important legislation. I would also like to thank him for his skillful grace and intellect in holding the hearings that could have been highly charged and obviously deeply emotional. Chairman LEACH maintained decorum, a sense of calm, and a sense of purpose to resolve these critical issues.

Mr. Speaker, that is why we are here today with H.R. 3662, legislation that will help locate and eventually return assets confiscated by the Nazis. I especially want to thank the gentleman for accepting an amendment I offered in the Committee on Banking and Financial Services concerning what is perhaps the most important Holocaust asset issue: confiscated insurance policies.

At the end of World War II, many death camp survivors or their heirs attempted to collect on the insurance policies that were due. But because many of the policies had been paid out to the Nazis or because of the companies' unwillingness to honor the claims, there was no money for the rightful heirs.

Over the years as information about the war came to light, the insurance companies' collusion with the Nazis became evident. Some companies, namely Allianz and Generali, attempted a small amount of restitution, but the vast amount of money owed the Holocaust survivors has never been paid.

Today, many survivors and surviving heirs are still struggling to regain property that is rightfully theirs. Whether the property is in a Swiss bank or a life insurance policy, restitution must be made by the responsible parties and Congress must see that restitution takes place.

The amendment I offered in the Committee on Banking and Financial Services will ensure that at least we will begin to get to the bottom of the unpaid insurance claims. Specifically, my amendment will direct the U.S. Holocaust Assets Commission to work with the National Association of Insurance Commissioners to list all insurance companies, both domestic and foreign, doing business in the United States at any time after January 30, 1933, that issued policies to any victim of the Holocaust. Included in the list will be the following information:

The number of policies issued by each listed company;

The value of the policies at the time of issue;

The total number of policies and the dollar amount that have been paid out; and

The present-day value of each listed company's United States assets.

Mr. Speaker, I thank the gentleman from New York (Mr. LEACH) for introducing the U.S. Holocaust Assets Commission Act, a bill that will help bring justice to the victims of the Holocaust. There is, however, another dynamic out of the jurisdiction of the legislation we are considering today that is also important to bring a full resolution to the problem of unpaid insurance claims.

While private insurers must be held morally and financially accountable to their obligations to Holocaust survivors and their heirs, so must the former Eastern Bloc Communist countries who control a substantial amount of the financial assets we are discussing today.

Following World War II, the Communists expropriated and nationalized insurance companies and their assets; countries whose governments, to this day, have not made an attempt to accept their responsibility in this situation.

Consequently, I have introduced a House Resolution to ask the U.S. State Department to raise the issue of insurance monies held by the Governments of Poland, Hungary, and the Czech Republic which rightfully belong to the Holocaust survivors.

Mr. Speaker, that is not a subject of today's debate. So I want to urge and ask my colleagues to strongly support H.R. 3662, and again thank the chairman, the gentleman from New York (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE), the ranking member, for their hard work and efforts on this vital, important legislation on the floor today.

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

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

Mr. Speaker, let me just say in conclusion that I want to thank the gentleman from New York (Mr. LAFALCE), my good friend, for his co-leadership of this issue and my two distinguished friends who have spoken today.

Mrs. KENNELLY of Connecticut. Mr. Speaker, I rise in support of H.R. 3662, the U.S. Holocaust Assets Commission Act. There is no possible way that we could ever right all the wrongs of the Holocaust, but this legislation will allow us to recover various lost articles. H.R. 3662 would allocate 3.5 million dollars and all other privately received donations to examine the whereabouts of various assets lost during the World War II era.

This bill calls for a comprehensive search among private and public groups allowing us to redouble the efforts which are needed to provide much needed information on irreplaceable items including jewelry, art work, manuscripts and religious documents, among with other insurance policies. The universal feelings of love, comfort, and understanding that we associate with possessions accumulated from our loved ones past have been previously denied to many Holocaust survivors and their loved ones. This legislation will enable hundreds the opportunity to delve into previously untouchable treasures of the heart.

Six decades and more have passed since the confiscation of property began. We cannot return all that was lost, but we can try to return the hard-earned accounts, real estate and other such tangible items to their rightful owners.

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

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from New York (Mr. LEACH) that the House suspend the rules and pass the bill, H.R. 3662, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. LEACH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1900) to establish a commission to examine the issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and to make recommendations to the President on further action, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1900

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''U.S. Holocaust Assets Commission Act of 1998''.

SEC. 2. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established a Presidential Commission, to be known as the ''Presidential Advisory Commission on Holocaust Assets in the United States'' (hereafter in this Act referred to as the ''Commission'').

(b) MEMBERSHIP.—

(1) NUMBER.—The Commission shall be composed of 21 members, appointed in accordance with paragraph (2).

(2) APPOINTMENTS.—Of the 21 members of the Commission—

(A) 9 shall be private citizens, appointed by the President;

(B) 3 shall be representatives of the Department of State, the Department of Justice, and the Department of the Treasury (1 representative of each such Department), appointed by the President;

(C) 2 shall be Members of the House of Representatives, appointed by the Speaker of the House of Representatives;

(D) 2 shall be Members of the House of Representatives, appointed by the Minority Leader of the House of Representatives;

(E) 2 shall be Members of the Senate, appointed by the Majority Leader of the Senate;

(F) 2 shall be Members of the Senate, appointed by the Minority Leader of the Senate; and

(G) 1 shall be the Chairperson of the United States Holocaust Memorial Council.

(3) CRITERIA FOR MEMBERSHIP.—Each private citizen appointed to the Commission shall be an individual who has a record of demonstrated leadership on issues relating to the Holocaust or in the fields of commerce, culture, or education that would assist the Commission in analyzing the disposition of the assets of Holocaust victims.

(4) ADVISORY PANELS.—The Chairperson of the Commission may, in the discretion of the Chairperson, establish advisory panels to the Commission, including State or local officials, representatives of organizations having an interest in the work of the Commission, or others having expertise that is relevant to the purposes of the Commission.

(5) DATE.—The appointments of the members of the Commission shall be made not later than 90 days after the date of enactment of this Act.

(c) CHAIRPERSON.—The Chairperson of the Commission shall be selected by the President from among the members of the Commission appointed under subparagraph (A) or (B) of subsection (b)(2).

(d) PERIOD OF APPOINTMENT.—Members of the Commission shall be appointed for the life of the Commission.

(e) VACANCIES.—Any vacancy in the membership of the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(f) MEETINGS.—The Commission shall meet at the call of the Chairperson at any time after the date of appointment of the Chairperson.

(g) QUORUM.—Eleven of the members of the Commission shall constitute a quorum, but a lesser number of members may hold meetings.

SEC. 3. DUTIES OF THE COMMISSION.

(a) ORIGINAL RESEARCH.—

(1) IN GENERAL.—Except as otherwise provided in paragraph (3), the Commission shall conduct a thorough study and develop an historical record of the collection and disposition of the assets described in paragraph (2), if such assets came into the possession or control of the Federal Government, including the Board of Governors of the Federal Reserve System or any Federal reserve bank, at any time after January 30, 1933—

(A) after having been obtained from victims of the Holocaust by, on behalf of, or under authority of a government referred to in subsection (c);

(B) because such assets were left unclaimed as the result of actions taken by, on behalf of, or under authority of a government referred to in subsection (c); or

(C) in the case of assets consisting of gold bullion, monetary gold, or similar assets, after such assets had been obtained by the Nazi government of Germany from the central bank or other governmental treasury in any area occupied by the military forces of the Nazi government of Germany.

(2) TYPES OF ASSETS.—Assets described in this paragraph include—

(A) gold;

(B) gems, jewelry, and non-gold precious metals;

(C) accounts in banks in the United States;

(D) domestic financial instruments purchased before May 8, 1945 by individual victims of the Holocaust, whether recorded in the name of the victim or in the name of a nominee;

(E) insurance policies and proceeds thereof;

(F) real estate situated in the United States;

(G) works of art; and

(H) books, manuscripts, and religious objects.

(3) COORDINATION OF ACTIVITIES.—In carrying out its duties under paragraph (1), the Commission shall, to the maximum extent practicable, coordinate its activities with, and not duplicate similar activities already or being undertaken by, private individuals, private entities, or government entities, whether domestic or foreign.

(b) COMPREHENSIVE REVIEW OF OTHER RESEARCH.—Upon request by the Commission and permission by the relevant individuals or entities, the Commission shall review comprehensively research by private individuals, private entities, and non-Federal government entities, whether domestic or foreign, into the collection and disposition of the assets described in subsection (a)(2), to the extent that such research focuses on assets that came into the possession or control of private individuals, private entities, or non-Federal government entities within the United States at any time after January 30, 1933, either—

(1) after having been obtained from victims of the Holocaust by, on behalf of, or under authority of a government referred to in subsection (c); or

(2) because such assets were left unclaimed as the result of actions taken by, on behalf of, or under authority of a government referred to in subsection (c).

(c) GOVERNMENTS INCLUDED.—A government referred to in this subsection includes, as in existence during the period beginning on March 23, 1933, and ending on May 8, 1945—

(1) the Nazi government of Germany;

(2) any government in any area occupied by the military forces of the Nazi government of Germany;

(3) any government established with the assistance or cooperation of the Nazi government of Germany; and

(4) any government which was an ally of the Nazi government of Germany.

(d) REPORTS.—

(1) SUBMISSION TO THE PRESIDENT.—Not later than December 31, 1999, the Commission shall submit a final report to the President that shall contain any recommendations for such legislative, administrative, or other action as it deems necessary or appropriate. The Commission may submit interim reports to the President as it deems appropriate.

(2) SUBMISSION TO THE CONGRESS.—After receipt of the final report under paragraph (1), the President shall submit to the Congress any recommendations for legislative, administrative, or other action that the President considers necessary or appropriate.

SEC. 4. POWERS OF THE COMMISSION.

(a) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this Act. Upon request of the Chairperson of the Commission, the head of any such department or agency shall furnish such information to the Commission as expeditiously as possible.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

SEC. 5. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION.—No member of the Commission who is a private citizen shall be compensated for service on the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) EXECUTIVE DIRECTOR, DEPUTY EXECUTIVE DIRECTOR, GENERAL COUNSEL, AND OTHER STAFF.—

(1) IN GENERAL.—Not later than 90 days after the selection of the Chairperson of the Commission under section 2, the Chairperson shall, without regard to the civil service laws and regulations, appoint an executive director, a deputy executive director, and a general counsel of the Commission, and such other additional personnel as may be necessary to enable the Commission to perform its duties under this Act.

(2) QUALIFICATIONS.—The executive director, deputy executive director, and general counsel of the Commission shall be appointed without regard to political affiliation, and shall possess all necessary security clearances for such positions.

(3) DUTIES OF EXECUTIVE DIRECTOR.—The executive director of the Commission shall—

(A) serve as principal liaison between the Commission and other Government entities;

(B) be responsible for the administration and coordination of the review of records by the Commission; and

(C) be responsible for coordinating all official activities of the Commission.

(4) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director, deputy executive director, general counsel, and other personnel employed by the Commission, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that—

(A) the rate of pay for the executive director of the Commission may not exceed the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code; and

(B) the rate of pay for the deputy executive director, the general counsel of the Commission, and other Commission personnel may not exceed the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(5) EMPLOYEE BENEFITS.—

(A) IN GENERAL.—An employee of the Commission shall be an employee for purposes of chapters 84, 85, 87, and 89 of title 5, United States Code, and service as an employee of the Commission shall be service for purposes of such chapters.

(B) NONAPPLICATION TO MEMBERS.—This paragraph shall not apply to a member of the Commission.

(6) OFFICE OF PERSONNEL MANAGEMENT.—The Office of Personnel Management—

(A) may promulgate regulations to apply the provisions referred to under subsection (a) to employees of the Commission; and

(B) shall provide support services relating to—

(i) the initial employment of employees of the Commission; and

(ii) other personnel needs of the Commission.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement to the agency of that employee, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) STAFF QUALIFICATIONS.—Any person appointed to the staff of or employed by the Commission shall be an individual of integrity and impartiality.

(g) CONDITIONAL EMPLOYMENT.—

(1) IN GENERAL.—The Commission may offer employment on a conditional basis to a prospective employee pending the completion of any necessary security clearance background investigation. During the pendency of any such investigation, the Commission shall ensure than such conditional employee is not given and does not have access to or responsibility involving classified or otherwise restricted material.

(2) TERMINATION.—If a person hired on a conditional basis as described in paragraph (1) is denied or otherwise does not qualify for all security clearances necessary for the fulfillment of the responsibilities of that person as an employee of the Commission, the Commission shall immediately terminate the employment of that person with the Commission.

(h) EXPEDITED SECURITY CLEARANCE PROCEDURES.—A candidate for executive director or deputy executive director of the Commission and any potential employee of the Commission shall, to the maximum extent possible, be investigated or otherwise evaluated for and granted, if applicable, any necessary security clearances on an expedited basis.

SEC. 6. SUPPORT SERVICES.

During the 180-day period following the date of enactment of this Act, the General Services Administration shall provide administrative support services (including offices and equipment) for the Commission.

SEC. 7. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its final report under section 3.

SEC. 8. MISCELLANEOUS PROVISIONS.

(a) INAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the Commission.

(b) PUBLIC ATTENDANCE.—To the maximum extent practicable, each meeting of the Commission shall be open to members of the public.

SEC. 9. FUNDING OF COMMISSION.

Notwithstanding section 1346 of title 31, United States Code, or section 611 of the Treasury and General Government Appropriations Act, 1998, of funds made available for fiscal years 1998 and 1999 to the Departments of Justice, State, and any other appropriate agency that are otherwise unobligated, not more than $3,500,000 shall be available for the interagency funding of activities of the Commission under this Act. Funds made available to the Commission pursuant to this section shall remain available for obligation until December 31, 1999.

MOTION OFFERED BY MR. LEACH

Mr. LEACH. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEACH moves to strike out all after the enacting clause and insert in lieu thereof the provisions of H.R. 3662, as passed by the House.

The motion was agreed to.

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. 3662) was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

COMMEMORATING 100 YEARS OF RELATIONS BETWEEN PEOPLE OF UNITED STATES AND PEOPLE OF THE PHILIPPINES

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 404) commemorating 100 years of relations between the people of the United States and the people of the Philippines.

The Clerk read as follows:

H. RES. 404

Whereas 1998 marks 100 years of special ties between the people of the United States and the people of the Philippines and is also the centennial celebration of Philippine independence from Spain which initiated relations with the United States;

Whereas the people of the Philippines have on many occasions demonstrated their strong commitment to democratic principles and practices, the free exchange of views on matters of public concern, and the development of a strong civil society;

Whereas the Philippines has embraced economic reform and free market principles and, despite current challenging circumstances, its economy has registered significant economic growth in recent years benefiting the lives of the people of the Philippines;

Whereas the large Philippine-American community has immeasurably enriched the fabric of American society and culture;

Whereas Filipino soldiers fought shoulder to shoulder with American troops on the battlefields of World War II, Korea, and Vietnam;

Whereas the Philippines is an increasingly important trading partner of the United States as well as the recipient of significant direct American investment;

Whereas the United States relies on the Philippines as a partner and treaty ally in fostering regional stability, enhancing prosperity, and promoting peace and democracy; and

Whereas the 100th anniversary of relations between the people of the United States and the people of the Philippines offers an opportunity for the United States and the Philippines to renew their commitment to international cooperation on issues of mutual interest and concern: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Philippines on the commemoration of its independence from Spain;

(2) looks forward to a broadening and deepening of friendship and cooperation with the Philippines in the years ahead for the mutual benefit of the people of the United States and the people of the Philippines;

(3) supports the efforts of the Philippines to further strengthen democracy, human rights, the rule of law, and the expansion of free market economics both at home and abroad; and

(4) recognizes the close relationship between the nations and the people of the United States and the people of the Philippines and pledges its support to work closely with the Philippines in addressing new challenges as we begin our second century of friendship and cooperation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

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

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, I am proud to have introduced this resolution commemorating 100 years of relations between the people of the United States and the people of the Philippines. I am pleased to bring it to the floor today for consideration, and I am pleased to be joined by our distinguished chairman of our Subcommittee on Asia and the Pacific of the Committee on International Relations, the gentleman from Nebraska (Mr. BEREUTER).

Mr. Speaker, it is right and fitting that the House of Representatives make note of the special relationship that our Nation and the Philippines have shared for nearly a century. The beginning of our country's relationship with the Philippines in 1898 also marks the beginning of our great interest in the Pacific and the development of strong, robust historical and cultural ties between the Philippines and the United States.

Mr. Speaker, though the United States and Philippines are literally an ocean apart, the large Philippine-American community, numbering over 2 million, has immeasurably enriched the social and cultural fabric of our Nation and serves as a sturdy bridge of friendship between our two countries.

Until the end of the Cold War, the United States maintained major military facilities in the Philippines which played a significant role in the maintenance of regional peace and stability. Today, the Philippines remains an important partner and ally in guarding the peace and maintaining stability in southeast Asia.

Our Nation is pleased with the flourishing of democracy in the Philippines. It is hoped that the Philippines will serve as an example to others in that region and will encourage progress and the furthering of democratic principles and practices, respect for human rights, and enhancement of the rule of law.

I am pleased to have had the opportunity to introduce this legislation and I urge my colleagues to support the measure.

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

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

Mr. Speaker, I rise in support of this resolution. I would like to commend the gentleman from New York (Mr. GILMAN) for introducing House Resolution 404 and moving it without delay through the legislative process. I am an original cosponsor of the resolution along with a number of our colleagues here.

Mr. Speaker, this is a constructive measure that recognizes the close partnership that we have enjoyed with the Philippines over the past 100 years, and voices support for a continuation of that partnership as we enter the second century of our bilateral relationship. I urge adoption of this measure.

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

Mr. GILMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. BEREUTER) the distinguished chairman of our Subcommittee on Asia and the Pacific.

Mr. BEREUTER. Mr. Speaker, I rise in strong support of H.Res. 404 and congratulate the distinguished gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations, for introducing it today. I am pleased to be one of the bill's original cosponsors.

In the past 100 years, the Philippines at various times has served, and now serves, as a democratic counterpart, ally, trading partner, and friend to the United States. The Philippines is a republic basically patterned after our own democratic system and it continues to reshape and perfect its government in order to better uphold the ideals of democracy.

Since July 4, 1946, named Filipino-American Friendship Day in the Philippines, the U.S.-Philippines relationship has been largely characterized by cooperation. H.Res. 404 notes these cooperative efforts by citing our united forces in World War II and our efforts to promote peace and stability in the Asian-Pacific region. Though U.S. forces have not had a physical presence in the Philippines since 1991, the U.S. and the Philippines remain united by the 1951 Mutual Defense Treaty. This bond may be further strengthened by a newly negotiated Visiting Forces Agreement which is scheduled to go before the Philippines Senate for ratification later this year.

Despite the ongoing financial crisis in Asia, the Philippines has also become an increasingly valuable trading partner for the United States. The Philippines has demonstrated commitment to undertake economic reform, and this Member expects the new President-elect, Joseph Estrada, to continue to nurture this economic growth.

H.Res. 404 is timely legislation as its introduction coincides with the festive preparations now underway in the Philippines in anticipation of its centennial celebration of independence from Spain. It is altogether appropriate for this body to congratulate the Philippines on the centennial of its independence and applaud his accomplishments of the past 100 years. The Philippines has clearly become a positive role model for its Asian neighbors.

Mr. Speaker, I congratulate the gentleman from New York (Mr. GILMAN) on sponsoring this legislation and I urge all Members to support and approve H.Res. 404.

Mr. WEXLER. Mr. Speaker, I yield 3½ minutes to the gentleman from California (Mr. FILNER).

□ 1700

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

I rise in strong support of this resolution, H. Res. 404, which congratulates the Philippines on the 100th anniversary of its independence from Spain in 1898, supports their efforts to strengthen democracy and human rights, and thanks the Philippines for fighting on the side of the United States in World War II, the Korean War and Vietnam.

I have personally met with both the President-elect and the Vice President-elect recently, and I know that they will continue the strong relationship between our two countries.

Mr. Speaker, I would like to suggest to my good friends who are speaking on this and who have sponsored this resolution today that there are two additional concrete steps that this body could take to adequately express the high regard we have for the Philippines on this 100th anniversary of their independence.

The first concrete act we could do is pass the bill, H.R. 836, an act introduced by the distinguished chairman of the House Committee on International Relations, the gentleman from New York (Mr. GILMAN), and myself. It is a bipartisan bill called the Filipino Veterans Equity Act. It has nearly 200 cosponsors at this time.

What the Filipino Veterans Equity Act says is that it is time to restore justice and honor and dignity to the veterans of World War II who fought side by side with us. These were soldiers of the Philippines who were drafted to serve in our Armed Forces by Executive order of President Roosevelt. They defended the American flag in the famous battles of Bataan and Corregidor. Thousands of them died during the Bataan death march, and many who survived were imprisoned under very inhumane conditions. The Filipino soldiers who fought under the American flag foiled plans for a quick takeover of the region and allowed the United States the time that we needed to prepare our forces for victory in the Pacific. But unbelievably after the war was over in 1946, the Congress of the time voted to take away the benefits and recognition that these Filipino veterans were promised. In the infamous Rescissions Acts of 1946, we said, thank you for all your work and help, but no thanks.

It is now 52 years later. Families who live in both the United States and the Philippines have been waiting for the justice, recognition and benefits that they deserve. H. Res. 404 thanks them for their service, but we need H.R. 836, sponsored by the gentleman from New York (Mr. GILMAN), to complete the job.

A second concrete step that we can take is to pass H. Res. 312, which was introduced by the gentleman from Guam (Mr. UNDERWOOD). This resolution outlines the compromise to return one of the famous Bells of Balangiga to the people of the Philippines. The two bells were brought to the United States early in the 20th century by American troops who were engaged in hostilities that had erupted between American and Filipino soldiers. These bells are currently on display at Warren Air Force Base in Wyoming.

The Republic of the Philippines has repeatedly requested the return of the bells. H. Res. 312 would return one bell and retain one bell in Wyoming. Two replica bells would be made so that each country would have one replica and one original bell.

On the occasion of the 100th anniversary of the Philippine Declaration of Independence, as a measure of friendship, another way to recognize this, in addition to the resolution we have on the floor now, let us share these priceless bells which are national symbols to the Filipinos.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from California (Mr. FILNER) for his support of our Philippines veterans bill.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. ROHRABACHER), a member of our House Committee on International Relations.

Mr. ROHRABACHER. Mr. Speaker, it is my honor today to rise in support of this resolution remembering the Philippines 100 years as a nation.

It was 100 years ago when, during what is known as the Spanish-American War, the Philippines were liberated from their Spanish oppressors. Unfortunately sometimes we like to romanticize our own history and forget what happened a few years immediately after that liberation. Instead of doing what would have been consistent with our own philosophy as a country that believed in the Declaration of Independence, the United States decided instead of freeing the Philippines from foreign oppression, we decided to take control of the Philippines for ourselves, and, in fact, at the turn of the century there was a bloody war that went on in the Philippines that pitted the United States against many of the Filipino people who wanted freedom and independence, justifiably wanted their freedom and independence. In fact, tens of thousands of Filipinos were killed at that time by the superior firepower of American military forces. That is a stain on American history.

However, let us say that there were the best of intentions. The people who were involved in that and the decision-makers felt that this would be a way to lead the Philippines to true democracy. And 50 years later, yes, in 1946, the Philippines were freed. I think it speaks very well of the Filipino people that they have forgotten that blight of what happened at the turn of the century and over the years became perhaps one of America's greatest friends in the Pacific, but also in the world.

The Filipino people are good friends and part of the American family and, since 1946, have always had a close relationship to us and during the Cold War stood with us. Unfortunately during the Cold War the Philippines reverted back during the time, and, again, which did not speak well of the United States, we recognized the demise of democracy under the rule of Mr. Marcos. President Marcos they called him, but one is not a President unless one is elected, so I will have to call him dictator Marcos. During that time corruption thrived, and again the United States did not live up to our own ideals, but yet the people of the Philippines know that we are a country of ideals, and, when we could, we stood with those people, Mr. Aquino, of course, who was assassinated by the Marcos gang, and we stood with the people of the Philippines to help reestablish democracy there.

I think, as a former member of the Reagan administration, that is one of the moments that I am the most proud of, where Ronald Reagan helped ease this dictatorship out of power in the Philippines and eased into place a more democratically oriented group of people. And then today, under President Ramos they have had a magnificently democratic country. We have had freedom of speech, freedom of the press and a growing economy. Under the past regime, they were so corrupt, they could not even grow. Today the Philippines stands as a jewel in the Pacific in the sense that its people are committed to freedom and democracy as we know it here in the United States. They are our good friends.

Unfortunately, here again at times we end up taking the Philippines for granted. We end up trying to give business advantages for our own businessmen to invest in countries like Vietnam that have had no democratic reform whatsoever, or in China, or in other dictatorial countries, even like Indonesia up until this current situation. Why should we ignore those people who are struggling to improve their lives, who are our best friends in the Philippines, and instead direct our people with grants and loans and subsidies for their investments from the IMF and from the Export-Import Bank; why should we direct them towards dictatorships when we should actually be helping our friends in the Philippines?

I am very proud to stand here today to say, I am a friend of the Philippines, and the people of the Philippines are good friends of democracy and freedom and good friends of the people of the United States.

Mr. WEXLER. Mr. Speaker, I yield 2 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. GILMAN. Mr. Speaker, I yield 2 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, I certainly would like to associate myself with the compliments and statements made earlier by my good friend from California and certainly his support for the Philippines.

I rise in support of House Resolution 404, which commemorates 100 years of relations between the good people of the Philippines and the United States. I commend the chairman and ranking member of the House Committee on International Relations, the gentleman from New York (Mr. GILMAN) and the gentleman from Indiana (Mr. HAMILTON), for introducing and supporting adoption of this important measure. I am proud to join these gentlemen and our colleagues on the committee as an original cosponsor of the legislation and also my good friend, the chairman of the Subcommittee on Asia and the Pacific, the gentleman from Nebraska (Mr. BEREUTER).

Mr. Speaker, today we honor an old and enduring friendship that has linked the United States and the Philippines for almost a century. Our relationship dates back to 1898 when Commodore George Dewey sank the Spanish fleet in Manila Bay, ending three centuries of Spanish colonial rule and laying the foundation for Philippine independence from Spain.

For in the next 100 years, Americans and Filipinos have shared a special bond forged in war and strengthened in peace.

Mr. Speaker, the Philippines should be commended for being one of the most vibrant democracies in Asia. Since the people power revolt in 1986 that ousted Ferdinand Marcos, three Presidents have been placed in office by free and fair elections in the Philippines. Last month, Vice President Joseph Estrada was the runaway winner of the May 11 Presidential election against nine other candidates. On June 30, Mr. Estrada, an opposition leader, shall take office from President Fidel Ramos, again marking a smooth transition of power as befits a true democracy.

Under President Ramos' leadership, the Philippines has implemented economic reforms while embracing free market principles. The trade liberalization policy has led to an economic renaissance for the Philippines, going from zero growth in 1991 to an increase over 6 percent GNP in recent years. The United States has been and continues to be the largest trading partner and foreign investor in the Philippines. One-third of Philippines' exports come to America. Two-way annual trade between our two countries has exceeded over $12 billion.

Mr. Speaker, the people of the Philippines and the people of the United States have always had close relations. Today almost 2 million Americans are of Filipino descent, while close to 130,000 U.S. citizens presently reside in the Philippines.

People of the Philippines have always been a trusted ally of the United States in times of conflict. During World War II more than 100,000 Filipinos volunteered for the Philippine Commonwealth Army, fighting under American commanders alongside U.S. Armed Forces. Filipino soldiers also sacrificed their blood alongside U.S. troops in the Korean and Vietnam wars. This friendship and alliance continues today with our mutual defense treaty, which commits our nations to each other's defense in case of external attack, while preserving stability in the region.

Mr. Speaker, because of the deep and enduring ties that have traditionally bound the people of the Philippines and the U.S. together, I would strongly urge our colleagues to adopt this resolution before us. All Americans should honor our good friendship with the Philippines on this important commemoration of their independence, support their continued political and economic progress, and work to maintain the special and close relationship between our sister democracies.

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

Mr. WEXLER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for yielding time to me.

I rise today in very strong support of House Resolution 404, which celebrates

and commemorates the 100 years of relationship between the Philippines and the United States. I take particular pride in rising today to support this resolution as the Chair of the Asian Pacific Caucus for the House of Representatives. We are joined together as Members of this Congress with strong Asian Pacific constituencies, and we have approximately 20 members in our caucus and about 65 Members of the House that have 5 percent or more Asian Pacific individuals in their constituencies.

The Philippines have had an unusual relationship with the United States. One hundred years ago they freed themselves from Spanish rule and began an association with the United States which was not always friendly or pleasant. I am sure there were many torturous years prior to their development of a strong relationship, but the Philippines has always been a friend and an ally, and never more important was that relationship and dependence upon each other than during World War II, when the United States called upon nearly 100,000 Filipinos to join side by side with the United States to win the war in the Philippines and to conquer the enemy forces in the Philippines.

At that time the Filipinos that joined in to help the American forces in the Philippines were promised that they would be accorded recognition and veterans status. Regrettably, the Congress took away that promise in the Rescissions Act of 1946. And so today one of the gnawing difficulties we have in our constituencies in facing the veterans from the Philippines who now live in the United States is this question of when the United States is going to fulfill its honor and its promise.

□ 1715

I would hope that along with the celebration of our relationship of 100 years that we recognize that we have still some unfulfilled promises that we have made to the Philippine people.

The Filipinos in the United States who are living here as residents or as citizens constitute a very large portion of our population. Persons in the United States of Filipino ancestry number over 2 million currently under the estimates that we have received from the Census Office. In my own constituency, there are about 170,000 persons of Filipino ancestry. We celebrate their presence. I cannot think of any other segment in our society that are harder working, more creative, more energetic and more loyal to the United States than those who count as their ancestry the Philippines. And so I agree with the gentleman from California that we should be at this time thinking of ways that we could strengthen this relationship through trade and other kinds of formulations to build their economy and to indicate to the people of the Philippines that it is more than just a token relationship; that they are friends, stable, reliable, and of great economic importance. It is important for this country to extend a helping hand in every way that we can. Hawaii is special because we have elected as our Governor a person of Philippine ancestry of whom we are very proud, the Honorable Benjamin Cayetano.

Mr. Speaker. I rise today to pay tribute to an old and enduring friendship that has linked the United States and the Republic of the Philippines. Friday, June 12, 1998 marks the 100th anniversary of the U.S.-Philippines relationship. I am pleased to join my colleagues in strong support of H. Res. 404 which recognizes the special link that Americans and Filipinos have shared.

As we celebrate this important relationship let us not forget the supremely noble Filipino World War II veterans.

The U.S.-Philippines relationship was indisputable when over one hundred thousand Filipinos, of the Philippine Commonwealth Army, fought side by side with the United States during World War II. Under President Roosevelt's Executive Order of July 26, 1941, the Philippine military was called on to join forces with the United States. Without hesitation they fought with bravery, tenacity and honor along side American forces in the battle in the Pacific Theater. Philippine soldiers who served in regular components of the United States Armed Forces were considered members of the United States forces.

Filipino fighters heroic service prevented the enemy from conquering the Pacific and allowed the United States troops, under the command of General Douglas MacArthur to return to the Philippines. The contributions and valor of these Filipino veterans were instrumental in the United States preparations for the final assault on Japan.

Notwithstanding promises made to these Philippine soldiers in 1946, Congress enacted The Rescission Act which stripped members of the Philippine Commonwealth army of being duly recognized as veterans of the United States Armed Forces.

It was not until 1990 that Congress passed the Immigration Act of 1990 permitting Philippine veterans of World War II to apply for naturalization in recognition of their wartime service.

Today, CBO estimates that at least 28,000 veterans of the Commonwealth Army and Philippine Scouts are U.S. citizens. According to information from the Immigration and Naturalization Service (INS), about 15,000 who live in the United States became citizens between 1991 and 1995 under the authority of the Immigration Act of 1990.

H. Res. 836, The Filipino Veterans Equity Act introduced in February reinstates the benefits of the Filipino World War II veterans unjustly denied by our Act of Congress in 1946. I am pleased to be a co-sponsor of House Resolution.

This year the Congress has the opportunity to address this injustice. The House Committee on Veteran's Affairs will hold a hearing on H. Res. 836. The United States has an obligation and the Congress the responsibility to live up to the original promise made to these soldiers. This year, the 100th Anniversary of our relationship, is a perfect time to correct this wrong.

After answering the call without question and serving valiantly in the defense of the United States, Filipino World War II veterans deserve, their long-overdue benefits.

This year, in many communities in the United States and the Philippines, extensive celebration of the Philippine independence and the enduring friendship between our two countries will occur. I believe it is time to honor our friendship by providing full veterans' benefits to these Filipino World War II veterans, who fought and died side by side with us for freedom and democracy.

Mr. WEXLER. Mr. Speaker, I yield 2 minutes to the gentleman from Guam (Mr. UNDERWOOD).

Mr. GILMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Guam (Mr. UNDERWOOD).

The SPEAKER pro tempore (Mr. STEARNS). The gentleman from Guam (Mr. Underwood) is recognized for 4 minutes.

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

Mr. UNDERWOOD. Mr. Speaker, I commend the gentleman from New York (Mr. GILMAN), the chairman of the committee, for this measure, and I rise in strong support of H. Res. 404.

One hundred years ago, President McKinley, mulling over territories which included Guam as well as the Philippines in the Asia-Pacific region, spoke of the revelation indicating that there was nothing left to do but to take the Philippines and to Christianize them. Obviously, he had forgotten that this had already occurred, and that the process of acquiring the Philippines has become in the beginning of this century one of the great controversies which consumed this country and which actually resulted in a guerilla warfare in which some 4,000 Americans died, 200,000 Filipinos died and over $200 million were spent.

On June 12, 1898, which is on Friday, our time, General Emilio Aguinaldo first unfurled the Filipino flag amidst the strains of the inspiring Philippine National Anthem, declaring that the Philippines had become independent from Spain. In doing so, they became the first indigenous group in the Asia-Pacific region to break the bonds of European colonialism.

Despite that, they soon found themselves ignored in the process of the Treaty of Paris, considered as war booty and eventually ended up under U.S. sovereignty, thus confounding some of the efforts of many anti-imperialists at the time, including Mark Twain, who remarked, ''I am opposed to having the eagle put its talons upon any other land.''

Despite these inauspicious beginnings and conflicted beginnings, Filipinos have remained the strongest and closest ally of the United States throughout this entire century. Filipinos fought, fighting under the American flag in World War I, keeping alive their own resistance effort and participating in their own liberation from the Japanese during World War II under both the U.S. flag and the Philippine Commonwealth banner, and under their own flag the Sun and Stars during the Korean and Vietnam wars.

They have been with us shoulder to shoulder like no other nation on earth.

As we mark the 100th anniversary of Philippine-American ties, I urge my colleagues to reflect upon our relationship with the Filipino people and their republic. As we commemorate and celebrate this important milestone, I would like to remind our colleagues that this would be an opportune time for us to act and resolve long-standing issues that have occurred during the past 100 years, including the Filipino Veterans Equity Act which has been so eloquently spoken to by both the gentlewoman from Hawaii (Mrs. MINK) and the gentleman from California (Mr. FILNER) as well as the return of the Bells of Balangiga. These bells were taken in the course of the guerilla insurrection, a compromise measure has been suggested at the expense of the Philippine government, and we should bring closure to this issue.

This coming Friday, the Sun and Stars will once again be unfurled on the same balcony General Aguinaldo first proclaimed Philippine independence some 100 years before. I think for the Filipino community on Guam, and I am proud to say that my congressional district is the closest to the Philippines, for Filipino communities all over the United States and all over the world and for all people who love democracy and independence, June 12, 1998, is a day to celebrate.

Mr. Speaker, I would like to also bring attention and enter an article on the Philippine Centennial in the debate at this time.

The text of the article is as follows:

Mr. Speaker, this coming June 12, the Republic of the Philippines, Filipinos, and freedom loving people from all over the world will commemorate the 100th anniversary of the declaration of Philippine independence. On this occasion, I would like to share with my colleagues the thoughts of Dr. Eddie Del Rosario, a Filipino-American who has been a long-time resident of Guam. In his article, Dr. del Rosario includes a poem written by Apolinario Mabini, a turn of the century Filipino nationalist who spent two years as a political exile on Guam.

THOUGHTS ON THE PHILIPPINE CENTENNIAL

(By Eddie del Rosario, MD, MPH)

By any measure, a hundred years is a highly significant milestone in any chronicle of a group of people, especially if it marks a great victory after an epic struggle for freedom. The Filipino people, on June 12, 1898, proclaimed their independence from the heavy yoke of colonialism and slavery imposed on them for 377 years, 2 months, 14 days and some odd hours by monarchic Spain. Unfortunately, it was largely ignored by most nations, especially by the defeated foe (Spain) and the ambivalent ally, the United States of America.

On that day, the Filipinos earned the distinct honor of being the first indigenous people in Asia and Oceania to wrest their freedom and independence by force of arms from their European colonial masters. It must have sent shock waves among the imperialist nations of Europe and more than a tingle of delight and renewed hope among the disenfranchised peoples of Asia and the native islanders of Oceania. I venture to guess that the exiled Filipinos called ''deportados'' and their progenies as well as the indigenous people on Guam, Rota, Tinian and Saipan who were likewise subjects of Spain at that time, must have murmured approvingly and must have wondered about their own deliverance.

By all intents and purposes though, it was not a democratic form of government that the leaders of the victorious Filipino revolutionaries proclaimed that day. General Emilio Aguinaldo, 27 years young, was a de facto military dictator. It didn't matter much to the 7 million Filipinos at that time. What mattered most was that they were free from the shackles of the much-hated Spanish despots gathered in military uniforms, priestly cassocks and ostentatious period costumes of the ''Ilustrados''.

When the Philippine flag was finally displayed and raised for the first time from the balcony of that modest and now historic house in Kawit, Cavite, amid the soul-stirring strains of the new Philippine national anthem, the Filipino people broke in cheers and tears. Free at last! Or should it have been ''Free Again!'' since the pre-Conquest Filipinos were one of the freest societies in recorded Oriental history. Just like the pre-Conquest Chamorros in their flying proas, the itinerant and industrious Filipinos of yore cavorted freely among their 7,000 islands in their sleek and fast paraws and vintas. Their age of innocence was soon ended by the light-skinned conquerors from the other side of the world carrying swords and crosses and speaking in a strange tongue.

On that June day, the descendants of enslaved and conquered Filipinos who finally overthrew their masters in a rare, united effort, looked up with awe and reverence at their brown-skinned leaders who looked so young, so powerful, so determined and so trustworthy. The average age of the leaders of the Philippine-Spanish War was about 29 years. In the heady atmosphere of such jubilation marking the birth of a new, independent nation, no one even thought that 14 months later, these same citizen-soldiers would be fighting another foreign invader called ''Americans''. No one, except for a quiet, paraplegic intellectual sitting on his wheelchair by the name of Apolinario Mabini. He somehow knew that the Americans who were supposed to be friends and trusted allies harbored their own design, just like the other European powers, for these beautiful islands. On the last month of that fateful year of 1898, oblivious of the fact that an empowered group of self-determined Asian people overthrew and declared their independence from their powerful conqueror, the Americans pre-empted the Filipinos, the Chamorros, the Cubanos, and the Puerto-Ricanos in one fell swoop. In an arrogant display of naked imperialism and the power of international economics, culminating in the Treaty of Paris, millions of indigenous people found themselves vassals of another foreign power once more. How would colonial Americans have left felt if, right after July 4, 1776, the British sold their patrimony to the French for 20 million pounds sterling without their knowledge? Doubtless, there could have been second American Revolution. And that's precisely what happened in the Philippines 7 months and 22 days after the June 12, 1898 declaration of Phil. Independence and exactly 14 days after the First Phil. Constitution was promulgated, a product of the best Filipino minds in Congress Assembled in a stone church in the town of Malolos, province of Bulacan. All that time, Admiral Dewey knew that every act of self-determination that the Filipino freedom fighters did before and after the Treaty of Paris, consummated between Spain and U.S.A. on December 1898, were exercises in futility. It didn't matter that these brash islanders followed the ''same script and recipe'' that the Americans used in their earlier quest for independence and creation of a constitutional democracy. U.S. Pres. McKinley was determined to save his ''little brown brothers'' from paganism, inspite of the fact that most Filipinos had already embraced the Catholic Faith for hundreds of years.

On Feb. 4, 1899, the first skirmish marking the start of the Philippine-American War occurred on a narrow bridge in San Juan, Rizal adjacent to Manila, the home town of Joseph ''Erap'' Estrada, the newest and the 13th president of the Republic of the Philippines. Once again, true to the words of their national anthem, i.e., ''Land dear and holy, Cradle of noble heroes, Ne'er shall invaders trample thy sacred shores,'' the Filipinos fought gallantly against all odds to repel the American invaders just as they did earlier with the Chinese, the Dutch, the British and the Spaniards. Much later, the Japanese also faced the wrath of the Filipino freedom fighters. Slow to anger, patient as Job, quick to forgive but unrelenting once he begins to fight—such was an apt portrayal of the Filipino by his enemy.

The Philippine-American War turned out to be ''the most shameful episode in American history, worse than Vietnam and the Indian massacres'', quoting noted Filipino columnist and writer, Hilarion Henares, Jr. Based on American official records, Henares noted that where the usual ratio between dead and wounded as 1 is to 5 in the Boer War, American Civil War, Spanish-American War and the World Wars, in the Philippine campaign, it was the exact reverse: for every one Filipino wounded in battle, five were killed. In some instances, ''in Northern Luzon, 1,014 llocanos were killed and only 95 wounded, a ratio of 10 killed for everyone wounded.'' ''Gen. Bell proclaimed: 'All able men will be killed!'' ''Gen. Smith ordered the Massacre of Samar * * * and further ordered that all persons—men, women, and children down to 10 years of age—were to be executed.'' The Americans paid a high price in this bloodly and protracted war. Henares wrote that the Americans had six times more casualties fighting the Filipinos than they had fighting the Spaniards; it took them 42 months to defeat the Filipinos versus 6 months to defeat the Spainards; almost a year longer than it took them to beat the Japanese in World War II. At the height of the carnage, Pres. McKinley denounced the zona system which was instituted to kill all members of a neighborhood for crimes committed by a few. He said, ''It was extermination. The only peace it could beget was that of the grave.''

Apolinario Mabini, the ''Brains of the Phil. Revolution'' and the ''Sublime Paralytic'' who never even wielded a machete nor fired a gun, much like Dr. Jose Rizal whose writings and martyrdom in December 1996 sparked the Philippine Revolution, was considered, ironically, by Gen. Arthur MacArthur (the father of the ''American Caesar'', Gen. Douglas MacArthur) as the most dangerous Filipino alive. Nationalist to the core and extremely brilliant, his blistering disclosures and writings critical of the new American rulers made life miserable and derailed the pacification campaign of the Yankee warloads. Guamanian nationalists would have loved to engage Mabini in great conversations about the ''American Conquistadors'' and their misguided philosophy of ''Manifest Destiny''. On Jan. 15, 1901, Gen. MacArthur threw his hands up and exiled Mabini to Guam to silence him. He followed the footsteps of the Spanish despots who, for 300 years, exiled thousands of men and women to the Marianas because of crimes

committed, real or imagined, against the State and the Church. Among them was Melchora Aquino (Tandang Sora), the ''Mother of the Katipunan.'' Mabini's voice was effectively silenced but no one can break his unconquerable spirit. During his two years of exile in ''Fort Asan,'' he started to master the English language to better parry the thrusts of his new adversaries. Such was the steely resolve of this frail but courageous patriot. His voice may be silenced but not his mighty pen and his sharp mind.

Apolinaro Mabini, together with 52 other political exiles and ''Irreconcilables'' who refused to pledge allegiance to the American flag, made good use of their time to ingratiate themselves with the native populace whom they felt close kinship with. A veritable Who's Who among the Phil. intelligentsia and revolutionaries, they included such luminaries as Generals Pio del Pilar, Mariano Llanera, Artemio Ricarte, and Maximino Hizon; prominent lawyers such as Leon Flores (father of the late Archbishop Felixberto Flores of the Archdiocese of Agana), Pancracio Palting (father of the late Guam Senator Paul Palting), Pablo Ocampo and Julian Gerona; seasoned patriots such as Maximo Lorenzo Tolentino was stayed and lived in Santa Rita, and many others.

For the longest time until his death on May 13, 1964 at the ripe age of 88, Maximo Tolentino was the only living, direct link on Guam between the tempestous past and the idyllic present. He was a living witness of the Philippine Revolution. He consorted with the great and the near-great of that epoch. Tolentino married a Chamorrita, Tomasa Crisostomo Lizama from Julale, Agana and sired a son (who died at the tender age of three) and two daughters, Mrs. Maria T. Ignacio and Mrs. Carmen T. Cruz, both of Santa Rita. As of this writing, the reconciled patriot Tolentino's descendants include ten grandchildren, one of whom is Emilesia T. Anderson who provided valuable information to this writer, and thirty great-grandchildren.

According to Monsignor Oscar L. Calvo, a local clergy and historian, the ''Irreconcilables'' were suave and debonair (''caballeros'' as they were described on Guam). Hardly a weekend passed where there wasn't party to which they were invited. They invariably charmed their way into the hearts of their hosts. They were also allowed to hold parties of their own to reciprocate for the local hospitality. Monsignor Palomo and the U.S. Navy officials often engaged Mabini in long conversations as they promenade in their horse and carriage. Local people and government officials sought their legal assistance and advice which were freely given. There was no record of any attempt by these ''dangerous exiles'' to forment civil disobedience nor rebellion among the native inhabitants. Tony Palomo, a local writer and historian, wrote in the May 7, 1961 issue of the Territorial Sun that according to Maximo Tolentino, Gen. Artemio Ricarte who chose to go to Japan instead after the ''Irreconcilables'' were sent back to the Phlippines, wrote to him to induce him to get the Filipnos in Guam to start an uprising against the Americans. Tolentino wrote back asking Ricarte not to write to him anymore about these things, citing that the Filipnos have adopted Guam as their new home and that they are happy and contented with their families.

After most of the exiles finally decided to swear allegiance to the American flag, they were allowed to sail back to their motherland on Sept. 21, 1902. On the eve of their departure, Marine Sgt. James Holland Underwood gave them a big farewell party. A day after they left, a powerful earthquake shook Guam and demolished the church in Hagatna as well as most of the stone houses on the island.

Mabini was unshaken nonetheless in his resolve not to reconcile with America. Inspite of the ministrations of his brother Prudencio and regular check-ups by an American doctor to ease the distress brought about by his disabilities, he pined for his beloved country as he wrote his ''opus magnum,'' the political masterpiece entitled ''The Rise and Fall of the Philippine Republic.'' Agonizing over his frailty and mortality and fearing that he might die without a country, Mabini finally gave in. He wrote a beautiful and plaintive poem entitled ''Adios, Asan'' which he handed to Maximo Tolentino before he sailed back to the Philippines with Juan Villanio, a Spaniard who fought on the side of the Filipinos. On Feb. 26, 1903, moments after he alighted from the U.S.S. Thomas on Philippine soil, he took the oath of allegiance to the Stars and Stripes. Refusing offers of money and a high government position from U.S. officials, he deigned to live quietly in his nipa hut along the Pasig River in Manila. Barely three months later, he died, a victim of the cholera epidemic of 1903. Thousands of friends and foes alike bade him farewell as a twelve-horse carriage carried his mortal remains along the streets of Manila.

His words ring true almost a century later to remind us that a nation's freedom comes at a great cost.

''. . . Let us fight while a grain of strength is left us; let us acquit ourselves like men, even though the lot of the present generation is conflict and sacrifice. It matters not whether we die in the midst or at the end of our most painful day's work the generations to come praying over our tombs, will shed for us tears of love and gratitude, and not of bitter reproach.''

I like to think that Mabini spent a lot of happy and peaceful moments on Guam. Even now, as one visits his memorial on the quiet and timeless sands of Asan, in between the sound of the breaking waves, I whisper to this great patriot that he did not die in vain; that the American regime, for the most part, showered great benevolence to his beloved people; that the cruelty of the Spanish rulers was not enough to kill the humanity of the Filipino race because their Faith in God sustained them; that the Americans opened up the hearts and minds of a subdued people through the wonders of universal education, that the Americans, through the military genius of Gen. Douglas MacArthur whose father caused him undue torment, more than compensated for their past sins by dying by the thousands alongside their true brown brothers in the defense and eventual liberation of his beloved Philippines from the cruel and avaricious Japanese; that the fruits and blessings of a true democracy are enjoyed everyday by everyone which allows each individual to be independent, productive and integrated with society as a whole; that the Filipinos are well on their way to accomplish greater things, aided and abetted by a government of the people, by the people and for the people, a form of government wished by him for his country and ultimately handed freely by the Americans whom he suspected as just another cruel taskmaster, that on the beautiful island of Guam where he was exiled, there are now tens of thousands of inhabitants of Filipino lineage engaged in nation-building, aware of their proud heritage, thankful to their noble heroes for restoring their dignity as Freemen, ever-conscious of what Dr. Jose Rizal wrote in affirming the inalienability of rights: ''God gave each individual reason and a will of his or her own to distinguish the just from the unjust; all were born without shackles and free, and nobody has a right to subjugate the will and spirit of another.'', and ever-vigliant in guarding the principle that All Men are Created Equal.

If Mabini were alive today, he would exhort us with one of the timeless gems he wrote a hundred years ago in his True Decalogue. ''Contribute to the progress of humanity by developing your own talents, working, studying, honing your abilities, never leaving the path of righteousness and truth. By doing so, you will be honored and being honored, you will glorify God.''

ADIOS ASAN

(By Don Apolinario Mabini)

(English translation from Spanish original)

Adios, Asani Adios, Agana!
We bid thee adieu, We, the unfortunate victims of the love for a sacred ideal;
We vow thee our loyalty for thy humanitarian hospitality.
Adios, Asian! Our favorite village, on whose sands our pains have been sprinkled, and our tears spread;
Your name I shall Never forget.
Adios, Agana! Soon I shall leave thee;
May heaven shower Happiness on thee;
Adios, my brothers, sisters, of my soul
Adios! Farewell! Adios!

Mr. Speaker, I would like to point out that Guam's own role in the Philippine independence movement was significant in that ironically a number of Philippine insurrectionists were put in exile on Guam at the turn of this century and many ties have resulted from that. I urge again this body to pass the resolution and more importantly to address the issues of Philippine veterans equity.

Mr. GILMAN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I would like to thank the gentleman from New York (Mr. GILMAN) for providing me this opportunity to just add a couple of points to the statement that I made earlier about the Philippines. Of course I support the gentleman's position that we should return those bells. It is an insult to the people of the Philippines. There is no reason for a country that is so close to us now that we should not bend over backwards to be sensitive to their pride in those parts of their culture. But let us note when we talk about the Philippines that that is one of the lesser problems and challenges they face. They are working hard to develop their economy, they are working hard and struggling hard to make sure that they maintain a democracy, but one of the greatest threats to the Philippines now comes from mainland China.

The Chinese, the Communist Chinese, are in a territorial dispute with the Philippines, and we in the United States who support democracy, we in the United States who believe in a more peaceful world and a peaceful solution to the problems in the Pacific should stand very closely to the Philippines at this time and let the Communist Chinese know that we will not tolerate the use of military force the Chinese seem bent on doing in their intentions to grab the Spratley Islands.

Already we have been told that a permanent Chinese presence has been established in the last few years in the Spratley Islands. This is outrageous. We have found after just it seems like

a few brief moments of not paying attention that the Communist Chinese have come into the Spratley Islands with their warships and established a presence in the Spratley Islands. This is an act of intimidation, it is an act of a bully, and our best friend in the Pacific, the Philippines, is being bullied by the Communist Chinese. We need to stand by the Philippines by giving them the means that they need at the very least to protect their own interests to their own territory.

To deter this type of aggression from China and belligerence from China, we need to move forward to ensure that as we have surplus ships and airplanes that we are taking out of service from the Cold War, we should be providing these to the Philippines, at no cost or at very low cost, because it does not cost us anything, we are just going to store them out in the middle of the desert, let us give these weapons that are surplus weapons, Cold War weapons, to the Philippines and let them defend themselves so that they can make sure that they deter any aggression in the future. This is what friendship is all about.

As we are now patting ourselves on the back and patting the Philippines on the back for being a democratic country, let us make sure we remember they are in need of somebody standing beside them in this confrontation with China.

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

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

Mr. Speaker, this is an important and a timely resolution recognizing the importance of the Philippines and their relations with our Nation. It is supported by the administration and has significant bipartisan backing. Accordingly, I urge my colleagues in the House to fully adopt this measure.

Mr. ABERCROMBIE. Mr. Speaker, I rise in support for enactment of House Resolution 404, regarding relations between the people of the United States and those of the Philippines.

It is significant that we enact the resolution to salute and congratulate the Philippines on the 100th anniversary of its independence from Spain and its achievement of the establishment of its democracy.

It is also noteworthy that the resolution also thanks the Philippines for aiding the U.S. in World War II, the Korean War and in Vietnam. It underscores the need for Congress to enact the Filipino Veterans Equity Act to extend full veterans benefits to Filipino soldiers who fought along side U.S. soldiers in World War II.

Mr. Speaker, approximately 200,000 Filipino soldiers were under the command of General Douglas MacArthur during the early months of World War II. During that period, our armed forces in the Philippines were isolated from food, medical and ammunition supplies. Filipino soldiers displayed exemplary loyalty and courage in the defense of their nation and fought in every major battle, including Bataan and Corregidor.

Beyond the outstanding conduct of the regular Army forces, after the islands fell to Japan, thousands of courageous Filipinos took up arms to continue the fight through guerilla warfare against enormous odds. Not only did they undermine the occupation forces, but they provided valuable intelligence to U.S. forces in the Southwest Pacific, rescued downed American pilots and diverted powerful enemy forces from deployment elsewhere.

An estimated 60,000 to 80,000 surviving Filipino veterans, however, have been denied the full range and extent of veterans benefits available to American veterans with whom they fought side by side. This is an intolerable situation and we must resolve to remedy this tragic and insensitive dilemma.

I urge my colleagues to review the provisions of H.R. 836, the Philippines Veterans Equity Act, and support the effort to bring the bill to the House floor for debate and enactment.

Mr. BERMAN. I rise in support of H. Res. 404 regarding American-Philippines relations, regarding Taiwan's positive role in the Asian financial crisis and affirming American support for peace and stability on the Taiwan Strait and security for Taiwan's democracy.

There is no more apt time than the centennial of American-Philippine relations to salute the enduring friendship between our two countries. It is a friendship which has flourished despite its tragic beginnings in a conflict first with the Spanish and subsequently with Filipino independince fighters. But we learned from that struggle and subsequently worked diligently to grant independence as quickly as possible. American teachers spread throughout the archipelago bringing the benefits of modern education to the majority of the country. In World War II, Filipino troops fought bravely side-by-side with American forces and Filipino guerrilla fighters were indispensable in the liberation of the Philippines from Japanese occupation. The Philippines continued, even after independence, to be America's most important ally in Asia, again contributing troops to the Korean Conflict and to the Vietnam War. We owe a debt of gratitude, if not more, to our Philippine friends. We all rejoiced when the Filipino ''people power revolution'' overthrew the Marcos dictatorship. The Mulitlateral Aid Initiative for the Philippines that the Amercian Congress launched following the fall of Marcos was an effort not only to demonstrate our support for Filipino democracy but also to show our lasting commitment to an enduring close relationship with the Philippines. This continues to be the basis for our policy and it is instructive that during the current Asian financial crisis it is the democratic country of the Philipines which has so far escaped the worst effects of the crisis

I urge my colleagues to support this resolution of which I am an original cosponsor.

Mr. MENENDEZ. Mr. Speaker, I rise in strong support of H. Res. 404 which commemorates the 100 years of relations between the people of the Philippines and the people of the United States.

As an original co-sponsor of this resolution and a Member who represents one of the largest Filipino communities in the Nation, I am keenly aware of the many contributions that Filipinos have made to this country and of the immense importance of continued good relations with the nation of the Philippines.

As President Clinton once said, the Philippines is our oldest friend in Asia.

This bill recognizes the great sacrifices that the Filipinos made in the struggle against Japanese imperialism in World War II where they fought alongside American soldiers, as they did again in Korea and Vietnam.

In addition to our historic ties, today our nations are also united by our strong economic ties. The Philippines is the twenty-first largest trading partner of the United States and absorbs a large amount of U.S. exports.

As the years pass, I am confident that our bilateral relations will only grow stronger—the bonds between our nations go beyond the diplomatic relations we have with most nations; these are bonds between people fostered by our historic relationship and maintained out of mutual respect and admiration for one another.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the resolution, House Resolution 404.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

ACKNOWLEDGING POSITIVE ROLE OF TAIWAN IN ASIAN FINANCIAL CRISIS

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 270) acknowledging the positive role of Taiwan in the current Asian financial crisis and affirming the support of the American people for peace and stability on the Taiwan Strait and security for Taiwan's democracy, as amended.

The Clerk read as follows:

H. Con. Res. 270

Whereas the President of the United States has announced he intends to travel to Beijing in June 1998 to discuss the common interests of the United States and the People's Republic of China;

Whereas the American people desire strong relations with the people on both sides of the Taiwan Strait;

Whereas it is the policy of the United States Government to take all necessary action to ensure peace and stability on the Taiwan Strait, while continuing mutually beneficial trade relations with Taiwan's vibrant economy;

Whereas the American people have repeatedly welcomed and supported democracy for the people of Taiwan;

Whereas Taiwan set an example for democratization in the region having successfully held free and fair elections at the local and national level and encouraging the development of democratic institutions;

Whereas the American people seek to promote economic stability and growth amidst the current financial turmoil in the Asia-Pacific region;

Whereas Taiwan's economy has weathered the current Asian financial crisis better than others in the region;

Whereas Taiwan has proposed to use various means to help stabilize the economies of many of its neighbors, including possibilities for action by the Asian Pacific Economic Cooperation (APEC) forum of which it is a member;

Whereas Taiwan has expressed its willingness to provide financial assistance to its neighbors;

Whereas in the spring of 1996, the political leadership of the People's Republic of China used provocative military maneuvers, including missile launch exercises in the Taiwan Strait, in an attempt to intimidate the people of Taiwan during their historic, free, and democratic presidential election;

Whereas officials of the People's Republic of China refuse to renounce the use of force against the people on Taiwan;

Whereas the use of force, and the threat to use force, by the People's Republic of China against Taiwan undermines regional stability; and

Whereas a senior United States executive branch official has again recently called upon the People's Republic of China to renounce any use of force against Taiwan: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the United States abides by all previous understandings of a ''one China'' policy and its abiding interest in a peaceful resolution of the Taiwan Straits issue; and

(2) the President of the United States should seek, at the June summit meeting this year in Beijing, a public renunciation by the People's Republic of China of any use of force, or threat to use force, against democratic Taiwan.

Amend the title so as to read: ''Concurrent resolution acknowledging Taiwan's desire to play a positive role in the current Asian financial crisis and affirming the support of the American people for peace and stability on the Taiwan Strait and security for Taiwan's democracy.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this measure.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, I want to commend the distinguished gentleman from New York (Mr. SOLOMON), the chairman of the Committee on Rules, for introducing this timely resolution on Taiwan. I also want to thank the distinguished gentleman from Nebraska (Mr. BEREUTER), chairman of the Subcommittee on Asia and the Pacific, for his support of the measure. I am pleased to bring it to the floor today for consideration.

Mr. Speaker, it is particularly important that the House make a statement on Taiwan, especially in light of President Clinton's fast approaching summit with the Chinese in Beijing. Taiwan is of singular importance to our Nation. Taiwan plays a pivotal role in regional prosperity and stability. But this prosperity and stability can be threatened. We need only to remember back to the ominous period in the spring of 1996 when Chinese M–9 missiles flew across the Strait of Taiwan into international air and sea lanes in a heavy-handed attempt by Beijing to threaten the first democratic elections in 5,000 years of Chinese history. That sort of missile diplomacy on the part of China is unacceptable, and it is appropriate that we call on Beijing to renounce the use of force in settling the Taiwan question.

Finally, I want to commend Taiwan on the development of a vibrant democracy and a robust economy. I want to state my firm belief that the issue of one China must be settled peacefully and first and foremost by the Chinese people on both sides of the Strait of Taiwan, not by one side dictating terms to the other through missile diplomacy or otherwise. I support this resolution. I encourage my colleagues to do so as well.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in support of House Concurrent Resolution 270, which acknowledges Taiwan's desire to play a positive role in the Asian financial crisis and affirms American support for peace and stability on the Taiwan Strait and security for Taiwan's democracy.

I commend the gentleman from New York (Mr. GILMAN) the author of the resolution and the chairman of the Committee on International Relations, also the gentleman from New York (Mr. SOLOMON) the chairman of the Committee on Rules, and other colleagues that have worked toward adoption of this important measure. I am proud to join our colleagues in support of this legislation. Again, Mr. Speaker, I want to also commend the gentleman from Nebraska (Mr. BEREUTER), the chairman of the Subcommittee on Asia and the Pacific for his leadership and support of this measure.

Mr. Speaker, the people of Taiwan should be congratulated for the outstanding accomplishments of this thriving and prosperous democracy of 22 million people. Taiwan is one of the world's most compelling economic success stories, rising from the destruction of World War II to become a global trading power with foreign exchange reserves today second only to Japan.

Despite the financial crisis that has crippled many countries in Asia, Taiwan has shown great resilience. While South Korea, Indonesia, Japan and other neighbors have stagnant economies, Taiwan's gross domestic product is projected to increase by 6 percent in 1998. This maintains the momentum of the past three decades, where Taiwan's GDP growth averaged 9 percent.

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Taiwan's stock market has also survived very well with market capitalization of some $300 billion. Taiwan's stock market has surpassed Hong Kong's to rank second only to Japan's stock market in Asia.

Mr. Speaker, in light of Taiwan's relative prosperity, her offer to extend financial assistance to her Asian neighbors undergoing financial turmoil is welcome and highly commendable. Whether Taiwan's assistance be provided through APEC or another forum, the United States should recognize and support Taiwan's significant efforts to promote economic stability in the Asian Pacific region.

Taiwan must also be commended its significant progress towards democratization with free and fair elections being held at the local and national levels. This movement came to full bloom in 1996 with Taiwan's first Presidential elections. The historic elections were conducted democratically and peacefully despite the threats and provocations issued by the People's Republic of China.

In the spring of 1996, I supported the actions taken by the Clinton administration in sending the *Nimitz* and the *Independence* carrier groups to the Taiwan Strait to maintain peace. China's missile tests and threatened use of force contravened China's commitment under the 1979 and 1982 joint communiques to resolve Taiwan's status by peaceful means. The joint communiques along with the Taiwan's Relations Act are the foundation of our One China policy which fundamentally stresses that force should not be used in resolution of the Taiwan question. Clearly it is in the interests of the United States and all parties that the obligation be honored.

Mr. Speaker, in light of our understanding of the One China policy and its support of the peaceful resolution of the Taiwan Strait issue, I will join our colleagues in urging that the President raise this matter in his summit meeting with Chinese President Jiang Zemin.

I support this legislation and urge my colleagues to support it and to adopt it.

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

Mr. GILMAN. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. SOLOMON) the sponsor of this resolution and the distinguished chairman of our Committee on Rules.

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

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from New York (Mr. GILMAN) for yielding this time to me, and I certainly thank the chairman of the subcommittee as well.

Mr. Speaker, as the author of this very simple resolution, let me just say

that it is necessary because of the continuing belligerent attitude of the Communist Chinese towards our great friends, the people in Taiwan, our stronger allies in the history of this Nation. We all know that Communist China has repeatedly and brazenly refused to renounce the potential use of military force to resolve its disputes with Taiwan, and it has shown on more than one occasion that it is willing to intimidate Taiwan with military force in these modern times, and that is terrible.

Let us recall that in March 1996, while Taiwan was conducting the very first free head of state elections in Chinese history, Communist China sought to intimidate the people of Taiwan by firing missiles just off Taiwan's coast. It was in anticipation of just this sort of rogue behavior which China is noted for by the Communist Chinese that induced those of us involved in writing the Taiwan Relations Act back 19 years ago to insert provisions designed to help defend Taiwan from Chinese military aggression. Go back and read the Taiwan Relations Act, and those provisions clearly state that the United States expects that the future of Taiwan will be decided by strictly peaceful means, and that any attempt by China to do otherwise would be considered a matter of grave concern to the United States of America while obliging the United States to maintain the capacity to resist any resort to force against Taiwan.

My colleagues, that is the law of the land, that is the American law, and it was in response to China's increasingly belligerent tone that prompted this House of Representatives in March of 1996 to pass the Cox resolution, which called on China to renounce force and explicitly informed Congress' views that the United States should, in fact, assist in defending Taiwan from invasion, attack or blockade by the People's Republic of China.

Regrettably this resolution today also seems necessary because of a disturbing trend in the Clinton administration's policy toward both countries. President Clinton has had in place a policy of unmitigated appeasement towards Communist China for 5 years now, but what is new, Mr. Speaker, is that in the past few months leading up to President Clinton's summit in Beijing, his administration has signaled in various ways that it may be ready to reach another Yalta accord with Communist China that would sell Taiwan down the drain. We have heard talk of yet another communique with the PRC. We have heard Secretary Albright talk of a strategic partnership with the PRC, and we have seen several former high-ranking Clinton administration officials, and I must say Republican administration officials as well that served under Reagan and Bush, touring China and Taiwan recently on what looks conspicuously like officially sanctioned missions and delivering the message that Taiwan cannot expect any help from the United States. If it declares independence, then China then invades.

These ''blame the victim'' statements are, of course, immoral, and they are outrageous. They remind me of the sole statements we heard in opposition to lifting the arms embargo from Bosnia from people who said that doing so would embolden the Bosnians. Imagine that. We might just have emboldened people who were being slaughtered, and now we just might embolden our friends, our staunch allies in Taiwan by pressuring the butchers of Beijing to renounce force.

Oh, no, Mr. Speaker, it is precisely because the approach of the China appeasers lacks moral depth that also makes it so strategically myopic and dangerous. Because the Communist leaders in Beijing also lack any morality, they are bound to interpret these emanations from the Clinton administration, if left unchecked, as a sign of dwindling U.S. commitment to the defense of Taiwan. These are exactly the kinds of green lights that Adolf Hitler received in the 1930s and Saddam Hussein and Slobodan Milosevic received in the early 1990s, and we will all know what happened each time that is. The fact is it is they, the Communists, the butchers of Beijing, who will be responsible if they invade Taiwan, and it is they who need to receive the message unequivocally and repeatedly that we expect them to resist using force.

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

I certainly want to compliment the gentleman from New York (Mr. SOLOMON) for his deep understanding of the relationship existing between our country and Taiwan, and certainly like to say for the record I think the Clinton administration took appropriate action in showing our friends in China that two naval embattled carrier groups was sufficient to show that we also meant business. So I think along those lines, Mr. Speaker, I think the administration did the appropriate thing.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. BROWN), a distinguished member of the Committee on International Relations.

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend from American Samoa for yielding this time to me.

Mr. Speaker, I rise in support of this resolution which calls upon the United States to support the people of Taiwan in their democratically-elected government in the face of uncertainties in this increasingly volatile region of the world. I do so, however, with reservations, since this resolution has been amended by the Committee on International Relations since its introduction to reaffirm our adherence to the One China policy.

Mr. Speaker, I would like to address a related injustice facing the people of Taiwan. Since 1972, the Taiwanese people have been denied membership in the World Health Organization. Young children and older citizens who are particularly vulnerable to a host of emerging infectious diseases are without the knowledge and the expertise shared among the member nations of the World Health Organization. With increased travel and trade among the members of our global village, these diseases surely do not stop at national borders and boundaries. So why should we erect boundaries to shared information which would help improve the lives and the health of the 20 million inhabitants of Taiwan?

Due to Chinese opposition Taiwan continues to be denied WHO membership. This hurts the people of Taiwan, and importantly it denies the WHO and all of us in the world community the benefit of Taiwan's knowledge and expertise.

Interestingly the world gains more from Taiwanese membership in the WHO probably than Taiwan gains from membership in the WHO.

The people of Taiwan and their democratically-elected government face many serious threats to their sovereignty. Chinese aggression and their continuing threat of force to settle their claim to Taiwan is a serious problem. Equally threatening are their efforts to continue to thwart Taiwan's efforts to help improve the health of its citizens.

I have introduced legislation urging the President to press Taiwan's case for membership in the WHO and to urge my colleagues to join in this effort. As a free people, we should support the will of the people of Taiwan to choose their own destiny.

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

Mr. GILMAN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Speaker, I rise in strong support of H. Con. Res. 270 and thank the gentleman from New York for yielding me this time.

As everyone in this body knows, the Congress has long played a critical role in the Taiwan relationship. Together with the other body, we have worked with the various Presidential administrations over the years to ensure adequate U.S. arms sales to Taiwan to meet Taiwan's defense needs without provoking an arms race with the PRC or other countries in the region, and this body is, after all, the actual author of the Taiwan Relations Act. It remains the law of the land.

Taiwan and the U.S. now share numerous fundamental values both economically and politically. Last February Taiwan and the United States concluded a market access agreement which provides immediate market access for U.S. agriculture products in Taiwan, for example, as a way of loosening restrictions on U.S. telecommunications firms operating in Taiwan as well. This is important because really it paves the way for Taiwan's membership in the WTO.

Politically Taiwan is now a vibrant democracy characterized by free elections, a free press and dynamic political campaigns. Taiwan's political metamorphosis over the last decade has been fundamentally impressive and serves as a model for peaceful democratic change in the region and beyond.

H. Con. Res. 270, which was introduced by the distinguished gentleman from New York (Mr. SOLOMON) sends a clear message of Congress' deep respect and affinity for the people of Taiwan as well as a firm commitment to seeking a peaceful resolution regarding Taiwan's future. While it is true only the Chinese on both sides of the strait can determine their future, the United States must continue to play a role in ensuring the peace and stability of the region.

Mr. Speaker, this Member would commend the gentleman from New York for introducing H. Con. Res. 270 at this important point in U.S.-Chinese-Taiwanese relations. Mr. Speaker, I think it is particularly important that the Congress act on this legislation before the upcoming summit, and I urge adoption of H. Con. Res. 270.

Mr. GILMAN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROHRABACHER), a member of our committee.

Mr. ROHRABACHER. Mr. Speaker, I rise in support of this resolution, which leaves no doubt on either side of the Taiwan Straits as to just what is American policy.

And it was not that long ago that this administration proclaimed strategic ambiguity as its position on certain issues concerning the China-Taiwan situation. More recently we have been told that President Clinton had some intention of proposing a strategic partnership to the Communist Chinese when he will visit Communist China later on this month. What we need to know is what is a strategic partnership; what does that mean?

When we talk about a strategic partnership with a Communist dictatorship, no wonder the democratic peoples around the Pacific begin to worry about whether or not the United States will stand strong with them against a belligerent totalitarian government like they have in Beijing. A strategic partnership? Well, I hope that President Clinton has put that one away and decided not to use that.

This resolution underscores the Shanghai Declaration that was put in place by President Nixon so long ago during the cold war at a time when it made a great deal of sense to try to make sure that we were not in a conflict with China or with Russia at the same time that that declaration made it very clear that we believe in a One China policy. That was our concession, and their concession was that they would only use peaceful means to settle any dispute with Taiwan.

□ 1745

This resolution reconfirms that declaration so long ago. Some people have been trying to suggest this has been an evolution of our policy, that in some way the talk of strategic partnership may well mean that we have not really maintained this same stalwart position on opposing the use of force against Taiwan.

No, that is what this resolution is about. We again state for the record in this resolution that as far as the Congress goes, yes, there is one China, and, yes, we insist that no force be used against the free and democratic people of Taiwan.

By the way, one note about one China. I believe there is one China, and, just as in the basis of what most Americans believe to be legitimate government, legitimate government is that government that has the consent of the governed. Legitimate government is that government that respects the human rights of its people. That is what our Founding Fathers said, that is what George Washington fought for, and that is what we write in our own founding documents.

So if there is one China, which I believe in, that one China has only one elected government, because the government in Beijing is not an elected government. We have one elected government in China and that is in Taiwan. We have a group of gangsters on the mainland. We have to make sure there is not force or violence to make sure that those two do not go into dispute.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I think, just for the clarity of the record, that the administration is quite clear as far as its policies concerning the one China policy. It is quite clear the administration policy is one of engagement with the People's Republic of China. It is quite firm also, the administration's policy towards Taiwan is to continue the current relationship as it has been in the past. So with regard to the comments of my good friend from California, I think there is no ambiguity about the policy of the administration.

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

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

Mr. Speaker, this is an important resolution stressing Taiwan's importance to our own Nation, and it is supported by the administration and deserves bipartisan support. Accordingly, I urge my colleagues in the House to fully support the measure.

Mr. BERMAN. Mr. Speaker, I urge my colleagues to support H. Con. Res. 270, the resolution on Taiwan. The Congress has always been a strong supporter of Taiwan. Taiwan's transition to a democratic state with a vibrant free market economy has solidified Congressional support. The emergence of a democratic Taiwan is indeed one of the most encouraging developments in Asia over the last decade. A democratic Taiwan is a shining example to all the countries in Asia which linger under the control of one man or one party. This resolution sends a clear signal of our continued interest in preserving Taiwan's achievement.

This resolution calls on the President to seek at his upcoming summit in Beijing a commitment by the Chinese to renounce the use of force against Taiwan. I think this is in China's interest. Sowing the seeds of fear in the Taiwan Strait benefits neither side given the growing trade, travel, and investment between both countries.

Let me also make clear that this resolution, while noting the United States' acknowledgement that China believes that Taiwan is part of China—the so-called ''One China'' policy, is not an endorsement by the Congress of the Chinese perspective. Taiwan no longer claims that it controls China. Only when China makes a similar declaration will both sides be able to move beyond their present conflict to its resolution. There is one China, but it does not include Taiwan.

I would also take this opportunity to urge the Administration to fulfill the commitment it made in its Taiwan policy review to seek membership for Taiwan in appropriate international organizations. Taiwan's singular political and economic achievement give it the potential to play a tremendous constructive role in the international community. As this resolution suggests, Taiwan has proposed to assist its neighbors in the recent Asian financial crisis. It could play more of a role if given the chance. I would urge special consideration be given to finding a role for Taiwan in the World Bank, International Monetary Fund, and World Health Organization. Just as it made no sense for the United States to pretend that China did not exist during the Cold War, it is equal nonsense to pretend that Taiwan does not exist in the post Cold War period.

I urge my colleagues to support this resolution of which I am a cosponsor.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of this resolution, which asks the President to seek to improve the relationship between Taiwan and China.

President Clinton's trip to China this month presents an opportunity to address a multitude of issues which will substantially effect the Pacific Rim, as well as American interests in the Pacific Rim. Taiwan's security is one such issue that should be discussed.

I understand that the relationship between Taiwan and the Chinese government is a tense one. This resolution seeks to reduce that tension by asking China to abstain from the use of military force in resolving the dispute.

In 1996, when China displayed a show of force in the Taiwan Strait, it was not just the people of China and Taiwan that were ill at ease, it was unsettling for the entire region. There is little doubt that the fragility of the situation poses a significant threat to American businesses that we want to protect.

I encourage the President to express to China our concerns for the stability of the region, and the importance that any dispute be resolved in a peaceful manner. And announce his support and America's support for the safety and security of the Democratic country of Taiwan—the Republic of China.

Mr. ORTIZ. Mr. Speaker, I rise today in support of H. Con. Res. 270, acknowledging the importance of the Taiwanese leadership in the current Asian financial crisis, as well as the importance of the stability of the Taiwanese

Strait. I consider myself a good friend of Taiwan, and I am proud of the relationship that my Congressional District has with the government of Taiwan. Mr. Speaker, we all know that international trade is the essence of prosperity in this new economic era. There is perhaps no country which offers more promise for the United States and my home state of Texas than Taiwan.

I am proud of the role I have played in laying the foundation for our nation's relationship with Taiwan. It is my belief that the United States should embrace the people of Taiwan in matters of trade as the friends that they are.

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

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 270, as amended.

The question was taken.

Mr. BEREUTER. 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. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

IRAN MISSILE PROLIFERATION SANCTIONS ACT OF 1997

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 457 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 457

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2709) to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles, with the Senate amendments thereto, and to consider in the House a single motion offered by the chairman of the Committee on International Relations or his designee that the House concur in each of the Senate amendments. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore. The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purpose of debate only, I yield my friend, the gentleman from Ohio (Mr. HALL), the customary 30 minutes, 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 on this subject only.

Mr. Speaker, H. Res. 457 is a very straightforward rule designed to facilitate the last step in the legislative process for H.R. 2709, the Iran Missile Proliferation Sanctions Act of 1997.

Members may remember that this legislation was overwhelmingly approved by this House on a voice vote through the suspension process in November of last year. The other body considered the House bill and passed it on a 90 to 4 vote just a few weeks ago, changing only two dates in the legislation to reflect the passage of time and intervening events that occurred since the House first acted this past November.

Therefore, the purpose of this rule is to allow the House to concur in the action taken by the other body so we can send this measure on to the President, who will, we hope, sign it into law expeditiously.

In technical terms, Mr. Speaker, this rule provides for a single motion offered by the chairman of the Committee on International Relations or his designee to concur in each of the Senate amendments, which are as I have just explained. The rule provides that those Senate amendments and the motion shall be considered as read. The rule then provides for 1 hour of debate in the House, to be equally divided between the chairman and ranking minority member of the Committee on International Relations. It is a very simple rule, very straightforward, very fair, and, I believe, will get the job done quickly.

Mr. Speaker, in recent days and weeks Americans have been jolted back into reality from what has been a lulling period of complacency about the threat of weapons of mass destruction in this dangerous world. The President has said repeatedly and pointedly that tonight our children will go to bed with no nuclear weapons pointed at them. Unfortunately, he was wrong. The world is a more dangerous place today. Events in India and Pakistan, allegations about advances in the Chinese missile program, and the potential for serious danger to our national security dominate the news these days.

We have seen that nuclear weapons remain a tremendous threat to world security and peace, and we understand quite well that those who seek to proliferate in this deadly weapons race have not learned the terrible lessons of history.

Proliferation of weapons of mass destruction is a major issue of concern for the intelligence committees, for the Committee on National Security, for all the Members of the House and the other body, and, indeed, for every American. I must say that as chairman of the Permanent Select Committee on Intelligence, I continue to be more than disappointed in the Clinton administration's approach to dealing with this issue, especially as we have seen it unfold in the past few weeks.

I remain dismayed that time and time again it seems that the administration is willing to place perceived economic interests ahead of national security interests. The legislation we are bringing forward today is designed to send a strong signal to the world that we do not endorse such an approach and we specifically will not condone the transfer of missile goods or technology to Iran, a rogue nation that sponsors state terrorism and is actively engaged in weapons proliferation.

We know that Iran's intentions, with or without Khatemi, are clearly not in the best interests of our national security or our global stability. Yet that nation's capabilities are fast approaching the ability to produce medium- and long-range ballistic missiles. This legislation puts any foreign persons or entities who persist in providing missile technology to Iran on notice that their actions will result in stiff sanctions.

We are specifically interested in signaling to Russia and Russian firms that we expect their actions to speak as loudly as their words they used when, in January of this past year, the Russian Prime Minister issued a decree tightening legal controls on Russian exports of missile technology.

I think it is significant that the other body chose to use this January 22, 1998 date of that Russian decree as the effective date for the provisions of this legislation to underscore the importance of Russia implementing its stated policy. We are challenging them fairly and squarely to stop cheating, and we are saying to the Clinton administration, no more winking at violations, no more giving the benefit of the doubt to those who do not deserve it.

Mr. Speaker, this is a simple and fair rule, and I urge Members to support it and support the underlying bill, which is an important and vital message.

I also remain hopeful that the President will do the right thing and sign this legislation into law as soon as possible.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank my colleague, the gentleman from Florida (Mr. GOSS), for yielding me this time.

Mr. Speaker, this rule, House Resolution 457, provides for the consideration of Senate amendments to H.R. 2709. This is a bill that imposes sanctions on foreign individuals and companies to block Iran from acquiring the capability to build ballistic missiles. It is directed primarily at Russian companies. As my colleague from Florida described, this rule provides 1 hour of general debate, to be equally divided between the chairman and ranking minority member of the Committee on International Relations.

Mr. Speaker, there is little disagreement in the House over the intent of this legislation. The House passed it by a voice vote last year, and there is support for the measure on both sides of the aisle. Though the Russian Government has taken a number of positive

actions in the last year, including issuing several regulations, we need to see implementation of these regulations. We need to see the Russian Government increase border security and step up punishment of those who are involved in the illegal transfer of missile technology.

Despite the clear need for more action, I want to point out to my colleagues that there is some difference of opinion about bringing up the resolution at this moment. Later this month, U.S. and Israeli officials plan to get together and compare intelligence they have gathered regarding the transfer of missile technology to Iran. It may be more appropriate to wait until we have the benefit of that information.

Also there are new high-level discussions between our National Security Council and its Russian counterpart to address this very problem, and we need to coordinate with the administration on timing to make sure that we strengthen our position in dealing with Russia, not weaken it. Some observers argue that congressional action at this time is premature, when we are actually seeing some of the fruits of our efforts to stem the flow of technology to the Iranian government.

Mr. Speaker, despite these reservations about bringing the resolution to the floor at this time, I will not oppose the rule, so that the House will have the opportunity to fully debate the issue.

Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. GEPHARDT), the minority leader.

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

□ 1800

Mr. GEPHARDT. Mr. Speaker, I rise today as a cosponsor and strong supporter of this legislation, but I do not think that it is the proper time to be holding a vote on this bill. I believe it is premature to act today on this legislation.

The intention in writing this bill was to influence the Russian Government's policy regarding the transfer of sensitive missile technology to Iran. This bill sought to demonstrate to Russia's leaders that we take these transfers very seriously and that we expected them to as well.

The development of ballistic missiles by Iran poses a threat not only to U.S. forces in the Middle East, not only to Israel and other U.S. allies in the region, but to Russia's national security as well.

There is evidence that Russia's leaders have received the message of this bill and have begun to address our concerns. The Russian Government has taken a number of steps to prohibit such exports and is working to implement measures that will effectively prevent them from occurring, but it needs to do more.

I believe that we must have action to stop these exports, not simply words and decrees. The Russian Government needs to convince us in a clear and comprehensive manner that it is exerting a 100 percent effort to prevent these transfers.

After an intense dialogue between some of our Nation's most senior diplomats and their Russian counterparts, we may be on our way to finally achieving this goal. In the past few months, we have begun to see evidence of Russia's leaders moving to close off channels of cooperation with Iran.

That is why I am concerned with the timing of this legislation today. The passage of this bill would, in effect, demonstrate an admission of defeat, that we have failed to influence Russia's government to this problem, and we are, instead, resorting to sanctions against individual companies that have engaged in these dangerous exports.

I am not ready to admit defeat. It is too early to throw in the towel, and neither is our closest ally in the Middle East.

Two weeks ago I visited Israel and met with Trade Minister Nathan Sharansky at his request regarding the transfer of missile technology from Russia to Iran. Minister Sharansky had just returned from Moscow where he had discussed this matter with senior Russian officials.

Minister Sharansky made two key points to me. First, he urged that the United States continue to press the Russian Government to take effective and tangible steps to stop the flow of missile technology to Iran. Second, he urged that we give the key players in the Russian Government an opportunity to implement what he thought were important measures to address this problem.

After visiting Israel, I then went to Moscow myself to discuss this and other issues with Russian officials. I met with Russia's new Security Council Director Andrei Kikoshin, who explained to me that the transfer of missile technology to Iran is as much a threat to Russia as it is to the United States or any other country in the world. He then described the steps that he and the Russian Government are taking to stem the flow of technology to Iran and laid out plans for additional steps in the immediate future.

Minister Kokoshin will visit Washington next week and has asked to meet not only with administration officials, but also with congressional leaders to update us on his government's actions to address our mutual concerns about these dangerous exports.

I also understand that in 2 weeks United States and Israeli intelligence officials will meet to compare information on the status of missile exports to Iran and to assess the effectiveness of steps the Russian Government is taking to stop them.

With all of these activities taking place right now, I am concerned that the passage of this legislation today will signal to Russia that we care more about sanctions than we do about the efforts it has made to address our concerns.

Passage of this bill would suggest that we do not want to work with them on cooperative efforts to stop future transfers, but, rather, are content to impose penalties on past transfers. It could very well create unintended obstacles for the efforts of Russian leaders to implement the very export controls needed to stop the flow of technology to Iran.

I also met with leaders in the Russian Duma, the Speaker of their Duma, the Deputy Speaker of the Duma. They both said that they were undertaking to pass legislation in the Duma that would be consistent with export flow legislation that has been passed by all of the G–8 countries.

I had hoped that we could monitor developments on this issue over the coming few weeks and then make an informed and reasoned determination about how to proceed. That is what I understand our friends in Israel wanted us to do as well. Consequently, I will be compelled to vote present today as an expression of my personal view that a vote on this bill today is premature.

Let me be very clear in conclusion, we may have to enact this legislation in the very near future if our collective judgment is that Russia is not taking adequate steps to address this issue. We do not want to repeat our experience with China where, despite repeated assurances to the contrary, they continued to proliferate missile technology to unstable or rogue regimes.

We will not repeat those mistakes when it comes to Russia. We must act decisively in the event that the Russian Government is unresponsive to our concerns. But I do not believe we are able to make such an informed judgment today.

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

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

Mr. Speaker, I just wanted to make a few remarks in response to the distinguished minority leader's information that he has shared with us on the floor.

It is true he has just been in Russia, and I admire the energies he has put into this process. I would suggest, however, that if the only problem is timing, that we are better going ahead now rather than waiting.

I would note that when we wait, bad things seem to happen. We waited in the Southeast Asia area after the Pakistanis flew a provocative missile, and we discovered that the Indians felt compelled to do some nuclear testing, which, of course, then led to the Pakistanis doing some nuclear testing, which then led to all the other proliferators in the area wanting to get in on the act.

I do not think now is a time to be sitting by waiting. I think now is a time to be making a very clear, strong statement. I do not believe there should be any doubt about where the

United States Congress stands on the subject of proliferation between Russia and Iran or any other proliferation of weapons of mass destruction in the world.

Especially when Minister Kokoshin comes here, I think it would be most useful if we had a very strong vote so that there is a clear understanding that there are some matters in terms of cooperation that are not negotiable.

Cooperation means cooperation in a meaningful way. It does not mean more appeasement. It does not mean winking. It does not mean blinking. It does not mean nodding at nuclear proliferation. It means not tolerating it, period.

I believe this vote sends that message. I believe now is the right time. I am prepared to call for the vote after I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, will the gentleman yield.

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

Mr. GILMAN. Mr. Speaker, the minority leader, the gentleman from Missouri (Mr. GEPHARDT) has indicated they need some more time in the Russian Duma and the Russian administration to meet some of the requests that we are making with regard to this measure.

Let me ask the gentleman in a colloquy, if we were to pass, and I hope we will pass, this measure today, it then goes to the President. The President has 10 days in which to act. In the time he acts, if he does veto it, as he says he may do, it comes back, we are talking at least 3 weeks, are we not, before the measure comes back before the House?

Mr. GOSS. It is possible that that is a correct scenario.

Mr. GILMAN. Mr. Speaker, it would seem to me, in that 3-week period, the Duma would have certainly sufficient time in which to accomplish whatever they want to accomplish.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider is laid upon the table.

Mr. GILMAN. Mr. Speaker, pursuant to House Resolution 457, I move to take from the Speaker's table the bill (H.R. 2709) to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles, and to implement the obligations of the United States under the Chemical Weapons Convention, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. GILMAN moves that the House concur in the Senate amendments to H.R. 2709.

The text of the Senate amendments is as follows:

Senate amendments:

Page 2, lines 15 and 16, strike out ''August 8, 1995—'' and insert ''January 22, 1998—''.

Page 6, lines 24 and 25, strike out ''August 8, 1995—'' and insert ''January 22, 1998—''.

The SPEAKER pro tempore (Mr. STEARNS). Pursuant to House Resolution 457, the gentleman from New York (Mr. GILMAN) and the gentleman from Mr. Indiana (Mr. HAMILTON) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 2709, and the Senate amendments thereto.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, the bill before us, H.R. 2709, the Iran Missile Proliferation Sanctions Act, will make the world a safer place. It closes loopholes in our counterproliferation laws to address a matter of critical concern to our national security, the risk that Iran may soon obtain from firms in Russia and elsewhere the capability to produce its own medium- and long-range ballistic missiles.

Mr. Speaker, I introduced this legislation on October 23 of last year. Before we passed it by voice vote on November 12, it had over 240 House cosponsors, including both the Speaker, the gentleman from Georgia (Mr. GINGRICH), and the Democratic leader, the gentleman from Missouri (Mr. GEPHARDT).

The urgency of this legislation is apparent from recent press reports. As a result of critical assistance from Russian firms, Iran is making steady progress in developing medium- and long-range ballistic missiles. Unless something happens soon, Iran will be able to produce its own medium-range missiles within less than a year.

If the assistance from Russia continues, Iran is soon going to be able to produce long-range ballistic missiles as well, which will threaten not only the stability of the Middle East region, but the entire European continent as well.

For more than a year, our government has been in constant dialogue with Russia about stopping their assistance. Thanks in large part to the pressure brought to bear by this very legislation that we are considering today, some progress has been achieved, at least on paper.

Most importantly, on January 22 of this year, the Prime Minister of Russia issued an executive decree tightening legal controls on Russian exports of missile technology. That decree gave the Russian Government the legal authority it needed to block the transfer of missile technology to Iran. But in the nearly 6 months since that decree was issued, it has become apparent that the Russian Government is not fully committed to implementing it.

The fact is that even though there has been progress in some areas, the overall picture remains very discouraging. The evidence suggested that at least some elements of the Russian Government continue to believe that the transfer of missile technology to Iran serves Russian interests.

We in the Congress cannot change the misguided foreign policy calculations of some Russian officials, but we can give Russian firms that are in a position to sell missile technology to Iran compelling reasons not to do so. That is the purpose of the legislation presently before us.

□ 1815

I submit to my colleagues, the sanctions which this legislation threatens to impose will force such firms in Russia and elsewhere to choose between short-term profits from dealing with Iran and potentially far more lucrative long-term economic relations with the United States.

To those who say that we should rely on the good faith of the Russian government rather than enacting this legislation, I respectfully submit that the Russian government has nothing to fear if it acts in good faith. It is only if Russia does not enforce its declared policy that they need fear any sanctions under this legislation.

In fact, enactment of H.R. 2709 will complement the administration's diplomatic efforts, and will provide a valuable enforcement mechanism to ensure that the actual behavior of Russian firms conforms to declared Russian policy.

Mr. Speaker, we passed H.R. 2709 by a voice vote on the suspension calendar. On November 12 of last year we sent it over to the Senate, and on May 22 of this year the Senate passed that legislation by a vote of 90 to 4.

The Senate also adopted two amendments which requires us to act on the measure once again. The Senate amendments are very straightforward. All they do, in effect, is insert a new effective date into the legislation. When we passed the bill last year our effective date was August 8, 1995, the date on which Russia joined the missile technology control regime.

I submit that the new effective date adopted by the Senate is January 22, 1998, the date of the new executive decree in Russia, and it has not made any other major changes. Because the House passed this legislation before that decree was issued, we naturally had a different effective date, but now that the Russian decree has been issued, I agree with the Senate that it provides an appropriate effective date for this legislation.

Accordingly, Mr. Speaker, I strongly support the Senate amendments, and I strongly urge the House to concur in them.

Mr. Speaker, I recently received the Statement of Administration Policy on this legislation, and was very disappointed to learn that the Administration does not support this bill.

One of the Administration's complaints is that ''the standard of evidence is too low and could result in the imposition of an unknown number of erroneous sanctions on individuals or business entities.''

What the Administration fails to understand is that they have forced us to lower the evidentiary standard in this bill by their hesitation under other laws to impose sanctions even in the face of overwhelming evidence that sanctionable activity has taken place.

The ''credible information'' requirement of this bill is intended to be a very low evidentiary standard. For purposes of this bill, ''credible information'' is information sufficient to give rise to a reasonable suspicion. It is information that is sufficiently believable as to raise a serious question in the mind of a reasonable person as to whether a foreign person may have transferred or attempted to transfer missile goods, technology, technical assistance, or facilities of the type covered by the legislation. ''Credible information'' is information that, by itself, may not be persuasive. It is information that, by itself, may be insufficient to permit a reasonable person to conclude with confidence that a foreign person has transferred or attempted to transfer missile goods, technology, technical assistance, or facilities subject to the legislation.

We have adopted this very low evidentiary standard because of our dissatisfaction with way the evidentiary standard contained in other counter-proliferation laws has been applied. These laws, including the missile technology proliferation sanctions of section 73 of the Arms Export Control Act and the Iran-Iraq Arms Non-Proliferation Act, essentially contain a ''preponderance of the evidence'' standard. Under these laws, sanctions for proscribed transfers need not be imposed until the President determines that such a transfer in fact occurred. In practice, however, the Executive branch generally has delayed imposing sanctions until all doubt about whether a transfer occurred has been erased. In effect, the Executive branch has elevated the evidentiary standard of these laws to a requirement of ''proof beyond a reasonable doubt.'' We believe that this practice has undermined the effectiveness of our non-proliferation laws by blunting their intended deterrent effect. Accordingly, in order to ensure the effectiveness of this bill, we have adopted a lower evidentiary standard.

We see no reason not to impose the sanctions provided by this bill, on foreign persons about whom there is credible information that they may have made a transfer or attempted transfer covered by the bill. The three sanctions that this bill would impose on such persons—prohibitions on providing U.S. assistance, exporting arms, or exporting dual-use commodities to such persons—are all matters within the sole discretion of the United States government.

No one has a right to receive U.S. assistance. Because our foreign aid resources are limited, decisions have to be made everyday about who should receive our assistance and who should be denied our assistance. This bill basically directs that in any case where there is any doubt about whether a potential recipient of U.S. assistance has transferred or attempted to transfer missile technology, that person will be denied U.S. assistance. The Administration may believe we are being too harsh with this approach, but in fact they would have a hard time explaining to Members why we should provide limited U.S. foreign assistance funds to persons who we suspect may have made or attempted to make improper transfers of missile technology.

The same is true with regard to exports of arms and dual-use commodities. No one has a right to receive such exports from the United States. And, as a matter of national policy, we seek to deny such exports to foreign persons who cannot be trusted with U.S. arms or dual-use commodities. Why shouldn't the President be required to deny such exports to persons who we suspect may have made or attempted to make improper transfers of missile technology?

Mr. Speaker, there is also one technical point with regard to title II of H.R. 2709 that Chairman HYDE of our Judiciary Committee has asked me make.

Section 273 of H.R. 2709 replaces the exceptions to the automatic stay in paragraphs (4) and (5) of 11 U.S.C. 362(b) with both a broader exemption for governmental units and explicit language embracing organizations exercising authority under the Chemical Weapons Convention. Although Members of this body were not involved in crafting this provision, we view it as important for the legislative history to emphasize that the new paragraph (4) relates only to enforcement of police and regulatory power—a term which cannot appropriately be given an expansive construction for purposes of interpreting the new Bankruptcy Code language. The automatic stay, for example, will continue to apply to the post-petition collection of pre-petition taxes because such collection efforts are not exercises of police and regulatory power within the meaning of new paragraph (4) of Bankruptcy Code section 362(b). The language of section 273 of H.R. 2709 also explicitly excludes the enforcement of a money judgment—and exclusion designed to ensure that an exemption from the automatic stay cannot successfully be asserted for such an enforcement effort.

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

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

Mr. Speaker, I rise in opposition to this bill. I am fully aware, of course, of how the votes will go in a few minutes, but I think it is important to set out the reasons in opposition to the bill. I hope it is agreed upon by all of us in this Chamber that we want to stop the transfer of missile technology to Iran. I want to do that. I know the supporters of the bill want to do that. I think the real question before us is not whether we want to stop the transfer of missile technology to Iran. We certainly do. The question really is the most effective way to achieve that goal.

I oppose this bill for three principal reasons.

First, the bill takes some hostages. The consideration of this bill has delayed for over a year another very important bill. The bill before us links a missile sanctions bill, H.R. 709, to the very important Senate-passed chemical weapons convention implementing legislation, S. 610. I believe the House should take S. 610 from the desk today and pass it so that it can be sent to the President for his signature.

Secondly, if enacted, this missile sanctions bill, in my view, will make it harder, not easier, for the United States to stop missile technology transfers from Russia to Iran.

Third, this bill is seriously flawed. Let me spell out my opposition in more detail.

First, this bill is holding up action, and has held it up, on the completion of implementing legislation on the chemical weapons convention. The Senate acted in May of 1997 on S. 610, the chemical weapons convention implementing legislation. That bill has been sitting at the House desk for over a year. By attaching it to this missile sanctions bill, the House has delayed action for over 1 year.

Because of that delay, the United States is now out of compliance with its obligations to the chemical weapons convention. It will continue to be out of compliance until this implementing legislation, S. 610, is enacted.

Without this legislation in place, the U.S. chemical industry has no legal basis for providing data to the United States government, as required under the convention. Without this data from industry, the United States has been unable to submit its industry declaration, as we are required to do under the convention.

The United States, then, is now in violation of its treaty obligations. I believe we are now in the second year of violation. If we are not in full compliance with the chemical weapons convention, the United States cannot use its substantial influence for full compliance by others. We cannot press other parties to live up to their treaty commitments until we live up to ours.

Our failure to complete action on implementing legislation provides excuses for other countries to avoid full compliance with the treaty. Out of the 110 treaty members, some 28 have failed to submit information required under the treaty on their chemical industries. We give comfort to those in Russia, China, and Iran, and elsewhere who want to slip out of treaty compliance when we ourselves do not comply.

So we should not act on this bill. We should take from the House desk and pass today S. 610 so that the President can sign it, so that the United States will be in compliance with a treaty to eliminate chemical weapons.

Secondly, I believe, as I have indicated, that the Congress and the executive branch share the same policy goal. Everybody in this Chamber wants to stop the transfer of missile technology to Iran. The question before us is the most effective way to achieve that shared goal. Stopping the transfer of missile technology to Iran requires cooperation between the United States and Russia and the United States and its allies. The United States cannot

stop the transfer of missile technology to Iran without cooperation.

The administration, from the President on down, including every senior official on the national security team, has spent a great deal of time and effort over the past 10 months working to stop Russian missile technology transfers to Iran. Important progress has been made through cooperation.

The Russian government has issued repeated, authoritative statements at the highest levels in opposition to the proliferation of weapons and the technologies of mass destruction. President Yeltsin is committed to stopping these transfers.

On January 22 the Russian Prime Minister issued a catch-all export control decree. That decree empowers Russian authorities to stop any technology transfer to an end user that is developing weapons of mass destruction. Regulations have been issued and the United States and Russia are working closely. Iranians involved in weapons programs have been expelled from Russia. Russian authorities are more vigorous in monitoring suspicious individuals and companies.

Of the 13 cases of concern to us, there has been significant positive action on half of the cases. This cooperative approach is not perfect, but it is producing results. If this bill is enacted, cooperation and results will diminish.

On the remaining cases that are before us, clearly more needs to be done. The administration is convinced that more can be done. National Security Advisor Berger has established an important dialogue with his Russian counterpart, Kokoshin. The problem the United States faces today is not Soviet power, it is Russian weakness. The government of Russia cannot collect enough taxes, pay its soldiers on time, or, in the immediate problem before us, enforce effective export controls.

In March, the United States and Russia set up a working group on export controls. That group met in April. We have in this country long experience on export controls, and we are now sharing that expertise with Russia. We are giving briefings, we are providing advice, we are reviewing their regulations and procedures. We are helping Russia to establish a process that is transparent and that is consistent with international norms.

Right now Russian officials and representatives from the electronics industry are in the United States taking an export control workshop. Next, we will train Russians from the aerospace industry. The Russians welcome more export control assistance, and we are willing to provide more assistance. There is no way to build an effective export control system in Russia other than working with Russians to build that system.

Sanctions will not solve proliferation problems with Russia. Cooperation, close cooperation of our export control experts with their officials, offers the best handle to get at this problem. Russian leaders can say and do all the right things about stopping missile transfers to Iran, but it will take an effective export control system to turn those words into actions. Helping Russia develop that export control system I believe is in the American national interest.

The question we need to ask is whether we will make more progress with Russia by going ahead with this sanctions bill now. The threat of sanctions I agree has been helpful in focusing Russian attention and getting Russian cooperation. But when this bill is passed tonight, it goes directly to the President. The enactment of this bill and the applications of the sanctions will be harmful. It will mean less Russian cooperation, not more. That is, of course, not my view alone. It is the view of the President, the Vice President, the National Security Advisor, and the Secretary of State.

It is also the view of senior Israeli officials, who recently visited at the White House with congressional leaders, as we just heard from the minority leader a moment ago. Israeli officials see this bill as useful pressure, but they are content to wait for a number of weeks. They see a new government in Moscow. They want to give the new Russian team some time, and give them a chance to carry out their commitments. They are not pressing for action on this bill now.

Third, this missile sanctions bill I believe has several serious flaws. The bill establishes too low a threshold for the imposition of sanctions. It would require the President to report and impose sanctions based on credible information it receives about transfers or attempted transfers of missile-related goods and technology to Iran.

''Credible information'' is not defined in the bill, and is subject to broad interpretation. One report or one phone call could trigger a requirement to report and impose sanctions. This credible information standard in this bill is unprecedented in nonproliferation sanctions laws. It would require sanctions even when information later proves inaccurate.

Every sanction law currently on the books leaves the evidentiary determination of sanctions to the executive. The executive historically has applied a high evidentiary standard. That standard is high because of the serious consequences of an error. An error would harm U.S. industry and it would harm our nonproliferation policy. Sanctions imposed in error could needlessly damage U.S. credibility with other governments and our efforts to prevent Iran from obtaining missile technology.

What is missing from this bill is any balancing of judgment. This bill has no requirement for weighing evidence. It has no requirement for the preponderance of evidence. On any complicated issue, there is bound to be conflicting information. There will be credible information pointing one direction and credible information pointing another.

□ 1830

But the bill allows for no judgment. One single bad report could trigger sanctions. The bill has no requirement that actions subject to sanctions be taken knowingly. Sanctions would be imposed on entities unaware that items are going to Iran or will be used in missiles. Such a provision is fundamentally unfair and will undermine U.S. credibility and the willingness of foreign entities to cooperate with the United States.

The bill sanctions U.S. subsidiaries of foreign firms, whether or not they participated in or were even aware of a transaction. The bill's standard for a waiver, essential to the national security interest of the United States, is a very high standard. It does not give the President sufficient flexibility to carry out his responsibilities under the Constitution for the conduct of American foreign policy.

Mr. Speaker, I believe this bill will have a strong negative impact on the American national interest. It will slow down our ability to get to the President a bill that he will sign so that we can meet our treaty obligations under the Chemical Weapons Convention. It will lead to less, not more, cooperation from Russia on stopping the transfer of missile technology to Iran.

Sanctions will not stop Russian firms from dealing with Iran. Some Russian firms are beyond the reach of U.S. sanctions. All of them are beyond the ability of the United States to control. Only the Russian Government can stop Russian firms from dealing with Iran.

Sanctions put at risk all the cooperation we have made working with the Russian Government to stop missile transfers to Iran. Russia's leaders agree with us. They are working with us. They have made some progress, but not enough progress. They say they want to make more progress. If we now turn around and sanction them, we put at risk all the progress we have made in stopping missile technology transfers.

The bill will also harm overall United States-Russia relations. The Duma is moving forward this month with hearings on START II treaty ratification. Russia is in the middle of a financial crisis. We should be sending a signal of support for Russia's actions in support of arms control and financial reform. So this bill sends the wrong signal to the Russian Duma and to financial markets. We send a chilling signal that will harm our own interests.

Mr. Speaker, I close by quoting the administration's statement of policy. ''The administration strongly opposes H.R. 2709, the Iran Missile Proliferation Sanctions Act of 1997. The President's senior advisors would recommend that the President veto H.R. 2709, if it is presented to him in its current form. H.R. 2709 would not improve the ability

of the United States to halt the transfer of missile technology to Iran. On the contrary, H.R. 2709 would weaken the U.S. ability to persuade the international community to halt such transfers to Iran. The bill's broad scope, retroactivity, and indiscriminate sanctions would undermine U.S. nonproliferation goals and objectives.'' End of quotation.

Mr. Speaker, I urge a ''no'' vote.

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

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

Mr. Speaker, I just wanted to clarify one of the gentleman's statements. I want to respond to the suggestion that we hold back on this bill because of the alleged position of the Israeli Government. The fact of the matter is that passing this bill is important to American national security and to the security of all nations in the region and beyond it.

Because of the concerns that we have heard, and I have discussed this matter with the leaders of the Israeli Government, I wanted to be clear about the position of the Israeli Government at the current time. My staff spoke to Mr. Yitzhak Oren, Minister for Congressional Affairs, and we spoke just an hour ago to Uzi Arad, political advisor to the Prime Minister. They informed us that the Israeli Government has taken the following position, and I quote: ''We felt that it was worthwhile to give more time for consultations; however, it is our view just like Americans, that what the Russians are doing is cover-up, which we view with serious concern. The problem here is that the Russian companies are violating Russian law. And since the Russians are unable to enforce their own law, we feel that it will be helpful to act in other effective ways.''

So, Mr. Speaker, it would be my conclusion that if someone believes the Israeli Government is now requesting a delay, I believe that is a mistaken impression.

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

Mr. GILMAN. I yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Speaker, let me just say to the gentleman that the precise statement we have from the Government of Israel's embassy in this town, and I quote it now, ''It is not the clear position of the Government of Israel to pass this bill now.'' End of quote.

Mr. GILMAN. Mr. Speaker, reclaiming my time, we just spoke within the past hour and I just quoted his statement.

Mr. HAMILTON. Mr. Speaker, if the gentleman would again yield, the gentleman's statement that he just quoted said they wanted more consultation. That is precisely the point that the minority leader said and I agree it.

Mr. GILMAN. Mr. Speaker, again reclaiming my time, that was previous to this evening. Now they say they prefer we go ahead. They will have 3 weeks from the time we pass the measure, it goes to the President, the President vetoes it, it comes back here. There are 3 weeks of additional time which should be sufficient time.

Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. WELDON), the distinguished chairman of the Subcommittee on Research and Development of our Committee on National Security.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank the gentleman from New York (Mr. GILMAN) for yielding me this time.

Mr. Speaker, I respect the distinguished gentleman from Indiana (Mr. HAMILTON), ranking member, although I strongly disagree with him. The ranking member is correct. We should not have to have this bill on the floor of this body today. But let us for a moment stop and think about why we are here.

Mr. Speaker, what we have had over the pattern of the past 6 years, and even beyond that into the ending of the last administration, was a pattern of not enforcing arms control agreements. That is what this whole debate is about. If our bilateral relationship is based on arms control agreements, then we have to enforce them when violations occur.

It was just 3 years ago, Mr. Speaker, that we saw the case where the Russians were transferring guidance systems to Iraq. In fact, Mr. Speaker, I would like to hold up two devices because this is what we are talking about. We are not talking about some paper debate or discussion. We are talking about devices that can harm the American people and our friends and our allies.

Mr. Chairman, this is an accelerometer and this is a gyroscope. These were both manufactured in the former Soviet Union. In fact, they were taken from, SSN–18s, Mr. Speaker. And, Mr. Speaker, on three occasions, Russian entities sent these devices to Iraq.

Now, why is that important to us? Mr. Speaker, the largest loss of American life in our military in this decade was when 28 young Americans were killed by the Scud missiles. What do these devices do? They give the Scud missile pinpoint accuracy. What did the administration do when they found out this violation occurred three times? Not once, but three times? They said: We will convince Russia that they should not do it again.

Mr. Speaker, last fall the Russians quietly ended the criminal investigation of this transfer. No charges were brought. No criminal proceedings were started, and the entire technology transfer took place. We then have to deal with the consequences.

Last summer, Mr. Speaker, we saw again Russia transfer technology; this time, technology to allow Iran to build a medium-range missile that will hit Israel and 25,000 of our troops from any place within Iran. We caught them dead in the water. We asked the administration to take action. To this date, no sanctions have been imposed.

Now, what do we have to do? This body passed legislation, with the other body, authorizing and appropriating 180 million additional dollars this year that could have gone for other purposes, to defend Israel, our Arab friends, and our troops against that Iranian missile proliferation. There is a real dollar that we have to pay because we could not control proliferation.

But the reason for this bill today is not just these instances. I did a floor speech 3 weeks ago, Mr. Speaker, and I documented in the RECORD 38 consecutive occasions of arms control violations in 6 years by China and by Russia to Iran, Iraq, to India and Pakistan. This administration imposed sanctions three times out of 38 and waived all three of those sanctions.

Do we wonder why we have a problem in the Middle East? Do we wonder why India and Pakistan are sabre rattling? Do we wonder why Iran and Iraq have medium-range capability now that threaten our allies? This is not about tweaking Boris Yeltsin or the Russian Government. If America has a company that violates our export laws and sends technology overseas, I want to prosecute that company. I want to make them pay.

What is wrong with our country saying to Russia if they have an entity that is proliferating technology, that entity must pay? We are not against the Russian Government. We are not trying to back Boris Yeltsin into the corner.

Mr. Speaker, I formed and I chair the Congressional Dialogue with the State Duma. I hosted eight of those leaders in this city 3 weeks ago, headed by the first deputy speaker. We are not about tweaking the Russian leadership. We want to work with them. I proposed, along with the gentleman from North Carolina (Mr. TAYLOR) a new housing mortgage financing mechanism. We are working with them to bring new economic development into that country. I want to empower the State Duma and we want to bring new markets into Russia. But we cannot tolerate this.

This administration has got to understand if the basis of bilateral relations is arms control, then we have to enforce those agreements. And if we cannot enforce those agreements, then they mean nothing. Our soldiers were killed in Saudi Arabia, 28 of them, young men and women, because of a Scud missile attack. They now have enhanced capability because of Russian technology. The Iranians will have that capability within 12 months.

Are we going to wait until Israelis are dead, until more Americans are killed, and then say we should take some action? I wish we were not here today. But unfortunately, because of

this administration's lack of adherence to arms control agreements, we are where we are and this agreement needs to be passed.

Mr. HAMILTON. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California (Mr. BERMAN).

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Speaker, I agree with the gentleman from Indiana (Mr. HAMILTON) on the question of timing. I agree with the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations, on the merits of the bill.

Mr. Speaker, one cannot make the case that U.S. national interests are served by bringing up this bill this evening rather than 3 weeks from now when the security advisor of the Russian President is coming here next week, when the Senate majority leader held up a vote on this bill in the Senate for over 5 months in an effort to encourage the diplomatic pressure, and then say today is the day that U.S. national interests compel a vote on this bill. I would suggest it is political interests, not national interests.

But the fact is that the leadership decides when a bill is brought up. This bill is now before us. We are going to go to a vote on this bill and this bill is worthy of this body's support, and I urge its passage.

Mr. Speaker, this legislation sends an important signal to anyone considering assistance to Iran's medium- and long-range missile program. Iran is designing missiles with a range of 930 to 1,250 miles and may even be working on a multistage intercontinental ballistic missile with a range of 3,500 miles. How long will it take Iran to attain this capability? Some estimate as soon as 1999 for the shorter-range missiles.

They may have a new President. They might want to get rid of all the baggage between our two countries. They may want to promote cultural exchanges. They may want to increase dialogue with the United States, with its academics and with its people.

□ 1845

The Government of Iran persists in its pursuit of weapons of mass destruction. Nothing about the election in Iran has changed that practice. Nothing about the statements of its new leadership has indicated any effort to move in a different direction. The more sophisticated assistance Iran receives from abroad, the quicker it will realize its goal. We must stop this now.

More than 2 years ago Assistant Secretary of State for Near Eastern Affairs Robert Pelletreau testified that only by imposing a real and heavy price can we and other countries convince the Iranian leadership that changing its threatening behavior is in Iran's own interest.

The administration claims that this legislation would weaken our ability to persuade other countries to halt assistance. But this legislation, as amended by the Senate to change its effective date from August 1995 to January 1998, comports with the administration's claims of success in convincing Russia to prevent dangerous exports.

January 22nd is the day the Russian Government issued a decree tightening export controls on goods and services that could advance missile and weapons of mass destruction programs. The Clinton administration officials say they have raised 13 cases of concern with Moscow and are pleased with Russian progress in about half of them. More needs to be done. The administration views this legislation as reinforcing its effort to persuade countries to cut off all aid to the Iranian missile program and to enforce export controls.

Language has improved this bill; language we suggested in committee was included. There remains some concerns regarding the definition of credible information. It is my expectation that the administration would employ its rigorous standards in determining what constitutes credible information.

The administration is also concerned that the bill's standard of sanctionable activity is not tied to any definition of knowing and that companies could be sanctioned for unintentional transfers. Given the types of equipment and technology involved, it strikes me as unlikely that many companies will be unaware of the potential end users of the exports. And while some companies may be unaware of the end users of the exports, ignorance should not be an excuse.

The companies that sell this technology, these items, must know who the end users are, and if they do not, they should be sanctioned. We should not be required to prove some difficult intent standard when we thereby will promote recklessness, head-in-the-sand behavior, a lack of thorough efforts to check who the end users are. We need to do everything we can to prevent the spread of weapons of mass destruction and the development of delivery systems.

Sometimes this is a lonely fight in which few of our allies wish to join us. For them short-term economic gain outweighs long-term peace. We should not sacrifice our honorable objectives to their selfish ends, for in the end we will all pay too high a price for failing to be vigilant. I urge my colleagues to vote for this important bill.

Mr. GILMAN. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, it is an interesting debate, I think, from two different positions. I think the term ''the administration's national security advisors'' is an oxymoron, that if you take a look at the history that that is based on, those advisors, I think you would fire them.

First of all, you take a look at the failed policies of an extended Somalia. Guess what? Aideed's son is still there. Billions of dollars in lost people in Haiti that could have stayed there for another 200 years and not been a threat, and guess what, Aristide is still there, and they still have the neckties. You look at Bosnia, arming the Muslims with Izetbegovic, and guess what, there is over 12,000 Mujahedin and Hamas there. If we ever pull out of there, it is going to be a tremendous disaster because then it is going to be Izetbegovic's forces.

''Expert control system'' I think is another oxymoron. How do you define sanctions? What is too much to stop someone from shipping? I would think just a shipping company shipping AK–47s into California would stop us from using a shipping company. That same shipping company that ships chemical and biological weapons to Iran, Iraq and Syria, I would think that would be enough to sanction them and stop them. But, no, this administration wants to give them a former Navy security base right in the heart of California. Guess what? This same company just last week, shipping chemical nuclear weapons to Pakistan. Is that enough to bring on sanctions? No. So that is why I think that when we talk about export control system of the White House, it is an oxymoron.

Let us take a look at the Russian missile technology gone to Iran and Iraq. My colleague, the gentleman from Pennsylvania (Mr. WELDON), spoke of the technology that has gone to actually kill our friends. I have a business in my district. The gentleman invited me to a picnic. He was delighted to introduce me to a Russian scientist. That Russian scientist built and developed the SA–2 missiles that shot me down in Vietnam. But yet Russia is giving further technology to all of our allies, and yet that is not enough to have sanctions. Russia today is building, Mr. Speaker, a first strike nuclear site under the Ural Mountains. Why? The Cold War is over. They have one half its size to the northeast. But yet we need to just talk to them.

I say it is time that we do not walk softly and carry a big stick of candy, Mr. Speaker, because that is the White House's foreign policy, walk softly and carry a big stick of candy. Peace comes through strength. And can we engage Russia and China? Yes. Can we deal with them through business? Yes. But you need to hold them at arm's length, and you have to talk from a position of strength, not a position of candy.

I think unless we engage them with a dialogue that the gentleman is talking about, I think that is very healthy, but there is also time to draw a line in the sand, and we have not done that, Mr. Speaker. It is time. It is time now. It is always wait. It is always wait.

The worst thing, Mr. Speaker, at the same time we allow Russia and China to sell mass destructive weapons of chemical and biological and nuclear weapons and missile technology to foreign countries, we give it to them, we give it to them with Loral. I say, I ask

you, what kind of policy is that? It is a failed policy, Mr. Speaker. We need to do something about it now, and we need to pass this bill.

Mr. BERMAN. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. HARMAN).

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

Ms. HARMAN. Mr. Speaker, I do not believe that sanctions are the perfect foreign policy tool, and I wish we did not have to resort to legislating sanctions today.

Unfortunately, however, we can do no less. Many good points have been made in this debate, and I do not want to repeat them, but let me identify several that I do not think have been stressed adequately.

First of all, the administration has been negotiating on this issue for over 14 months. We have had visits and consultations and briefings and high level ambassadors and conversations between the President and President Yeltsin and Vice President and former Prime Minister Chernomyrdin and so forth. Yet all we have really had is talk leading to talk. Talk needs to lead to action.

Second, we have evidence that proliferation continues and that it may even be increasing.

Third, we know that Russia, and this has been mentioned, has implemented a new executive decree in January which gives it added authority to crack down on those who transfer technology. It has not used this authority. In fact, in a case that the gentleman from Pennsylvania (Mr. WELDON) mentioned of technology transfers to Iraq, it specifically disregarded the fact that gyroscopes were transferred, called them scrap metal and took no action. So Russia is specifically failing to act even with new executive authority.

Fourth, the United States already has adequate authority to act. In fact Vice President GORE, when he was a member of the other body, authored that authority, and yet the administration has failed to use it even with a concurrent resolution passed by both houses last fall, of which I was one of the authors, directing it to use that authority.

So finally we come to this, the necessity to pass stronger legislation. I would point out, as we do this, and I predict we will do it by an overwhelming margin in just a moment, I would point out to the administration that there is still time in the intervening weeks between passing this bill and action that may be taken to override a veto, should the President make one, to get the administration to act and/or to get the Russian Government to act. We need action; we need these transfers stopped. There is time to do this. If the negotiations are ever to conclude, they should conclude now.

We might view this bill as an opportunity. The Congress is taking this action so that the administration has no choice but to act and to cause our ally Russia to act as well. These transfers must stop now, or Israel, our allies in the region and our troops are at risk.

Mr. Speaker, with the world still reeling from the explosion of nuclear devices by India and Pakistan, we must stand firm on our commitment to stop the proliferation of weapons of mass destruction.

Let's send a strong signal of our commitment to nonproliferation. Let's pass H.R. 3709 as amended.

Mr. GILMAN. Mr. Speaker, I thank the gentlewoman for her supporting remarks with regard to this measure.

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

Mr. MCINTOSH. Mr. Speaker, George Washington, our Nation's greatest military commander, said the most effective means of preserving peace is to prepare for war. Now, unfortunately, that is exactly what we must do today. There are those who say, let us pretend, let us pretend that if we do not defend ourselves against this missile threat from Saddam Hussein and others, that it simply won't happen. How novel, how naive.

I believe that the U.S. must diligently prepare to meet and repel any threat from any source from enemies around the world, and this includes protecting our U.S. troops and our allies from the threat of Iranian missile attack in the Gulf region.

We learned last summer, that has been debated today, that the Russians have helped the Iranians speed up the development and deployment of a missile capable of reaching U.S. troops. We have to act immediately. We know from the Gulf War that our troops are threatened by these. In fact, we lost more American lives because of a Scud missile than any other reason in the Gulf War. Israel also suffered from barbarous Scud attacks. Therefore I urge this House to learn from the tragic lessons of that war. Move to protect our brave men and women. Move to protect our allies. Support H.R. 2709.

This bipartisan bill imposes sanctions on entities that are aiding efforts by Iran to build a missile program that threatens our troops and our critical allies like Israel in the Gulf. I thank the gentleman for bringing this bill. I urge all of my colleagues on both sides of the aisle to support this effort.

Mr. BERMAN. Mr. Speaker, I yield 2 minutes to gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, I rise in strong support of the Iran Missile Proliferation Sanctions Act. This legislation closes loopholes that allow countries to export sensitive technology to Iran. And because of these exports, in short order, within 1 year, Iran may achieve long-range missile capacity.

Opponents of the bill characterize it as just another sanctions bill. In reality what we are doing is providing Russian and Chinese firms with incentives not to trade with Iran.

Those who see a new Iran in President Khatemi are being led astray by conciliatory words while Iran continues to seek weapons of mass destruction, including long-range missiles, nuclear weapons to top those missiles, and chemical and biological warfare agents. President Khatemi may be the hope, but at present he does not have the power. Iran continues to support international terrorist organizations such as Hezbollah, Hamas and the Palestine Islamic Jihad. It is a rogue state. We would be naive to sacrifice our own security and the security of allies based on a few conciliatory words.

Late last year satellite reconnaissance of a research facility not far south of Tehran had picked up the heat signature of an engine test for a new generation of Iranian ballistic missiles, each capable of carrying a 2,200-pound warhead more than 800 miles, within strategic range of our ally Israel. In January a senior Clinton administration official told the Associated Press that Iran's purchase of Russian missile technology is giving Iran an opportunity to leap ahead in developing new weapons.

□ 1900

That is why I have introduced the Iran nuclear proliferation provision which I think is a companion ultimately to this bill.

Tehran's unrelenting quest for nuclear weapons and ballistic missiles clearly attests that the clerical regime has no intention of moderating its behavior. Appeasement by the West will only provide the mullahs with more room to maneuver. We need a comprehensive policy that both protects us from the current threat and safeguards our future interests in that part of the world. I urge my colleagues to be strongly supportive of this bill.

Mr. GILMAN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. CAMPBELL), a member of our committee.

Mr. CAMPBELL. Mr. Speaker, I would like to engage the distinguished former chairman and ranking Democrat in a debate in at least the second half of my 3 minutes, because I believe that the bill does offer adequate protection of the concerns that the gentleman from Indiana had expressed. The bill provides a waiver of all sanctions if the President determines in the circumstances the individual suspected of transferring the technology in fact did not do so. That is under section 4. Then under section 5, the President has authority to grant a waiver on the basis of national security. As I read section 4, the President would be essentially making a judgment based on all the evidence, we attorneys might call it on a preponderance of evidence, that this transfer actually did not happen. And then the actual waiver as well as the underlying determination can be made in secret, it can be made in confidential form, in classified form, according to an amendment that was

added to the bill between committee and when it came to the floor, and I refer to section 2(d) of the bill that all submissions can be made in classified form. So given that, I do not see the potential for embarrassment of U.S. foreign policy.

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

Mr. CAMPBELL. I yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Speaker, I thank the gentleman for yielding. I think we have to look at two things here. One is the imposition of the sanctions. With the imposition of the sanctions, you have a very, very low standard. All you have to find is credible information. You can have a mountain of information on the other side, but if you have any credible information, the sanctions apply. At the same time that you have a very low threshold on the sanctions, you have a very high threshold with regard to the waiver, and it is a national security interest waiver.

In talking with people on White House staffs, not just with this administration but in the past, finding a national security interest is not always easy. That is a very high standard. The gentleman is right, it does give the President discretion there on the waiver, but not on the sanction.

Mr. CAMPBELL. Mr. Speaker, the waiver, though, to which I was addressing my remarks was section 4, not section 5. The gentleman responded referring to the national security waiver in section 5 arguing that that was a high standard, and he may well be right. Section 4, however, allows the President to waive the imposition, and I am reading it, where the President is persuaded that the person did not, and then it goes on, actually transfer. So in the hypothetical that the gentleman from Indiana gives us where there is credible evidence that the transfer did take place but to use his own words a mountain of evidence the other way, well, surely then the President would waive on the basis of additional information under section 4.

I have the highest regard for the gentleman from Indiana or I would not have engaged in this discussion. If he has concerns, then I have concerns, but I believe the concerns are more than adequately taken care of in the draft with reference particularly to section 4.

Mr. HAMILTON. If the gentleman will yield further, I think the imposition of the sanctions creates huge problems in and of itself regardless of what the President's action may be. The mere imposition of the sanctions is going to trigger the reaction in Russia.

Mr. CAMPBELL. That submission can be made confidentially, not in public. I support the bill.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the gentleman from Indiana for yielding me this time, and I rise in strong support of the legislation.

Mr. Speaker, the House Action Reports just this week state very clearly that last year both U.S. and Israeli intelligence reports revealed a significant technology transfer between Russia and Iran. Successive reports detailed contracts signed between numerous Russian entities and Iran's Defense Industries Organization to help produce liquid-fueled ballistic missiles. These enhanced missiles are expected to have a range of 1,300 to 2,000 kilometers, well within the range of Israel, Turkey, Saudi Arabia and U.S. forces in the Persian Gulf region. There is a wide consensus within the intelligence community that Iranian ballistic missile development has proceeded much more rapidly than expected. The Director of the CIA recently testified that while last year he offered the assessment that Iran would have medium range ballistic missiles within 10 years, he now believes the timetable to be much shorter, and Israeli officials say it could happen by 1999.

Many experts are saying that with Russia's cash-strapped technical institutes and research facilities eager to sell to Iranian weapons purchasers, Russia's effective adherence to the obligations of the Missile Technology Control Regime is open to serious question. I think U.S. relations with Russia are very, very important but frankly I am tired of the role that Russia has played in transferring technology to Iran. They are playing a destructive role there, they are playing a destructive role in the whole situation in Kosovo with the Albanians and I think the Russians ought to really understand that there is a limit to how much patience we have. I support this legislation.

Mr. Speaker, I want to also say that I am very concerned about Syria as well, that the Israeli Defense Minister says that Syria is continuing to develop all these kinds of strategic surface-to-surface missiles, and that of greater concern is that Syria is developing these capabilities with the aid of North Korean know-how and Russian raw materials. It is these technologies and material transfers on which the bill before the House focuses today.

I just wanted to say to the chairman of the committee that I would hope that the committee would be willing in the future to consider the issue of proliferation of ballistic missiles and weapons of mass destruction in Syria as it considers such other issues in the Middle East.

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

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

Mr. Speaker, in response to the comments of the gentleman from Indiana (Mr. HAMILTON), let me just emphasize that the credible information requirement of this bill is intended to be a very low evidentiary standard. We have adopted this low evidentiary standard because of our dissatisfaction with the way the evidentiary standard contained in other counter-proliferation laws has been applied.

There is no reason not to impose the sanctions provided by this bill on foreign persons about whom there is credible information that they may have made a transfer or attempted transfer covered by the bill. The three sanctions that this bill would impose upon such persons, prohibitions on providing U.S. assistance, exporting arms, or exporting dual-use commodities to such persons, are all matters within the sole discretion of our Government.

No one has any right to receive U.S. assistance. Since our foreign aid resources are limited, decisions have to be made every day about who should receive our assistance and who should be denied our assistance. This bill basically directs that in any case where there is any doubt about whether a potential recipient of U.S. assistance has transferred or attempted to transfer missile technology, that person will be denied U.S. assistance. The administration may believe we are being too harsh with this approach, but in fact they would have a hard time explaining to our Members why we should provide limited U.S. foreign assistance funds to persons who we suspect may have made or attempted to make improper transfers of missile technology.

I submit the same is true with regard to exports of arms and dual-use commodities. No one has a right to receive such exports from our Nation, and, as a matter of national policy, we seek to deny such exports to foreign persons who cannot be trusted with U.S. arms or dual-use commodities. Why should the President not be required to deny such exports to persons who we suspect may have made or attempted to make improper transfers of missile technology?

I submit to my colleagues that it is time we stop the spread of missile technology to Iran. Let us prohibit foreign aid to suspected missile proliferators, and let us prevent arms sales to suspected missile proliferators. Vote ''yes'' on the Senate amendments to H.R. 2709.

Mr. WELLER. Mr. Speaker, the United States has an obligation to support our very loyal and only democratic ally in the Middle East, Israel. We have a key responsibility to think long term—the long term security of Israel and the Middle East.

Some reports show that if the current flow of missile technology from Russia to Iran continues, Iran could, within a year, have the capability of developing ballistic missiles that could reach Israel and much of Europe.

The activities of Russian entities which are engaged in the transfers of these technologies threaten our own national security interests as well as those of Israel and much of Europe. Despite the resolution issued by the then-Russian Prime Minister earlier this year, which stipulated that Russian firms ''should refrain'' from such transfers, U.S. intelligence reports indicate that Russian entities have signed contracts with Iran to help produce ballistic missiles. There is also evidence that the sale of

high-technology laser equipment and other supplies needed for the manufacture and testing of missiles has been negotiated. Beyond the technology transfers, thousands of Russian scientists, engineers and technicians are reported to be operating in Iran as advisors.

It is now time for the Congress to say that enough is enough. We need protect ourselves and our allies. The Government of Russia needs to understand that the United States will not stand idly by as entities under Russian authority assist a rogue nation in acquiring weapons of mass destruction. With this legislation, we will be giving Russian firms compelling reasons not to trade these important technologies with Iran.

Mr. Speaker, I urge my colleagues to accept the Senate Amendments so that we can protect ourselves, and our allies such as Israel, from the proliferation of Iranian weapons of mass destruction.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of the Senate amendments to the Iran Missile Proliferations Sanctions Act of 1997. I am currently a cosponsor of H.R. 2709 (H.R. 2930). The potential for a strategic arms race in Asia, evidenced by the nuclear tests conducted by India and Pakistan, means that we must redouble our efforts to combat the proliferation of nuclear weapons around the world.

H.R. 2709 would require the administration to publish periodic reports identifying companies or research institutes that have transferred, or have attempted to transfer, to Iran prohibited missile-related technology since August 8, 1995 (i.e., the date Russia signed the Missile Technology Control Regime, a multilateral agreement to prevent the spread of ballistic missiles). In other words, this sanctions bill is intended to close loopholes in the United States' counterproliferation laws in order to address the risk that Iran may soon obtain from firms in Russia, and elsewhere, the capability of producing its own medium- and long-range ballistic missiles, thus creating a threat to stability in the Middle East and southern Europe.

With respect to Russia, the proliferation threat seems to stem from two complex issues: (1) Since the dissolution of the former U.S.S.R., the Russian government has been unable to pay its scientists, engineers and academics whose former careers are virtually nonexistent today. Some have lent their skills, for pay, to help produce ballistic missiles. (2) Second, Russia is having difficulty enforcing its own arms control laws, which ban defense experts and scientists from selling their services abroad for at least five years, as effectively as it can.

For example, a columnist for The Washington Post reported in January that about $30 billion worth of illegal exports and imports flowed across Russia's once tightly sealed borders last year. In total, this smuggling and other underground activity account for 40 percent of the Russian economy today. In short, the threat is as much a human problem as it is an actual weapons problem. It should be clear to everyone that it is in the interests of the United States and Russia to prevent nuclear material and missile technology from being smuggled across Russia's borders. Thus, this problem encompasses both a human and material component.

Mr. Speaker, I encourage my colleagues to take a concrete step to halt the spread of weapons of mass destruction by supporting the Senate amendments to H.R. 2709.

Mr. LEVIN. Mr. Speaker, I rise in strong support of H.R. 2709, the ''Iran Missile Proliferation Sanctions Act.''

It is clear that Iran is seeking to improve its ballistic missile capability. In addition, it is clear that Iran's ballistic missile program is receiving outside assistance and support, most notably from Russia. Entities within Russia have supplied Iran's missile program with crucial technologies, materials and technical assistance. As a direct result of Russia's assistance, Iran may soon become self-sufficient in missile production; more ominously, Iran could be within a year or two of fielding an intermediate range missile capable of striking targets in Turkey, Saudi Arabia and Israel.

Mr. Chairman, this assistance to Iran's missile program must end. I can think of no greater threat to regional stability in the Middle East than Iran's coming into possession of weapons of mass destruction and the means to deliver them. These weapons would constitute a clear and present danger to American troops stationed in the Persian Gulf as well as Israel and our other allies in the region.

I appreciate that the Clinton Administration has been working with the Russian Government to curb the proliferation of missile technology to Iran. Real progress has been made, and the Administration is to be commended for its efforts. Unfortunately, while the flow of missile technology between Russia and Iran has slowed, it has not stopped. I was alarmed to learn that earlier this year a shipment of 22 tons of missile-quality steel was smuggled out of Russia bound for Iran, despite the fact that the Administration had alerted Russian authorities several days before the shipment left Russia. Fortunately, the steel—which is used to construct rocket fuel tanks—was impounded in Azerbaijan before it crossed the border into Iran.

The legislation before the House today would impose sanctions on foreign entities, wherever they may be, that contribute to Iran's efforts to develop ballistic missiles. H.R. 2709 sends a clear message that the United States will not tolerate further proliferation of missile technologies to Iran.

I urge every member of the House to support this vital legislation.

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

The SPEAKER pro tempore (Mr. BURR of North Carolina). All time for debate has expired.

Pursuant to House Resolution 457, the previous question is ordered.

The question is on the motion offered by the gentleman from New York (Mr. GILMAN).

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

Mr. GILMAN. 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.

Without objection, the Chair will reduce to 5 minutes the minimum time for electronic voting on each of the motions to suspend the rules that were postponed earlier today, provided that those proceedings resume as pending business immediately after this 15-minute vote.

There was no objection.

The vote was taken by electronic device, and there were—yeas 392, nays 22, answered ''present'' 3, not voting 16, as follows:

[Roll No. 211]

YEAS—392

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hoyer
Hulshof
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Moakley
Mollohan
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood

Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)

NAYS—22

Brown (CA)
Conyers
Dooley
Furse
Hamilton
Hastings (FL)
Hostettler
Jefferson
Johnson, E. B.
Kanjorski
Kennedy (MA)
LaFalce
Lofgren
McDermott
Mink
Moran (KS)
Moran (VA)
Murtha
Obey
Paul
Rahall
Yates

ANSWERED ''PRESENT''—3

Bonior
Fazio
Gephardt

NOT VOTING—16

Bishop
Deutsch
Farr
Gonzalez
Goodling
Houghton
Hunter
Inglis
Johnson, Sam
Leach
Lewis (GA)
Rush
Sabo
Schumer
Wexler
Young (FL)

☐ 1932

Messrs. RAHALL, CONYERS, DOOLEY of California, JEFFERSON, YATES and MORAN of Kansas and Ms. HOOLEY of Oregon changed their vote from ''yea'' to ''nay.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BURR of North Carolina). Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order: House Resolution 417, by the yeas and nays; House Resolution 447, by the yeas and nays; H.R. 1635, by the yeas and nays; and House Concurrent Resolution 270, de novo.

Pursuant to the order of the House of today, the Chair will reduce to 5 minutes the time for each electronic vote in this series.

REGARDING IMPORTANCE OF FATHERS IN RAISING AND DEVELOPMENT OF THEIR CHILDREN

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 417, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (MR. MCINTOSH) that the House suspend the rules and agree to the resolution, H. Res. 417, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 212]

YEAS—415

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)

NOT VOTING—18

Ballenger
Deutsch
Farr
Fawell
Gonzalez
Houghton
Hunter
Inglis
Johnson, Sam
Lewis (GA)
McDade
Rush
Sabo
Schumer
Snowbarger
Waxman
Wexler
Young (FL)

☐ 1941

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The title of the resolution was amended so as to read: ''Resolution regarding the importance of fathers in the rearing and development of their children.''

A motion to reconsider was laid on the table.

SENSE OF HOUSE REGARDING FINANCIAL MANAGEMENT BY FEDERAL AGENCIES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 447, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and agree to the resolution, H. Res. 447, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 213]

YEAS—415

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)

NOT VOTING—18

Ballenger
Deutsch
Farr
Gekas
Gonzalez
Houghton
Hunter
Inglis
Johnson, Sam
Lewis (GA)
McInnis
Rush
Sabo
Schumer
Waxman
Wexler
Wicker
Young (FL)

□ 1952

Messrs. BARRETT of Wisconsin, FATTAH, SMITH of Michigan, KANJORSKI and WATT of North Carolina changed their vote from ''nay'' to yea.''

So (two-thirds having voted in favor thereof), the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM ACT OF 1998

The SPEAKER pro tempore (Mr. BURR of North Carolina). The pending business is the question of suspending the rules and passing the bill, H.R. 1635, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 1635, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 2, not voting 16, as follows:

[Roll No. 214]

YEAS—415

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook

Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)

NAYS—2

Paul
Sanford

NOT VOTING—16

Ballenger
Deutsch
Farr
Gonzalez
Houghton
Inglis
Johnson, Sam
Lewis (GA)
Roukema
Rush
Sabo
Schumer
Waxman
Wexler
Wicker
Young (FL)

□ 2001

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Speaker, I was unavoidably absent from the Chamber for rollcall vote Nos. 211, 212, 213, and 214. Had I been present, I would have voted "aye" on rollcall vote 211, "aye" on rollcall vote 212, "aye" on rollcall vote 213, and "aye" on rollcall vote 214.

CELEBRATING THE BIRTHDAY OF THE HONORABLE DON YOUNG OF ALASKA

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

Mr. BARTON of Texas. Mr. Speaker, the gentleman from Alaska (Mr. DON YOUNG) is 65 today and eligible for Medicare. Today is his birthday.

ACKNOWLEDGING POSITIVE ROLE OF TAIWAN IN ASIAN FINANCIAL CRISIS

The SPEAKER pro tempore (Mr. BURR of North Carolina). The pending business is the question de novo of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 270, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 270, as amended.

The question was taken.

RECORDED VOTE

Mr. BEREUTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 411, noes 0, not voting 22, as follows:

[Roll No. 215]

AYES—411

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ryun
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland

Stump	Tierney	Watts (OK)
Stupak	Torres	Weldon (FL)
Sununu	Towns	Weldon (PA)
Tanner	Traficant	Weller
Tauscher	Turner	Weygand
Tauzin	Upton	White
Taylor (MS)	Velazquez	Whitfield
Taylor (NC)	Vento	Wise
Thomas	Visclosky	Wolf
Thompson	Walsh	Woolsey
Thornberry	Wamp	Wynn
Thune	Waters	Yates
Thurman	Watkins	Young (AK)
Tiahrt	Watt (NC)	

NOT VOTING—22

Ballenger	Lewis (GA)	Schumer
Deutsch	Miller (CA)	Talent
Farr	Murtha	Waxman
Gonzalez	Riley	Wexler
Houghton	Roukema	Wicker
Hyde	Rush	Young (FL)
Inglis	Sabo	
Johnson, Sam	Sanchez	

□ 2010

So (two-thirds having voted in favor thereof), the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read:

Concurrent resolution acknowledging Taiwan's desire to play a positive role in the current Asian financial crisis and affirming the support of the American people for peace and stability on the Taiwan Strait and security for Taiwan's democracy..

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2888, SALES INCENTIVE ACT

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 105–572) on the resolution (H. Res. 461) providing for consideration of the bill (H.R. 2888) to amend the Fair Labor Standards Act of 1938 to exempt from the minimum wage recordkeeping and overtime compensation requirements certain specialized employees, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3150, BANKRUPTCY REFORM ACT OF 1988

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 105–573) on the resolution (H. Res. 462) providing for consideration of the bill (H.R. 3150) to amend title XI of the United States Code, and for other purposes, which was referred to the House Calendar and ordered to be printed.

COMMENDING THE STUDENTS AND TEACHERS OF MARTINSVILLE MIDDLE SCHOOL FOR ACHIEVEMENT IN PROJECT CITIZEN

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

Mr. GOODE. Mr. Speaker, I rise today to commend the students and teachers of Martinsville Middle School in Martinsville, Virginia, for their participation and achievement in the inaugural Virginia State competition for Project Citizen, which was held on May 15 in the Virginia General Assembly Building.

I include for the RECORD a statement of the accomplishments of the students and their teachers, Mr. Speaker.

The statement referred to is as follows:

PROJECT CITIZEN—WE THE PEOPLE

May 15 the inaugural Virginia state competition for Project Citizen was held in the Virginia General Assembly building. This competition is a civics education program for students in grades 6–9. This program promotes competent and responsible participation in government by engaging students in learning how to monitor and influence public policy. As a class project, students work together to identify and study a public policy issue, then try to develop a solution to an issue, and form an action plan to ''solve'' the problem. The final product is a portfolio displaying their work. This year there were seven portfolios on exhibit for judging at the state competition. After the judging was complete, Martinsville Middle School students in Mrs. Linda Cox, Mr. Richard Tobler, Mrs. Carolyn Turner and Mrs. Betsy Ivey's classes won first, second and third places in the competition. The winning portfolio entitled ''Homeless'' examined the homeless situation in Martinsville/Henry County. Since there is no full time shelter for the homeless, the students want the local governments to investigate the possibility of a shelter where not only are the basic needs of food and lodging provided but also job training to break the homeless cycle. The students on this team were Andrea Lawhorn, Tarieton Walmsley, Jennifer Ward, Caroline Titcomb, Demarcus Tarpley, Justin Knighton, Sarah Draper, Shelby Higgs, and Christina Chaney. The portfolio of the winning team will be sent to Las Vegas, Nevada for national competition during the National Conference of State Legislatures July 19–23, 1998.

The second place team from Martinsville Middle School studied ''Recycling—More Needs to be Done''. The third place group investigated ''Activities for the Elderly''.

Helen Coalter is the Virginia state coordinator for We the People from the Center for Civic Education.

□ 2015

REPORT ON NATIONAL EMERGENCY CONDERNING WEAPONS OF MASS DESTRUCTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–271)

The SPEAKER pro tempore (Mr. BURR of North Carolina) laid before the House the following message from the President of the United States; which was read and, together with accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)) and section 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)), I transmit herewith a 6-month report on the national emergency declared by Executive Order 12938 of November 14, 1994, in response to the threat posed by the proliferation of nuclear, biological, and chemical weapons (''weapons of mass destruction'') and of the means of delivering such weapons.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 9, 1998.*

INTERNATIONAL CRIME CONTROL ACT OF 1998—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 accompanying papers, without objection, referred to the Committee on the Judiciary, the Committee on Commerce, the Committee on Transportation and Infrastructure, the Committee on Ways and Means, the Committee on Government Reform and Oversight, the Committee on Banking and Financial Services, and the Committee on International Relations, and ordered to be printed:

To the Congress of the United States:

I am transmitting for immediate consideration and enactment the ''International Crime Control Act of 1998''(ICCA). The ICCA is one of the foremost initiatives highlighted in my Administration's International Crime Control Strategy, which I announced on May 12, 1998. The proposed legislation would substantially improve the ability of U.S. law enforcement agencies to investigate and prosecute international criminals, seize their money and assets, intercept them at our borders, and prevent them from striking at our people and institutions.

Advances in technology, the resurgence of democracy, and the lowering of global political and economic barriers have brought increased freedom and higher living standards to countries around the world, including our own. However, these changes have also provided new opportunities for international criminals trafficking in drugs, firearms, weapons of mass destruction, and human beings, and engaging in fraud, theft, extortion, and terrorism.

In response to these formidable threats to the American people, I have directed the Departments of Justice, State, and the Treasury, as well as the Federal law enforcement and intelligence communities, to intensify their ongoing efforts to combat international crime. In order to carry out this mandate most effectively, the many departments and agencies involved need the additional tools in the proposed ICCA that will enhance Federal law enforcement authority in several key areas, close gaps in existing laws, and facilitate global cooperation against international crime.

The ICCA's provisions focus on seven essential areas to improve the Federal Government's ability to prevent, investigate, and punish international crimes and criminals:

(1) INVESTIGATING AND PUNISHING ACTS OF VIOLENCE COMMITTED AGAINST AMERICANS ABROAD

—Broadens existing criminal law to authorize the investigation and punishment of organized crime groups who commit serious criminal acts against Americans abroad. (Current law generally requires a link to terrorist activity.)

—Provides jurisdiction in the United States over violent acts committed abroad against State and local officials while in other countries on official Federal business.

(2) STRENGTHENING U.S. AIR, LAND, AND SEA BORDERS

—Increases penalties for smugglers who endanger Federal law enforcement officials seeking to interdict their activities, introducing the Federal criminal offense of ''portrunning'' (i.e., evading border inspections, often through the use of force).

—Addresses gaps in current law relating to maritime drug interdiction operations, introducing the criminal offense of failing to stop (''heave to'') a vessel at the direction of a Coast Guard or other Federal law enforcement official seeking to board that vessel.

—Provides clear authority to search international, outbound letter-class mail if there is reasonable cause to suspect that the mail contains monetary instruments, drugs, weapons of mass destruction, or merchandise mailed in violation of several enumerated statutes (including obscenity and export control laws).

—Broadens the ability to prosecute criminals smuggling goods out of the United States.

(3) DENYING SAFE HAVEN TO INTERNATIONAL FUGITIVES

—Authorizes the extradition, in certain circumstances, of suspected criminals to foreign nations in two separate cases not covered by a treaty: (1) when the United States has an extradition treaty with the nation, but the applicable treaty is an outdated ''list'' treaty that does not cover the offense for which extradition is sought; and (2) when the United States does not have an extradition treaty with the requesting nation.

—Provides for exclusion from the United States of drug traffickers and their immediate family members and of persons who attempt to enter the United States in order to avoid prosecution in another country.

(4) SEIZING AND FORFEITING THE ASSETS OF INTERNATIONAL CRIMINALS

—Expands the list of money laundering ''predicate crimes'' to include certain violent crimes, international terrorism, and bribery of public officials, thus increasing the availability of money laundering enforcement tools.

—Broadens the definition of ''financial institution'' to include foreign banks, thereby closing a loophole involving criminally derived funds laundered through foreign banks doing business here.

—Provides new tools to crack down on businesses illegally transmitting money, and to investigate money laundering under the Bank Secrecy Act.

—Toughens penalties for violations of the International Emergency Economic Powers Act.

—Criminalizes attempted violations of the Trading With the Enemy Act.

(5) RESPONDING TO EMERGING INTERNATIONAL CRIME PROBLEMS

—Enhances enforcement tools for combating arms trafficking, including requiring ''instant checks'' of the criminal history of those acquiring explosive materials from Federal licensees and clarifying Federal authority to conduct undercover transactions subject to the Arms Export Control Act for investigative purposes.

—Addresses the increasing problem of alien smuggling by authorizing the forfeiture of the proceeds and all instrumentalities of alien smuggling.

—Cracks down on the international shipment of ''precursor chemicals'' used to manufacture illicit drugs, primarily by authorizing the Drug Enforcement Administration to require additional ''end-use'' verification.

—Provides extraterritorial jurisdiction for fraud involving credit cards and other ''access devices,'' which cost U.S. businesses hundreds of millions of dollars every year.

—Authorizes wiretapping for investigations of felony computer crime offenses.

(6) PROMOTING GLOBAL COOPERATION

—Expands the authority of U.S. law enforcement agencies to share the seized assets of international criminals with foreign law enforcement agencies.

—Provides new authority, applicable in cases where there is no mutual legal assistance treaty provision, to transfer a person in United States Government custody to a requesting country temporarily for purposes of a criminal proceeding.

(7) STREAMLINING THE INVESTIGATION AND PROSECUTION OF INTERNATIONAL CRIME IN U.S. COURTS

—Authorizes the Attorney General to use funds to defray translation, transportation, and other costs of State and local law enforcement agencies in cases involving fugitives or evidence overseas.

—Facilitates the admission into evidence in U.S. court proceedings of certain foreign government records.

The details of this proposal are described in the enclosed section-by-section analysis. I urge the prompt and favorable consideration of this legislative proposal by the Congress.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 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 Michigan (Mr. CONYERS) is recognized for 5 minutes.

(Mr. CONYERS 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 New Mexico (Mr. REDMOND) is recognized for 5 minutes.

(Mr. REDMOND 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 Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

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

AS AMERICA'S DEFENSE FORCES DWINDLE, SECURITY THREATS INCREASE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, having attended, like many of my colleagues, several Memorial Day services over the recent recess, I continue to become more and more concerned by America's dwindling national defense. By failing to maintain a strong military force, we are in effect dishonoring those who have served and died for our freedom. Please allow me to highlight some recent events.

Surprising the United States intelligence community, India conducted five underground nuclear weapons tests last month. Neighboring Pakistan has since conducted six nuclear weapons tests of its own. It has been reported that Iraq has enough deadly biological weapons to kill every human being on Earth. And despite administration claims that no nuclear missiles are aimed at American children, a CIA report released last month reveals that 13 of China's 18 long-range strategic missiles have nuclear warheads aimed at United States cities.

Mr. Speaker, we do not live in a safe world. America faces new threats and dangers each and every day, and yet we continue to cut our defense budget.

The President's request for the fiscal year 1999 defense budget represents the 14th consecutive year of real decline in defense spending. Our forces today are 32 percent smaller than they were just 10 years ago. In 1992, we had 18 Army divisions; we now have 10. And that same year we had 24 fighter wings; we now have 13. We also had 546 Navy ships in 1992; we now have 333.

Our forces are dwindling and yet threats to our freedom are ever increasing. Quite frankly, we seem to be taking our freedom for granted. This is a foolish thing to do. Just ask any veteran or any American who has lost a loved one in service to our Nation.

Mr. Speaker, in the name of all those who have fought and who have died for this country, we must continue to maintain a military readiness. We cannot throw away the security America has fought so hard for.

Right now while nuclear missiles are aimed at United States cities, our troops do not even have the basic ammunition they need. The Army is $1.7 billion short of basic ammunition and the Marine Corps has a shortfall in ammunition of over $193 million. I want to repeat that, Mr. Speaker. The Army is $1.7 billion short of basic ammunition and the Marine Corps has a shortfall in ammunition of over $193 million.

At the same time the President has cut defense nearly in half, he has deployed troops over 25 times during his tenure. Thirteen billion dollars-plus has been spent on these peacekeeping deployments, which have exhausted funds that would have otherwise been used to maintain our military readiness and have stretched our forces to the limit.

These peacekeeping deployments have also kept our men and women in uniform away from their homes and families for lengthy periods of time and have thereby decreased their morale. We cannot continue to ask our military to do more with less. This is why I was especially disappointed this year, to see that the President requested more than $100 billion in new domestic spending but failed to propose one dime in increased defense spending.

Mr. Speaker it is past time to once again provide our military with the resource its needs to do the very important tasks it faces of protecting America.

I urge my colleagues to help preserve our freedom and security and to support our Armed Forces. Thank you, Mr. Speaker, and may God bless America.

NATIONAL OCEAN CONFERENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, this week I will be participating in the National Ocean Conference in Monterey, California. This historic gathering is taking place just up the road from the district I am privileged to represent along the central coast of California. I am pleased to be joining the President, Vice President, several Members of the Cabinet, some of my House colleagues, and hundreds of scientists, scholars, and conservationists from around the world at this important event.

This conference will highlight the important role the ocean plays in the daily lives of all Americans. Today over half of the population in the United States lives and works in coastal areas.

Mr. Speaker, one of every six jobs in the United States is marine-related. This is particularly true in San Luis Obispo and Santa Barbara Counties, where our tourism, recreation, fishing, education, and business communities are all dependent on a clean ocean environment.

Mr. Speaker, last week I had the opportunity to meet one of the world's renowned ocean explorers, the 1998 National Geographic Society Explorer of the Year, Dr. Sylvia Earle. Dr. Earle, who will be speaking at the Ocean Conference, is part of an incredible undertaking: the Sustainable Seas Expeditions.

This 5-year project will explore, document, and provide scientific data on America's 12 national marine sanctuaries, including the Channel Islands National Marine Sanctuary in my district. To do this, she will be using a deep-ocean submarine that is able to go thousands of feet underwater to explore uncharted territories.

I am one of the Members of this body who often speaks in this Chamber about the marvels of space exploration. Well, there is another world out there to be explored and instead of going up, we must go down. Down to the depths of the vast oceans to discover the wonders of the sea where we might find new resources, cures for diseases, and answers to scientific questions. But all of these diverse uses of our ocean's abundant resources are dependent on a clean and healthy ocean.

Mr. Speaker, I am very proud to be the sponsor of a bill, the Coastal States' Protection Act, which ensures the protection of our Nation's fragile coastline from new, unnecessary offshore oil and gas development. This is a bill that respects States' rights. The legislation stipulates that when a State establishes a moratorium on new oil drilling in State waters, this protection should be extended to adjacent Federal waters. Oil knows no boundaries and it does little good to protect coastal State waters without simultaneously protecting our adjacent Federal waters.

After all, as we in Santa Barbara know too well, an oil spill in Federal waters will not stop there. It will contaminate State waters and ultimately our shores. It will spoil our majestic beaches, devastating the tourism, recreation, and fishing industries that all depend on a clean organization.

I urge my colleagues here in the House to support this important legislation. I also hope the President takes the opportunity at the ocean conference to support this legislation and protect our Nation's coastlines.

To this end, I intend to bring with me to the conference evidence of the strong local support for this proposed moratorium. I will be presenting to the President letters from a wide variety of constituents including the business, fishing, and tourism community as well as local elected officials all united in expressing their strong opposition to any new offshore oil development off the spectacular coastline of California.

If Members think this opposition to offshore development is just a position taken by environmentalists, think again. A recent report issued jointly by the San Luis Obispo County Chamber of Commerce and the Environmental Center of San Luis Obispo County demonstrates the unified community position against offshore oil development.

The study points out that in 1998, the tourism industry is expected to generate over $60 billion in the State of California. Mr. Speaker, I quote from this report: ''The travel industry is healthy and growing in San Luis Obispo County, with total visitor expenditures in 1997 in the county of $394 million. This would all change if offshore oil and gas development occurred in our community.''

As policymakers, we must emphasize our commitment to the research, exploration, sustainable use, and protection of our oceans. Our economy and, indeed, our future depends on it.

As a representative of the central coast of California, I must do all I can do to protect our beautiful and valuable coastline. I look forward to participating in the exciting landmark conference which will recognize this as the International Year of the Ocean.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman 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.)

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

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

TRIBUTE TO LEROY COLVIN

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

Mr. METCALF. Mr. Speaker, I rise today to pay tribute to a member of

my staff, Leroy Colvin of Burlington, Washington. Leroy passed away suddenly on Sunday, May 17, 1998. His death was a great shock to those of us fortunate enough to have known and worked with him.

When I first met Leroy, he was a caseworker in the Bellingham, Washington office of my predecessor, Al Swift. I had always respected Leroy, so when I was elected in 1994, I asked if he would like to continue working for me in that office, and he did.

Leroy was one of the people that make the programs created in Congress work for the average American. If a person was having trouble with Social Security, veterans' affairs, or any other program, they could not have a better advocate than Leroy Colvin. He was the person on my staff that one could go to if they had a really tough case that needed a positive solution.

Leroy was born February 2, 1935 to a farming family in Skagit County, Washington State. During his days as a farmer, Leroy grew 120 acres of strawberries, 20 acres of raspberries, and 100 acres of cucumbers annually.

□ 2030

As a farmer, Leroy was unique for his time in that he provided day care for the children of the migrant farm workers that would come way up North each year to harvest his crops. He was concerned with their welfare and always tried to do the right thing by them. He also operated a restaurant and lounge in Burlington for about 10 years.

My staff all have their own favorite stories and observations of Leroy, but one truth has come through consistently. Leroy loved a challenge. Like most Americans our age, Leroy was not used to the great many things that computers could do to provide information to help him do his case work. When he was shown the great wealth of information that was available on the Internet, Leroy was fascinated. He would often provide information on obscure topics to other members of my staff while they were on the telephone with a constituent talking about that subject. He would get on that thing and go while they were talking and bring them information. He loved a really hard case or a request for the most obscure fact or figure. He would work at it every day until he came up with the answer.

When a member of my staff wanted to reunite her husband with his son after a 30-year absence, it was Leroy that was able to search America via the Internet and finally locate him. The end of that story, they plan to meet later this year.

Leroy was also fascinated by genealogy. He was sort of a self-appointed family historian for the Colvin family of Skagit County. He had friends and relatives in the Ozarks, and he loved to travel to Branson, Missouri. Leroy had friends all across the country. He had lived in many places in America as a younger man and still had contact with the friends he made from this time of his life. He was a stranger to no one he met.

Mr. Speaker, on behalf of myself, my wife and my staff, I wish to convey our heartfelt condolences to the Colvin family on the passing of Leroy. No building or program will ever bear his name, but few have done as much on a daily basis with as much heartfelt caring to make American government work for the average person than Leroy Colvin.

I, along with my wife and staff, as well as the people in need of help from their government, will miss him deeply.

The SPEAKER pro tempore (Mr. BURR of North Carolina). Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

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

REMEMBERING EDDIE RABBITT

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

Mr. BURTON of Indiana. Mr. Speaker, a few years ago I was riding on an airplane, and I sat down next to a fellow who was a little reluctant to start talking to me initially. But we had about a 3-hour flight, and, as the flight progressed, I got a chance to get to know this fellow. His name was Eddie Rabbitt, and he was a country and western singer who over the last 20 years had 26 number one country hits. And Eddie and I became very good friends, and we talked on the phone quite frequently. We did not get together very much, but we talked on the phone on a regular basis.

And about a year ago I found out that Eddie was suffering from lung cancer. He was 55 years old at the time, and he had part of his lung removed, and he went through chemotherapy and all the other things that people go through when they suffer from cancer of almost any type anymore. And Eddie was a very courageous fellow. He fought very, very hard to whip cancer, and they thought that they did have it whipped but, unfortunately, a couple of weeks ago Eddie Rabbitt passed away.

He was one of the finest men I had the opportunity to know. He was a good family man. He feared God. He cared about his country, and he believed that entertainment, country and western entertainment, should be very clean and free from obscenities. And he talked about that quite frequently.

He was one of the nicest guys that I had the opportunity to know over the past several years, and he will be missed by me and by a lot of other people across the country who really loved and admired his work.

At the height of his career, he decided to cut back on his performances because he had a son Timothy who had liver disease, and his son died in 1985, 1 month shy of his second birthday. It was very difficult for him, and he decided to cut back on his work so he could spend more time with his family. Rabbitt and his wife Janine had two other children, daughter Demelza, 16, and son Tommy, 11. They lived in the Nashville suburb of Franklin, Tennessee.

He was a wonderful man. He was a man who was loved by people all across this country. He was a great entertainer, a great artist, and he will be missed by people all over this country and all over the world.

REGARDING RELATIONS BETWEEN THE PEOPLE OF THE UNITED STATES AND THE PEOPLE OF THE PHILIPPINES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

Ms. MILLENDER-McDONALD. Mr. Speaker, today I rise in support of H. Res. 404 regarding the relations between the people of the United States and the people of the Philippines. In light of the Philippines 100th anniversary of its independence from Spain, this measure appropriately acknowledges the Philippines' efforts to improve its democracy and human rights, rule of law and expansion of the free market. Such accomplishments are reflective of a nation striving to fulfill its potential as a future leader in international diplomacy.

As a nation on the rise, the Philippines has made significant strides to uphold and promote democratic ideals. From open elections to establishing diplomatic relationships with free world nations, the Philippines has accepted its role as an emerging power in the international forum. This role has been further established by its efforts to promote human rights both domestically and abroad.

In the annals of U.S. military history, the Philippine people have made incredible contributions to the preservation of world democracy. Fighting side by side with American troops in World War II, the Korean War and Vietnam, Filipino troops demonstrated both valor and fighting prowess in all these engagements. In the constant face of adversity, these men and women endured and prevailed. The accomplishments of Philippine Americans have not only been noticed in military endeavors, but have also been noteworthy for their contributions to the United States.

As U.S. citizens, Filipino Americans have made great contributions to the growth and prosperity of our Nation. In the 37th Congressional District of California, the Filipino American community has contributed immeasurable leadership and vision. As a result of these contributions, the Filipino American community deserves the respect

and gratitude of this country's government.

Unfortunately, some members of the Filipino community have not been accorded such respect. Amerasian children, children of mixed heritage borne by Philippine mothers and U.S. servicemen, have been denied the right to immigrate to the U.S.

In the spirit of today's House resolution, I would ask my colleagues from both sides of the aisle to join me in sponsoring my bill, H.R. 2540, the Amerasian Reunification Act. This legislation would help reunite families and children born in the Philippines. Your support of this legislation will send a resounding message to the citizens of the Philippines that Americans are willing to stand behind their democratic beliefs in assisting those less fortunate in need.

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

(Mr. SCARBOROUGH addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

ON NIGERIA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, none of us should take comfort or have joy when someone loses their life. So I do not stand today on the floor of the House to celebrate the death of the despotic leader of Nigeria, Sani Abacha, for a human life has been lost.

Immediately upon his death, however, a military major general was appointed. I do think it is important that we look upon this opportunity for all of us who believe in human rights and human dignity and the full promise of a country like Nigeria with 115 million citizens, the largest nation on the continent of Africa. I do believe this is a time that we stand up and ask for democratic free elections, the respect of human rights and human dignity, and the assessing of the needs of the people of Nigeria and their needs being the highest priority over the greed of despotic leaders.

As I watch the news unfold, tragic that someone has lost their life, but it gives us an opportunity to speak up and stand up and be counted. Otherwise we all can turn our backs and our heads and we can say, well, there has been a nonviolent transition of government. Of course, it has. Military leaders selected another military leader.

The question is, will there be free elections in Nigeria? Will there be the opportunity for the people of Nigeria to have jobs, for the oil-rich Nigeria to translate some of those dollars into the education of their children, the health care, the opportunities for employment, or will business be as usual?

I for one think it is important that Nigerians around the world, people of goodwill who want their country to be restored to its natural promise of leadership on the continent of Africa and in the world, the place where it has been in the past and the place where it has been in recent years, when it helped America in the Persian Gulf War, even Africa today looks to Nigeria to be a leader.

How tragic it was that the President of the United States in his visit to the continent could not include on his list the largest African nation to be part of that historic journey because it had not accepted the principles, the basic tenets of human dignity and human respect.

So Nigerians across the world, and particularly those in this great Nation, and to my good friends in Houston, Texas, it is time now for your voices to be raised and demand the transition that will transition the Nigerian Government into democracy, free elections into the fall. The major general who has now been despotically appointed by dictators themselves must commit himself to free elections. Our corporate friends who enjoy the largess of a country with respect to the businesses that are done there, their voices, too, must be raised.

I do know that overall sanctions at the drop of a hat do not necessarily work, but I think it is now high time for Nigeria to unshackle itself from despotic leadership, punitive measures towards its constituency base, the mass killings of writers, poets, activists and adversaries of the government, and stand up and be counted for the democracy of which its promise can fulfill. Nigeria can be a leader on the African continent and in the world. We should be ashamed to allow the despotic leadership to continue.

Those of us who care about the continent in Nigeria, someone who has studied, as myself, in Nigeria, traveled in Nigeria, appreciate and love the people of Nigeria, have strong constituents who are in fact citizens or past citizens of Nigeria, I would simply say that now is the time for all voices to be heard. No one's head should be turned. No one should say, I am afraid that my name can be counted because the despot in Nigeria may haul me over from the United States or they may harm my family. What kind of country is that?

So it is so extremely important that we call upon this newly appointed new leader, self-appointed, if you will, not democratically elected, to bring about democracy to his people, freedom to his people, free elections to his people, human dignity to his people. And we in the United States of America must be in the front of the line demanding that kind of justice for the Nigerian people.

My friends who are Nigerians in this country, your voices must be the loudest, and you must join us in ensuring that there is, yes, a good atmosphere for doing business, but good opportunity for living a better quality of life in a democratic society. Nigeria deserves nothing less. This country should call upon it to do what is right.

□ 2045

HOUSE PASSES LEGISLATION TO STIFFEN SANCTIONS REGARDING MISSILE PROLIFERATION

The SPEAKER pro tempore (Mr. BURR of North Carolina). Under a previous order of the House, the gentleman from Pennsylvania (Mr. FOX) is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise tonight in the House to congratulate my colleagues for joining with myself and the gentleman from New York (Mr. GILMAN) in passing historic legislation which will stiffen sanctions against Russian organizations that have provided missile hardware and technology to Iran. The legislation imposes a minimum of 2 years of sanctions against Russian organizations and companies identified as having provided missile materials or technology or have tried to since January 22, 1998 when the Russian government issued a decree banning such activity.

The urgency of this legislation is apparent. Thanks to critical assistance from Russian firms, Iran is making steady progress in developing medium- and long-range ballistic missiles which is not in the best interests of the United States or in world peace. Unless something happens soon, Iran may be able to produce its own medium-range missiles within less than a year. If the assistance from Russia continues, Iran soon will be able to produce long-range ballistic missiles as well.

For more than a year, the Clinton administration has been in dialogue with Russia about stopping this assistance. Thanks in large part to the pressure brought to bear by the very legislation we have considered today, some progress has been achieved, at least on paper.

On January 22, the Russian government issued a decree to block the transfer of missile technology to Iran but in the nearly 6 months since this decree was issued it has become apparent that the Russian government is not fully committed to implementing it. Despite progress in some areas, the evidence suggests that at least some elements of the Russian government continue to believe that the transfer of missile technology to Iran serves Russian interests. Congress cannot change the misguided foreign policy calculations of some Russian officials but we can give Russian firms that are in position to sell missile technology to Iran compelling reasons not to do so. The sanctions contained in our legislation will require such firms in Russia and elsewhere to choose between short-term profits when dealing with Iran and potentially far more lucrative long-term economic relations with the United States.

As this legislation was adopted here in the House today, by a 392–22 vote, we

hope that we will have similar support in the Senate and the President will sign it. Frankly this is a step in the right direction for protecting this country and for world peace.

I would like to thank the Speaker for this time to address my colleagues and to thank them for their support of this important legislation which came from the Committee on International Relations chaired by the gentleman from New York (Mr. GILMAN).

REQUEST FOR REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1704

Mrs. MALONEY of New York. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor from H.R. 1704.

The SPEAKER pro tempore. The unanimous consent request of the gentlewoman to remove her name as a cosponsor of H.R. 1704 cannot be granted because H.R. 1704 has been reported to the House and referred to the Union Calendar.

2000 CENSUS

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

Mrs. MALONEY of New York. Mr. Speaker I rise today to discuss the 2000 census and in particular the two lawsuits that have been generated because of the 2000 census.

As many of my colleagues know, Speaker GINGRICH and the gentleman from Georgia (Mr. BARR) each have filed a lawsuit challenging the constitutionality of the use of statistical methods when conducting a census. What my colleagues may not know is that 25 other Members of Congress who support the use of statistical methods when conducting a census have joined those two lawsuits to make sure that our position is represented in the court system.

As a Member of that group of 25, I want to give the Members of this House a status report on the two lawsuits. On Monday, April 6, 1998, the administration moved to dismiss both lawsuits on the constitutional grounds that the plaintiffs, GINGRICH and BARR, lack standing to sue the Census Bureau because they will not be harmed by the proposed plan and that the cases are not yet ripe for adjudication because the census is 2 years away.

The rhetoric from Members opposed to an accurate census suggests that the administration is hiding behind the procedural issues of standing and ripeness. This is simply not the case. As everyone knows, each case brought before a court must be reviewed procedurally before it can be reviewed on its merits. A case cannot go forward if it is not procedurally sound. The administration has repeatedly stated that it is eager to argue the merits of the case; however, it believes it has a legal obligation to also argue standing. Even if the administration did not bring up the issue of standing, a court has an obligation to dismiss a case if it is not procedurally sound, regardless of what the parties to the lawsuit allege.

My colleagues should remember that standing is also a provision of the Constitution. You cannot violate the Constitution, even with a wink and a nod, in order to get a ruling on the use of modern technology in the census.

What is not mentioned by my friends opposed to a fair and accurate census is that the administration in its motion to dismiss also argued the case on the merits, stating that the statistical method plan is both constitutional and in accord with the Census Act. Therefore, in addition to the procedural issues, the administration points out that the two cases should be dismissed on substantive issues as well.

Some of my colleagues may remember that there was a court challenge to the Line-Item Veto Act by some Members of Congress in January 1996. Congress passed the Line-Item Veto Act effective January 1996. Within the act, Congress created the right of expedited judicial review and attempted to create standing for Members of Congress.

Therefore, shortly after the effective date, some Members of Congress filed a lawsuit challenging the constitutionality of the Line-Item Veto Act. The defendants in the line-item veto case filed a motion to dismiss on procedural grounds. In that case, the Supreme Court upheld the Federal court's dismissal of the January 1996 Line-Item Veto Act challenge stating that the Members did not have standing to sue.

Likewise, with regard to the 2000 census, we have the 1998 Commerce, Justice, State Appropriations Act creating the right to expedited judicial review and attempting to create standing for Members of Congress to sue. Just like the January 1996 line-item veto case, these two lawsuits are being challenged on procedural grounds.

Constitutional scholars agree that these two cases lack the necessary procedural requirements to move forward. The courts cannot give advisory opinions as these two cases request. My anti-accurate census friends continually point to the Constitution when discussing the sampling details of the 2000 census but ignore the part of the Constitution that states that there must be a case in controversy in order for it to proceed and considered on the merits. The Constitution is very clear on that point.

I am as eager as anyone to have the courts review the substantive issues surrounding the use of modern statistical methods when conducting a census. I believe that if these cases reach the merits, the courts will determine, and the Supreme Court will uphold, that the 2000 census plan is constitutional and in accord with the Census Act. I would love to have these issues decided by the courts which are in the business of interpreting statutes and the Constitution.

In the meantime, I think it is imperative to set the record straight. Neither the administration nor the 25 Members who have joined the two lawsuits are afraid of discussing the merits of the two cases. We have said it before and we will say it again and again. The Census Bureau will obtain a fair and accurate count only by using statistical, modern methods.

This week in both the District and Virginia courts, there will be hearings at which each side will plead its case. On Thursday, arguments will be heard in Washington, D.C. and on Friday in Virginia. I am confident that we will prevail in the courts and in the court of public opinion. The American people deserve a fair and accurate census in which every person, rich or poor, black or white or Hispanic or Asian, is accounted for. The President has put forward a plan that will account for all Americans. The opponents of this plan want to repeat the errors of the past because they believe it is to their political advantage. The President's plan is true to the Constitution in both word and spirit, and it is the only plan that is fair to all people.

MANAGED CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, tonight I want to talk about the issue of managed care reform. This issue has without question become one of the most important issues on the minds of Americans today. Accordingly, it has also become one of the most pressing issues before Congress. In the last few weeks, there have been front page articles in the New York Times and in the Washington Post on the fever pitch the debate has assumed on Capitol Hill. This debate, as I will discuss tonight, has assumed a clear and identifiable framework. The debate is now one between supporters of managed care reform and the Republican leadership and insurance industry who are fighting tooth and nail to undermine the various managed care reform proposals that have been introduced. The issue has reached the dimensions it has because patients are being abused within managed care organizations. Patients today lack basic elementary protections from abuse and these abuses are occurring because insurance companies and not doctors are dictating which patients can get what services under what circumstances.

Within managed care organizations, or HMOs, the judgement of doctors is increasingly taking a back seat to the judgment of insurance companies. Medical necessity is being shunted aside by the desire of bureaucrats to make an extra buck and people are literally dying because they are not getting the

medical attention they need and ironically enough are, in theory, paying for their premiums.

Mr. Speaker, this is not an exaggeration. I decided tonight to bring a few examples. Actually there are a number of examples of some pretty horrific examples that have been put together from news clips from various newspapers nationwide to just give some examples of some of the awful stories that have come forward about abuse by managed care organizations. I just wanted to give a few tonight. I have in front of me about 140 of them and I am certainly not going to go through all of them but I would like to give just a few.

This one is actually from the New York Post, September 20, 1995. It describes a 4-year-old girl who ran a high fever following a 5-hour hospital stay for a tonsillectomy, which is considered an outpatient operation by HMOs. Her mother took the girl to her HMO pediatrician who did not take the girl's temperature, did not examine her throat and did not refer the girl back to the surgeon, a routine procedure for postoperative problems. Unfortunately the girl died of a hemorrhage at the surgical site.

I have another example. This is from the Long Island Newsday, February 11, 1996. A mother in Atlanta called her HMO at 3:30 a.m. to report that her 6-month-old boy had a fever of 104 and was panting and limp. The hot line nurse told the woman to take her child to the HMO's network hospital 42 miles away, bypassing several closer hospitals. By the time the baby reached the hospital, he was in cardiac arrest and had already suffered severe damage to his limbs from an acute and often fatal disease and both his hands and legs had to be amputated. A court subsequently found the HMO at fault.

I do not like to give these examples because they really are horrific, but there are so many of them. I am just going to give another couple because I think that it is important for all of us to understand some of the problems that people face out there on a daily basis. This one is from the Enterprise Record from January 21, 1996. It describes a 27-year-old man from central California who was given a heart transplant and was discharged from the hospital after only 4 days because his HMO would not pay for additional hospitalization, nor would the HMO pay for the bandages needed to treat the man's infected surgical wounds. Well, the patient died.

A lot of these examples do not necessarily involve people who have died but who have had severe problems and severe handicaps, lifelong handicaps that have resulted from their experience with HMOs. I have said because of the importance of this issue there are a number of legislative proposals that have been introduced to give patients the protections that they deserve. Working with our Democratic Caucus Health Care Task Force, which I co-chair, the gentleman from Michigan (Mr. DINGELL) introduced legislation which would provide patients with a comprehensive set of protections for managed care abuses. This is the Patients' Bill of Rights, as it is called, that so many Democrats have now cosponsored, and also some Republicans.

I should say that the Patients' Bill of Rights is not an attempt to destroy managed care. It is an attempt to make it better. Some have suggested that in reforming managed care and putting forth a bill like the Patients' Bill of Rights that somehow we or those of us who support this legislation do not like managed care. That is simply not true. We are simply trying to make managed care better because of the problems that we have faced with managed care and HMOs in the last few years.

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Mr. Speaker, I cannot emphasize that point enough. Supporters of managed care reform want just that, reform, not a dismantling of managed care. The Patients' Bill of Rights would help bring about that reform by putting medical decisions back where they belong, with doctors and their patients, and we have, as I said, seven Republican cosponsors for our bill, so it really has become a bipartisan bill.

Unfortunately the Patients' Bill of Rights does not enjoy the support of the Republican leadership, and that is really the rub here. In fact, if we are to believe what we read in the paper, it is not just the Patients' Bill of Rights that the Republican leadership opposes, they appear to oppose the larger notion of managed care reform. They are simply not willing to cross the insurance industry in order to give patients better protections and doctors greater power over medical choices.

The week before Congress broke for Memorial Day, the chairman of the Republicans' health care task force, the gentleman from Illinois (Mr. HASTERT) announced that he would have a outline of a proposal before the recess, the day before the Congress adjourned for the Memorial Day recess, and Speaker GINGRICH quashed the managed care reform proposal that was put forward by his own Republican task force, the Hastert task force, and I have to say I think this move even surprised some of the Republicans who favored some kind of managed care reform. But following the Speaker's rebuke the Washington Post reported that, and I quote, ''Gingrich's foot soldiers realize that they did not know exactly what he wanted. They weren't quite sure, said Representative HARRIS FAWELL. The Speaker did not like what he saw and sent his fellow Republicans,'' to use their words, ''back to the dugout.''

So now we know it is clear that the Speaker has rejected the Republican proposal, the Republican Task Force on Managed Care Reform proposal, because it had too many patient protections on it, and I have to repeat that. His own task force, speaking here of his own task force, presented him with a proposal that included patient protection similar to the Democrats' Patient Bill of Rights, and he rejected the proposal because of their inclusion.

Last week we had the gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means' Subcommittee on Health and a member of this Republican health care task force, call some of the ideas for patient protection being pushed by his fellow Republicans asinine. What the Speaker and Mr. THOMAS are after here is what I call a cosmetic fix. They understand that the public is clamoring for managed care reform, that the public wants something like the Democratic Patient Bill of Rights, but what they are probably going to do is come up with something that sounds like a patient bill of rights or a patient protection bill without any real patient protections. And that is why I think it is so important for us to keep coming to the floor on a regular basis explaining why patient protections are needed, why we need this managed care reform, and demanding that this House take up this issue and pass it in time before we adjourn and before this Congress runs out of time.

I have a lot more that I could say on this issue, but I do not know, and I see that my colleague is here from the Committee on Commerce, the gentleman from Pennsylvania (Mr. KLINK), and I know that he has been out there on a regular basis talking to his constituents, having forums on this issue of managed care reform, and as I have. We have gotten a tremendous response from our constituents, who really are demanding that we take up this issue. I yield to the gentleman.

Mr. KLINK. Mr. Speaker, I thank my friend from New Jersey for sticking with this message.

The point that I would make is that it does not matter who comes into our office either here in Washington, D.C., or our offices back in our districts. No matter what the issue is that they want to talk to us about, whether it is child care or whether it is farm subsidies or whether it has something to do with an industry, the conversation always gets back to health care and dissatisfaction that people have today across the board in this country that they themselves no longer have the ability to make the choices as it pertains to health care. People today are not empowered to have a conversation with their doctor and make medical decisions. It is someone with an insurance company who too often is making those decisions for them.

And I was very interested yesterday in seeing on the ABC Evening News an interesting look at HMOs. They said forget about the fact that you now have bureaucracies within insurance companies making medical decisions as to whether you can go to a doctor, which doctor you can go to, whether you can go to a hospital, whether you

can go to a physical therapist, if you can to go a hospital, how long you can go to the hospital. Forget about all that.

The one thing they promised us they were going to do with HMOs is control costs. Guess what? They have not even controlled costs. Their costs are going through the roof. People cannot afford it. They are not even doing the one thing that they have promised us they were going to do.

My friend from New Jersey is right. The one fear that everyone has is that those of us who want to hand control back over to patients again, back over to the citizens of this country, hand control to them and their doctors to make these decisions, the one thing that everybody is saying against us is, well, it is going to cost more money.

The fact of the matter is it is already costing us more than we can afford to pay, and we are still losing lives. And I have said it on this floor before, and I will say it again. If you are prolife, you cannot agree with a medical delivery system that causes people to lose their lives because we do not let them go to a hospital when they need to, and the gentleman is right. He has a hundred plus stories; I have got as many from my district.

People are dying, and we are not saying it to be dramatic. It is a point of fact. When I go back to my district, we hold these fact-findings. Someone walks in and says, ''My mother died. They wanted to keep her at the Cleveland Clinic, the doctor wanted to keep her, she wanted to stay, we wanted her to stay, but the insurance company wouldn't let her stay. She was released prematurely, and now she is dead.''

So people are dying. There is case after case where that happens.

So if you are prolife, you cannot be for that. If you are prochoice, you have to want to give people the choice of the doctor that they are comfortable with, the choice of the medical treatment they are comfortable with. Call it healing. It is what is between our ears is that mind. It is feeling safe and secure in who is treating us. And now we have that gatekeeper, that primary care physician who we may not know, we may not have any knowledge of, and there is increased evidence that those primary care physicians too often, not always, but too often are put in those positions with the feeling in the back of their own mind, and maybe it is not so subtle the way it is put to them, if you give too many recommendations out of the network, you will not be in that position very much longer.

And we have got time after time where people are being denied insurance because of preexisting conditions; time after time when doctors are being told you cannot be in the system, and they are not told why they cannot be in the system, just their insurance company said, we already have enough doctors. I would ask is that not restraint of trade if a doctor is not able to see their patients anymore?

What about the providers of other services? What about the visiting nurses who are not included in that system anymore? What about the people who make the prosthetics, the artificial limbs, the artificial legs, and you are told you cannot go to that prosthesis manufacturer anymore, you have to go to somebody 2 hours away, an hour and a half away, 3 hours away that you never heard of before. Why? We do not understand why.

What about the formularies that these HMOs have created where you cannot get the medicine that is the latest, the best medicine? You have to take the cheapest drug in that classification of drugs. Why are we working in this House of Representatives as Republicans and Democrats together to get the latest pharmaceutical products safely on the market again if our constituents do not have access to those drugs?

These are all questions that we have to answer, and what our Patients' Bill of Rights is saying is put that control back in the hands of the patients again. Empower the people of this country to participate in the decisions of their medical care. Do not leave it in the hands of those insurance companies alone.

When the Clinton health care plan was being chastised, when it was being ripped apart, when insurance companies were spending tens of millions upon tens of millions of dollars to talk about the fact that, oh, you do not want the Federal Government to control your health care, well, Mr. Speaker, now you do not have the Federal Government in control, you have the insurance companies in control, completely in control. How does it feel? How does it feel now that we have completely lost control?

My dear friend from New York, I think, was looking for a moment of time, and if the gentleman would continue to yield, we might be able to accommodate her.

DAYS OF REMEMBRANCE

Mrs. MALONEY of New York. Well, I really join the gentlemen with their concern on the Patient Bill of Rights, and I am a strong supporter of it, but I really rise with these few seconds today to remember the more than 6 million men, women and children who perished during the Holocaust.

On Thursday, April 23, we remembered the victims of the Holocaust at the United States Holocaust Memorial Museum's 1998 Days of Remembrance. This year's theme, Children of the Holocaust, their memories, a legacy, paid tribute to the more than 1.5 million children who lost their childhoods, their friends and their families throughout one of the darkest periods in our history.

It is particularly fitting that this year's theme centers on children because of the U.S. Holocaust Memorial Museum's exhibit, the Story of Daniel. The museum has collected the stories of numerous children through their diaries and poetry written throughout World War II and compiled them into one story of a young boy, Daniel. This exhibit was designed to teach our children what the children in World War II experienced. It tells and retells the stories of those children so we may never forget their stories of the Holocaust.

On behalf of the Days of Remembrance Committee of the United States Holocaust Memorial Museum, I would like to submit into the RECORD the speeches delivered in the memory of more than 1.5 million children that lost their lives in the Holocaust.

Mr. Speaker, I enter into the CONGRESSIONAL RECORD the following speeches:

CHILDREN OF THE HOLOCAUST: THEIR MEMORIES, OUR LEGACY

Remarks of Benjamin Meed, Chairman Days of Remembrance Committee, United States Holocaust Memorial Council

Members of the diplomatic corps, distinguished members of the United States Senate and House of Representatives, members of the United States Holocaust Memorial Council, distinguished guests, fellow survivors and dear friends, welcome to the 19th national Days of Remembrance commemoration.

First, let me take this opportunity to express our gratitude to the members of the United States Congress for their strong support of the Holocaust Memorial Museum. The enormous success of the Museum and its educational and Remembrance programs is due, in large part, to your efforts on our behalf. Thank you.

We gather together again to remember those whom we loved and lost in the pit of hell—the Holocaust. We dedicate this commemoration to all the precious children of the Holocaust, their memories, our legacy. More than a million and a half children—almost all of them Jewish—were struck down without pity. They were murdered simply for who they were, Jews.

The young ones, who were silenced forever, were the hope and future of our people. We will never know the extent of human potential that was destroyed—the scientists, the writers, the musicians—gifted talent burned to ashes by German Nazi hate.

At such tender ages, our children grew old overnight. They quickly learned how to conceal pain and how to cover up fear. More importantly, with natural compassion, they comforted those around them. The writer and educator Itazek Katznelson was so touched by an abandoned little girl caring for her baby brother in the Warsaw Ghetto that he composed a poem about her. And I quote:

Thus it was at the end of the winter of 1942
in such a poor house of shelter for children,
I saw the ones just gathered from the streets.
In this station, I saw a girl about five years old.
She fed her younger brother—and he cried.
The little one was sick.
In a diluted bit of jam, she dipped tiny crusts of bread
and skillfully inserted them into his mouth.
This my eyes were privileged to see—
to see this mother of five years, feeding her child
and to hear her soothing words.

How can we survivors forget these martyred children? Their lives, their laughter, their gentle love, their strength and bravery in the face of certain death are still part of our daily lives. Their acts of courage and resistance remain a heroic inspiration. Their

cries to be remembered ring across the decades. And we hear them. They are always in our thoughts, in our sleepless nights, in our pained hearts.

Like all survivors, there are many horrible events that I witnessed, but one particular event deeply troubles me and hounds me. It was in April, fifty-five year ago, almost to this day. Passing as an ''Aryan'' member of the Polish community, I was Krasinski Square near the walls of the Warsaw Ghetto. Inside the Ghetto, the uprising was underway. Guns and grenades thundered; the ghetto was ablaze. From where I was standing, I could feel the heat from the fires. There were screams for help from the Jews inside the walls. But the people surrounding me outside the walls went about their daily lives, insensitive to the tragedy-in-progress. I watched in disbelief as, across the Square, a merry-go-round spun around and around to the joy of my Polish neighbor's children, while within the Ghetto only a few yards away, our Jewish children were being burned to death. To this day, that scene still enrages me. How can one forget the agony of the victims? How can we explain such moral apathy of the bystanders?

Many of us were children in the Holocaust. Whether by luck or by accident, we survived. Liberation by the Allied Armies restored us to life, and our gratitude to the soldiers will always remain. The flags that stand behind me from the liberating divisions of the United States Army and from the Jewish Brigade are far more than cloth. In 1945 and today, they are the symbols of freedom and hope for us survivors. Today we are bringing history together.

Liberation offered new opportunities and we seized them. The transition was very brief. We helped to create a new nation—the State of Israel, which celebrates its 50th anniversary this year. Our history might have been very different if only Israel had existed 60 years ago. Nevertheless, we are here, and Israel is our response and Remembrance of the Holocaust. Mr. Ambassador Ben Elissar, please convey to the people of Israel our commitment and solidarity with them.

Many survivors became part of this great country that adopted us, and we are grateful Americans. Although we are now in the winter of our lives, we look toward the future, because we believe in sharing our experiences—by bearing witness and educating others—there is hope of protecting new generations of men, women and children—who might be abandoned and forgotten, persecuted and murdered. We remember not for ourselves, but for others, and those yet unborn. Knowing that the impossible is possible, there is the chance that history can be repeated—unless we are mindful.

The task of preserving Holocaust memory will soon pass to our children and grandchildren; to high school and middle teachers; to custodians of Holocaust centers; and, most importantly to the United States Holocaust Memorial Museum. But monuments of stone and well-written textbooks are not enough. Personal dedication to Remembrance—to telling and retelling the stories of the Holocaust with their lessons for humanity—must become a mission for all humankind, for all generations to come.

In these great halls of Congress, we see many symbols of the ideals that America represents—liberty, equality and justice. It was the collective rejection of such principles by some nations that made the Holocaust possible. Today, let us—young and old alike—promise to keep an ever watchful eye for those who would deny and defy these precious principles of human conduct. Let us remember. Thank you.

AMBASSADOR BEN-ELISSAR'S ADDRESS

In the late 20s and early 30s of this century no one really paid attention to Hitler. In spite of his growing influence over the masses in Germany, no one really cared to take a good look at his ideas and plans described in detail in Mein Kampf. When the general boycott of the Jews was declared in Germany on April 1, 1933, and subsequently, all Jewish physicians, lawyers, and professionals were prohibited to practice their professions, no one thought it was more than a temporary measure taken by an interim government. No one really reacted when, in 1935, the infamous laws on race and blood were adopted in Nurenberg.

No country in the world declared itself ready, at the Evian Conference on Refugees, in July 1938, to take in a significant number of Jewish refugees from Germany and the recently annexed Austria. The Kristalnacht, in November 1938, opened the eyes of some, but then, when gates to a safe haven were rapidly closing, when for the first time in history Jews were denied even the ''right'' to become refugees, the world remained silent. The only country to recall its ambassador from Berlin was this country—The United States of America.

There is a lesson to be learned—Whenever a potential enemy wants to kill you—Believe him. Do not disregard his warnings. If he says he wants to take away what belongs to you—Believe him. If he claims he will destroy you—Believe him. Do not dismiss him and his threats by saying he cannot be serious—He can!

In 1945, the world was at last liberated from the yoke of the most evil of empires ever to exist in the annals of human history. But for us it was too late. We were not liberated. By then we already had been liquidated.

In 1948, we actually arose from the ashes. Destruction was at last ending. Redemption was at hand. After two thousand years of exile, wandering and struggle the State of Israel was reborn.

We look back with indescribable pain on the terrible tragedy that has left its mark on us forever. Had the State of Israel existed during the 30s, Jews would not have had to become refugees. They could have simply gone home to their ancestral land. They would have not been massacred. They would have had the means to defend themselves.

Yesterday, the general staff of the Israeli army convened in Jerusalem at the Yad Vashem Holocaust memorial. Tough soldiers vowed that the Jewish people will never be submitted to genocide again.

Today, while we are celebrating the 50th anniversary of the State of Israel and commemorating the Holocaust, in the presence of United States senators and representatives, survivors, members of my Embassy and commanders in the Israel Defense Forces, may I state, that for us, statehood and security are not merely words, for us, they are life itself—and we are determined to defend them.

MILES LERMAN'S REMARKS

Distinguished ambassadors, honorable Members of Congress, ladies and gentlemen.

As the Honorable Ambassador, Eliahu Ben Elissar pointed out to you, the State of Israel is celebrating its 50th anniversary of independence.

The United States Holocaust Memorial Council was pleased to mark this occasion by including the flag of the Jewish brigade in the presentation of the flags of the American liberating units.

On behalf of the United States Holocaust Memorial Council, I would like to extend our best wishes on this special anniversary to the people of Israel and to the State of Israel.

It is our most fervent hope that the peace negotiations between the State of Israel and the Palestinian Authority will come to an understanding which will bring peace to this troubled region.

Happy anniversary and may your efforts for a permanent peace agreement be crowned with full success.

The theme of this year's national days of remembrance is remembering the children and fulfilling their legacy.

So let remembrance be our guide.

One of the expert witnesses called to testify at the trial proceedings of Adolf Eichman in Jerusalem was the world renowned historian Professor Salo Baron.

In his expert testimony, Professor Baron made the case not only for the terrible losses that the Jewish people suffered at the hands of the Nazis but he more specifically underscored the great loss that humankind at large has suffered for having been deprived of the potential talents and brain power of the one and a half million children who perished in the Holocaust.

Professor Baron stressed a point that the world is much poorer today because of these great losses.

He was bemoaning the losses of the future scientists and scholars who did not get to research. He was bemoaning the future composers who did not get to compose; the teachers who did not grow up to teach; and the doctors who never got to heal.

One and a half million murdered children is such a staggering number that it is most difficult to comprehend. This is why I thought that perhaps singling out and remembering the tragedy of one child would symbolize the great loss of all the children who were annihilated by the Nazis.

So today let us remember Deborah Katz.

In the Holocaust archives there is a letter written in 1943 by a Jewish girl by the name of Deborah Katz. She was nine years old when she and her family were taken out of the ghetto and loaded into cattle trains destined for the death camp of Treblinka.

Her parents managed to pry open a small window of the box car and threw the child out hoping that a miracle would happen and she would survive.

A Catholic nun happened to pass by and found the injured child. She brought her to the convent and hid her among the sisters who gradually nursed Deborah back to health.

The child was in comparative safety and she had a good chance to survive.

One morning, however, the nuns woke up and found a letter on Deborah's bed and this is what the nine year old child wrote.

It's bright daylight outside but there is darkness around me. The Sun is shining but there is no warmth coming from it. I miss my mommy and daddy and my little brother, Moses, who always played with me. I can't stand being without them any longer and I want to go where they are.

The following morning Deborah Katz was put by the Gestapo on the next trainload * * * destination * * * the gas chambers of Treblinka.

Today, I want to say to little Deborah, if you can hear me, poor child, and I know that you can. I want you to know that there is no more darkness, thank God. The Sun is shining again and warming little children like you. And what is most important, dear child, I want you to know that you did not die in vain. You have touched the hearts of many decent people, far, far away from the place where you lived and died.

There is a museum in Washington where within the last five years more than 10 million visitors came to remember the horrors of those dark days.

You are not forgotten, little Deborah, and you will serve as an inspiration to many children throughout the world to make sure that in years to come, no child of any people, in any country, should ever have to go through the agonies and pains that you have suffered.

''BLESSED IS THE MATCH * * *''

(Keynote Address by, Richard C. Levin)

The main camp at Auschwitz was situated, not in remote isolation, but in a densely populated region. To the east, immediately adjacent to the camp, was a pleasant village, complete with a hotel and shops, built to house SS troops and their families. One mile farther east was the town of Auschwitz, intended by the very men who worked the construction of the camps to be a center of industrial activity, a focus on German resettlement at the confluence of three rivers, with easy access to the coal fields of Upper Silesia.[1]

In his chilling work on the origins of Auschwitz, Robert-Jan van Pelt documents the Utopian vision that drove the systematic planning for German colonization of the East. In December 1941, Hans Stosberg, the architect and master planner, sent his friends a New Year's greeting card. On the front he wished them ''health, happiness, and a good outcome for every new beginning.'' The card's central spread depicted his drawings for a reconstruction of the central market place in Auschwitz. The inspiration on the back of the greeting card connected Stosberg's current project with National Socialist mythology:

''In the year 1241 Silesian knights, acting as saviors of the Reich, warded off the Mongolian assault at Wahlstatt. In that same century Auschwitz was founded as a German town. After six hundred years [sic] the Führer Adolf Hitler is turning the Bolshevik menance away from Europe. This year, 1941, the construction of a new German city and the reconstruction of the old Silesian market have been planned and initiated.''

To Stosberg's inscription, I would add that during the same year, 1941, it was decided to reduce the space allocated to each prisoner at the nearby Auschwitz-Birkenau camp from 14 to 11 square feet.

How, in one of the most civilized nations on earth, could an architect boast about work that involved not only designing the handsome town center depicted on his greeting card but the meticulous planning of facilities to house the slave labor to build it?

This is but one of numberless questions that knowledge of the Holocaust compels us to ask. In the details of its horror, the Holocaust forces us to redefine the range of human experience; it demands that we confront real, not imagined, experiences that defy imagination.

How can we begin to understand the dehumanizing loss of identity suffered by the victims in the camps? How can we begin to understand the insensate rationality and brutality of the persecutors? How can we begin to understand the silence of the bystanders? There is only one answer: by remembering.

The distinguished Yale scholar, Geoffrey Hartman, tells us, ''the culture of remembrance is at high tide. * * * At present, three generations are preoccupied with Holocaust memory. There are the eyewitnesses; their children, the second generation, who have subdued some of their ambivalence and are eager to know their parents better; and the third generation, grand-children who treasure the personal stories of relatives now slipping away.''[2]

The tide will inevitably recede. And if there are no survivors to tell the story, who will make their successors remember and help them to understand?

Holocaust Memorial Museum in Washington, along with those of sister museums in other cities, are educating the public about the horrors of the Shoah. Museums, university archives, and private foundations are collecting and preserving the materials that enable us to learn from the past, and it is the special role of universities to support the scholars who explore and illuminate this dark episode in human history. Our universities have a dual responsibility: to preserve the memory of the Holocaust and to seek a deeper understanding of it.

This is a daunting and important responsibility. To confront future generations with the memory of the Holocaust is to change forever their conception of humanity. To urge them to understand it is to ask their commitment to prevent its recurrence.

In the words of Hannah Senesh, the 23-year-old poet and patriot executed as a prisoner of the Reich in Budapest, ''Blessed is the match that is consumed in kindling a flame.'' May the act of remembrance consume our ignorance and indifference, and light the way to justice and righteousness.

REMARKS BY RUTH MANDEL

The most vulnerable of victims, the children of the Holocaust speak to us in a very special way. Some of the most powerful echoes to survive that terrible time come to us from their voices. Captured in diaries, in poetry, in art, and later, in the reminiscences of those few who survived, their memories still engage and teach us. Their struggle and their spirit document their time, but serve as a poignant lesson for our own. Among us in the Capitol Rotunda are many reminders of them, and of the importance of securing a different future for the children of today.

In a few moments you will hear readings from diaries kept by children even as the safe, predictable world they knew shattered in the face of the Nazi onslaught. Their authors, exhausted and hungry, terrified and lonely, and certainly bewildered by their fate, were sometimes too desperate to write, then, having found some small reason for hope, recovered to write again, their words tell us that they were also resourceful, courageous, defiant, and, even at times, humorous.

You will hear these words from young people themselves—a young man who has worked intensively for two years with the Museum's Fannie Mae Holocaust Education Project, and a young woman, whose grandparents' rescuers were recognized by Yad Vashem as righteous among the nations at the time or her Bat Mitzvah last year. As they read from these diaries, another young woman will assist the memorial candle lighters and place a rose amid the tapers. Romani herself, she is here to commemorate the tragic fate of those gypsies, who, along with their children, were murdered by the Nazis and their collaborators.

And, you will hear from a Roman Catholic high school teacher whose growing engagement with Holocaust history led to his appointment to the museum's Mandel Teacher Fellowship Program which develops a national corps of highly skilled secondary teachers to serve as community leaders in Holocaust education.

Also gathered here are some of those who survived the Holocaust as children and teenagers—in ghettos, in camps, in hiding or by fleeing as my parents did with me. As we listen to the voices of children from over 50 years ago, we who survived are heartened that their voices are joined by those of the students and teacher with us today who are representative of the millions of students and thousands of teachers served by the United States Holocaust Memorial Museum in its first five years. With this joining of voices, we forever link the children of the past to the children of the future in a solemn pact of memory and education and charge you with that most sacred task, remembrance.

THE HARDEST STORIES TO TELL

By Daniel C. Napolitano

My daughter is four years old. Her name is Elena. Each night when I put her to bed she asks, ''Daddy, tell me a story''. So I tell her stories. I tell her stories of heroes and villains; of wise and foolish animals; of good hearted people and of people who know too much for their own good. Sometimes she'll interrupt me and say, ''no, no, Daddy, just tell me a story about what you did at work today'', and that is always the hardest story to tell.

You see, I am a teacher, and I teach a course on the Holocaust. Everyday I go to work and tell the story of how a society forgot about the importance of honoring the individual life and dignity of every human being; about how the vanities of nationalism superseded the moral wisdom of the ages, and about how people became so concerned with their own welfare that they failed to consider the welfare of their neighbors.

As a child I never heard the story of the Holocaust. In fact for the first thirty years of my life I heard very little about the Holocaust, and absolutely nothing about the history of antisemitism. Then 8 years ago my life changed. I was asked to teach a course on the Holocaust, and, suddenly, found myself immersed in courses and books on the Holocaust. I began to hear the story, Hearing and telling the story of the Holocaust over the past 8 years has radically altered the way I see my life as a Catholic and as a teacher. As a Catholic I have come to realize that the history of antisemitism and the history of The Holocaust are essential to understanding ourselves as Catholics, Christians and humans; and to appreciating the fullness of Judaism and its rich heritage.

Hearing and understanding the legacy of our antisemitic actions and teachings gives us a more complete picture of ourselves as Catholics and Christians. Through the study of our ancient and modern failures, our students come to see the import of their moral choices in our own times. In turn they become more committed as individuals, and more committed as people of faith dedicated to bearing witness to the redeeming presence of God in the world.

As a teacher I have learned the value and power of telling the whole story of life's most tragic events. James Carroll of ''The Boston Globe'' recently noted that ''memory is less a neutral accident of the mind than a conscious interpretation of history, marked as much be deletion as by selection. How a community remembers its past is the single most important element in determining its future.'' I believe that it is in telling the whole story of the Holocaust that we most honor those who lived their lives with dignity, and it is in hearing the whole story that our students and children will learn to live their lives with integrity.

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[1] Robert-Jan van Pelt, ''Auschwitz: From Architect's Promise to inmate's Perdition,'' Modernism/Modernity, I:1, January 1994, 80–120. See also Deborah Dwork and Robert-Jan van Pelt, Auschwitz: 1270 to the Present, New York: W.W. Norton, 1996.

[2] Geoffrey Hartman, ''Shoah and Intellectual Witness,'' Partisan Review, 1998:1, 37.

When my daughter calls out in the middle of the night and I run to her room, she sometimes says, ''I had a bad dream. Will you hold me?'' As I hold her I think about the mothers and fathers who died in the Holocaust, and were not able to hold their children in the middle of the night. I think about the children who called out and waited for parents who did not come.

As I hold her I am reminded of the young girl in ''Schindler's list''; the one in the red coat. As she crawls under the bed, she knows that if she can just hide long enough her father and her mother will come take care of her. She knows that parents take care of their children; She knows that adults love children, and want them to be safe. As she crawls under the bed she thinks of the stories her father has told her, and she waits for her daddy to come.

Sometimes our children are four years old; sometimes they're twelve or sixteen. Regardless of their years, our children long to hear the stories we have to tell them. Do we know enough about the story of the Holocaust and the History of antisemitism to tell it to our children? Do we have the courage to tell them the whole story? We are here not only to remember the lives of those who perished in the Holocaust, but also to reflect upon the lives our children will live. The lives they lead will build upon the stories we decide to tell them. At times these stories will be easy to tell. At other times they will not. Let us not forget that sometimes the most important stories are the ones that are the hardest to tell.

Thank you very much.

Mr. KLINK. I thank our friend and would also wish to focus on that, but you know, as you were talking, I am also thinking, you know, we have got a very shameful situation in our own country right now. This is, you know, we kind of call ourselves the land of the free and home of the brave, we stand up for the lowest among us, and now we find ourselves here in the greatest democratic institution in the world, and we cannot get the leadership on the other side to work with us on solving this problem so that Americans can have access to the kind of health care that they deserve; in fact, the kind of health care that we have invested in with our tax dollars, the tax dollars on the appropriations bills that we vote on each year whether the Republicans are in charge or the Democrats are in charge.

We are putting funding into medical research. We are pitting funding into NIH so that we can develop new and great methods of healing. And in the Pittsburgh area where I happen to come from, we were able to see tremendous successes back in 1950s. Jonas Salk, the University of Pittsburgh, Dr. Sabin and others cured polio. What a phenomenal day that was. And Dr. Thomas Starville and others led the world and pioneered in transplant surgery so that now some body parts are changed like automobile parts.

It is absolutely amazing. Yet my constituents, who may live almost across the street or around the corner from these wonderful medical institutions, cannot have access to those places of healing. Our constituents cannot get access to those new miracle drugs that are finding their way into the marketplace because there is a formulary within the HMO that says you cannot have those drugs.

And here we stand, and we cannot get, and we have, I will say, some of our friends on the Republican side have done yeoman work on this duty, but they, like us, are foot soldiers; they, like us, are voices in the wilderness if we cannot get the leadership to work with us to say enough is enough.

We stand for the lowest people that cannot be here on the floor of the House themselves, that their children, their spouses, their parents, their neighbors, everyone in their community deserves to have access to that medical care. They deserve to make the choices, not the insurance company, not a manufacturing plant somewhere who comes in to see us to say, ''Well, we don't want the medical costs to go up.''

I would ask them are they not concerned when their employees are on the phone managing an illness in their family? They cannot be productive when they are doing that, and people are forced to do that today. There are hidden costs because we are not providing people with adequate choices where they and their doctors can make the right choice to heal them, to make them and their family better.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman so much for his comments because I know how strongly he feels, and there is no question that he is absolutely right about what is going on out there.

□ 2115

I just wanted to give two examples, if I could, following up on what the gentleman mentioned. I do not have the specific physician, but there was something on TV that I watched one night, and I do not even remember what channel now, but the gentleman was talking about in Pittsburgh how so many medical breakthroughs took place, polio and some of the other things a few years ago.

In many cases, what is happening now with managed care and the way that it is operating is that those physicians who are on the front line and who are coming up with new ways and new techniques of doing things are almost penalized.

We had the example with the physician, and I do not have his name in front of me, unfortunately, who had grown up with a deformed ear or deformed ears, and he had gone to medical school and made it his life's ambition that he was going to develop a way of cosmetic surgery to do cosmetic surgery to make particularly children's ears so that they would look normal, so to speak, again. He had developed this surgical method, and was doing a great job and handling these specialty cases, and all of a sudden found that the HMOs would not pay for it. They would rather send someone, a young person, to another physician who had perhaps not developed this breakthrough technique because it was costing less to do so.

He actually ended up spending most of his time on cosmetic surgery, not to denigrate it, but with people who were trying to lose weight or take material off their thighs or whatever to make themselves look better, and could not devote his time to cases of children who had these kind of deformities.

This is what we are seeing now. We are seeing those physicians who have developed new techniques, new technologies, who are the best of the bunch, basically not allowed to practice their profession anymore because of decisions that are made by these insurance companies. It is an awful thing.

Mr. KLINK. If the gentleman will yield further, then it goes even deeper. The gentleman hit the nail so squarely on the head. It even gets worse than that.

I have heard from doctors in my area who say, in their forties, ''We are walking away from the practice of medicine. We are going to go do something else. Not because we made so much money, but because we cannot afford, with the education that we have, to continue to work at this profession.

''Not only that, we are in this healing profession because we believe in it, we think it is a calling, it is an art, it is a healing art, it is a science. We would like to encourage other young people, the best and the brightest coming up through high school, to go to college, and those in college, go to medical school, become healers.'' They can no longer in good conscience recommend to the young people coming up to do that.

I am saying this: We are in danger of losing a generation and a half of what would potentially be our finest healers in this Nation. They are walking away from the field of medicine, or not even getting in it.

Mr. PALLONE. The other thing the gentleman mentioned that I wanted to bring up is this whole issue of cost, because we know that those who are against the managed care reform and the patient protections keep talking about costs.

We have numerous studies that show that legislation like the Patients' Bill of Rights will not result in any additional costs. To be honest, even if it did cost an extra dollar or two a month, which is probably the most it would cost, I do not think the average person would even care. But, interestingly enough, these same health insurance executives that are out there talking about the costs of managed care reform are the ones that are benefiting so much and getting these huge salaries.

It will not take too much time, but I had this document given to me that was put out by Families USA, called Corporate Compensation in America's HMOs, and it is long, but I just wanted to give you some of the summary here.

It says in keeping with the industry's extenuated focus on costs, this report analyzes the very different facets of

managed care cost, namely the costs associated with compensation for high-level HMO executives. The report examines 1996 executive compensation for the 20 for-profit publicly traded companies that own HMOs with enrollments over 100,000.

These were the key findings. The 25 highest paid executives in the 20 companies studied made $153.8 million in annual compensation, excluding unexercised stock options. In 1996, the average compensation for these 25 executives was over $6.2 million per executive. The median compensation for the 25 was over $4.8 million.

Of the 25, the one with the largest unexercised stock option package in 1996 had stock options valued at $337.4 million. The average value of unexercised stock options for these 25 executives was $13.5 million.

The last thing it says, in conclusion, which I thought was interesting, it says that publicly traded for-profit managed care insurance companies are considerably more cost conscious when they oppose the establishment of consumer rights than when they approve compensation for their top executives. For a publicly traded managed care company, remuneration in annual compensation and unexercised stock options for top executives routinely reaches millions of dollars; indeed, for many, reaches tens of millions of dollars. The managed care insurance industry's protestations about costs appear to be highly selective. While they argue they will need to raise premiums to be able to provide basic protections for consumers, their top executives make millions of dollars each year.

I am not trying to begrudge anybody making $1 million. The economy is good, so be it. But in the case of the managed care organizations, the bottom line is more and more of the premiums are going to pay for profits and for top executives' salaries, and the squeeze is coming in terms of the quality of care provided. So they have no business complaining about costs, which I do not think are really going to go up anyway. But it is interesting, I think, the selectivity and the way they go about it.

I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank the gentleman for yielding, and I thank the gentleman from Pennsylvania for his passion, but also his insight, into this extremely crucial issue. I appreciate his leadership.

As well, I do believe that we are, in essence, doing important work, for I think we must cease and desist the trend of moving away from health care and basically providing Americans with tolerance care.

In our community, sometimes we have a phrase that is used not so much as it will sound tonight. Sometimes mothers will say it about their children, or a child that has gone astray, or sometimes someone will say it about an incident that has occurred. But I am going to say it tonight. Managed care for Americans will be the death of us. Sometimes someone says this incident or this child's behavior, or something happens, it is going to be the death of me.

I think managed care as it is now presently structured in America is, frankly, going to be the death of us. Although that declaration may sound a little bit far stretched, let me share with you that it is actually not.

It is comforting, yet it is distressing, to find so many physicians in my community raising their voices about managed care. No matter what community they serve in, each one says repeatedly, I cannot treat my patients.

We are in a country where we were used to the friendly doctor that came to our homes. He may not have or she may not have had all of the most extensive technology and science at their fingertips, but we knew when we called Dr. Jones or Dr. Smith, Dr. Jackson, Dr. Pallone, any manner of doctor, that they would come and give us the very best that they could. If we needed admitting to a hospital, we would get that.

I do not know if those doctors of early years filled their pockets with dollars. Some of the accusations that are made, doctors are the most wealthiest or wealthy population; every doctor is not. I know good doctors who are in county hospitals in rural communities, and they are not raking in the dollars. They truly took the oath because they believed in being nurturers and healing people and helping people to fulfill the good health promise of their life. Managed care now stands not as the gatekeeper, but the actual block to good health care in America.

I think I read a report that my good friend from Pennsylvania might have mentioned, or the gentleman was also commenting on. We have in this country good science. We have in this country good medical technology. In fact, every day someone is discovering some new medical technique in order to make us better. But I was listening to a late night television program where a physician was saying the reason why our health care system is not competitive as it relates to other countries around the world is because we have the technology and the medical research, but it does not translate to care for Americans.

Why? Because there is a block. And the block now has gotten stronger and uglier with HMOs. Constantly physicians are having to ask the bureaucrats lodged somewhere, where no one knows where they are, whether or not she can stay an extra day in the hospital, whether or not this mother with a C-section can stay 72 hours to 4 days or 5 days because of complications. There is no longer the decision to be made by that patient and physician relationship.

I had a member of the Federal staff say to me that they had to leave and fly down to Florida where their father was discharged from a hospital. He was under managed care. That person was calling long distance here in Washington trying to make arrangements for the care for their parent. The only thing they could get was we are sending him home out of the hospital in a taxi. We are giving him a walker and sending him home to his trailer.

That person had to fly down to Florida simply to ensure that that father had the kind of day-to-day care that was necessary, because the HMO sent him out of the hospital, threw him out, literally, if you will, did not provide him with any home care, did not provide him with the kind of physical necessities that he needed for someone who was suffering from a broken hip. Simply a walker, a taxi ride, and dropped off.

What about the elderly person who was in need of staying the extra days in the hospital? Yet because of their attitudes about not being in hospitals when the physician came, the elderly person said ''Oh, I do not need any more care.'' What was written down hastily? ''Refused service.'' Out of that refusal of service came a dastardly ailment that could have been detected if someone said, I am not governed by the HMO, I think this person needs more testing.

So we have to find a way to fix this broken system. We are one of, or at least considered, the richest country in the world, the United States of America, one where physicians have the best training. And I agree with my good friend from Pennsylvania, we may be discouraging a generation of nurturers, because they cannot practice their trade and their talent.

I believe that we have to fix the managed care system. It is long overdue. We must put the physician and patient relationship, as Humpty Dumpty, back together again. Otherwise, we are going down, down, down, and managed care will in fact be the death of us.

I think the legislation that we are looking at at this point, I would say to my good colleagues that managed care and good health and good managed care, if you will, is a bipartisan issue. Helping out physicians is a bipartisan issue. Dealing with senior citizens who cannot help themselves, children who cannot help themselves, people needing transplants who cannot help themselves, needs good bipartisan leadership.

So I would thank the gentleman for this special order and for his leadership, and ask my colleagues in the House to join unanimously, if you will, to raise their voices to get the managed care legislation that would fix a broken system, so that we could save more lives, and not be known as a country that has a system that is the death of those of us who are attempting to make a better quality of life.

Mr. PALLONE. I want to thank the gentlewoman again. I know that she has spoken out on this issue many

times and how important it is to her, and I appreciate her joining us again this evening.

The gentlewoman mentioned the bipartisan nature of this. We have an example here on the other side of the aisle, the gentleman from Iowa (Mr. GANSKE), who is a physician, who has been outspoken on this issue of the need for patient protections. I would like to yield to him at this time.

□ 2130

Mr. GANSKE. Mr. Speaker, I appreciate joining my colleagues from Texas and from New Jersey on this important issue. As the gentlewoman mentioned, this should be a bipartisan effort. This is not something for Republicans or Democrats. It cuts across every segment of our society. Everyone needs health care.

What we are dealing with right now is that about 5 percent of the people who receive their insurance from their employer are now in managed care organizations. Very frequently, they are not given a choice. They are simply told by their employer, here it is. This is our plan. It is the cheapest we could find on the market. Take it or leave it.

So when I hear from my colleagues about, well, just let the market work out the problems in this, I just have to say, you know, the market is not working. There is a disconnect between who buys the insurance and who uses the insurance.

When you are only offered one choice from your employer, then it turns out that your only choice for health insurance may be that you have to quit your job and find a different one.

I am reminded of the fact that there is a very popular movie going around the country now. It is As Good As It Gets. In this movie, we had a waitress, Helen Hunt, who had a boy with asthma. She was in an HMO. She was not getting the proper care, having to take her child to the HMO all the time. Her appeals for specialist care were denied.

So in the movie, Jack Nicholson, who is an elderly gentleman who is squiring this waitress, very kindly gets her an appointment with a private physician to find out what is wrong with her son with asthma.

The physician says, well, what were the results of his skin tests? Standard procedure to find out what may or may not be causing asthma. Helen Hunt's face is blank. She says, well, it was not authorized. The doctor kind of looks at her, and then it is like a light bulb goes on. She gives a string of expletives about her HMO.

All across the country, this happened in Des Moines when I saw the movie, people cheer and clap. It is the most amazing phenomenon. I have never seen it in another movie.

Why would that be? Why would you get that type of universal response to mismanagement by managed care? It is because the public is realizing that there are some serious problems that need to be fixed in managed care. As an example of that, humor, which needs a universal medium, is being applied to HMOs.

Here is a cartoon that was in a newspaper. Here we have a medical reviewer for an HMO. The medical reviewer is on the telephone taking a call from somebody phoning in with a problem from the HMO.

The medical reviewer says, Kuddlycare HMO. My name is Bambi. How may I help you?

You are at the emergency room, and your husband needs approval for treatment?

Gasping, writhing, eyes rolled back in his head? Gee, does not sound all that serious to me.

Clutching his throat, turning purple, uh-huh. Have you tried an inhaler?

He is dead. Well, then, he certainly does not need care, does he?

Then she finishes up after she has hung up by saying: Gee, people are always trying to rip us off.

Does that seem overly harsh to you? Let me give you a real-life example. This is a woman who is 28 years old who was hiking in the Shenandoah Mountains. She fell off of a 40-foot cliff. She fractured her skull, was comatose, broke her arm, broke her pelvis. This is a picture of her just before she is airlifted to a hospital. She is taken to the hospital where she is in the intensive care unit, comatose, for weeks.

When she finally gets better, she is presented with a $12,000 bill by her HMO. They refused to pay for her care. Can you guess why? Because she did not phone for prior authorization. I mean, can you believe that? What was she supposed to do? Wake up from her coma when she is lying at the bottom of that cliff, reach into her pocket with her nonbroken arm, pull out a cellular phone, and make a phone call to an HMO a thousand miles away, say, oh, by the way, I just fell off a 40-foot cliff? I broke my skull, my arm, and my pelvis, will you authorize me to go to the hospital?

Then the HMO would not pay later on because they said that she did not give them timely notice when she got to the hospital. She was in the ICU on a morphine drip for weeks.

This is the type of problem that affects real people. These are not just anecdotes. The reason that this issue resonates with so many people is because almost everyone has had either a family member or a friend who has had an outrageous denial of treatment or delay in treatment or other problem related to their HMO.

Here is an anecdote. This is a woman who is no longer alive today because her HMO denied her the care that she needed. Talk to her two children and her husband about how she is just an ''anecdote.''

I mean, I am reminded of a scene from Shakespeare where a character says, ''Do these anecdotes not bleed if you prick their finger?''

This is a real problem that we are facing in this country, and I am very glad to be able to join my colleagues on this. There are two bills before Congress right now. One is called the Patient Bill of Rights, and the other is called the Patient Access to Responsible Care Act. Both of them are very similar in many regards, and they are both bipartisan bills. Yet, we have a situation where, as my colleagues have outlined earlier tonight, we cannot get these bills to the floor, even though one of them has more than enough votes just from the sponsorship to pass.

Let me tell you about a bill that I have had for 3 years; 3 years I have had a bill in this House that has nearly 300 cosponsors, bipartisan bill, dealing with an aspect of managed care that would ban gag clauses.

Do you know what gag clauses are? These are contractual arrangements that HMOs have on provider contracts that say, before you can tell a patient what their treatment options are, you first have to get an okay from the company.

Think about that. Let us say that a woman has a lump in her breast. She goes in to see her doctor. He has got a gag clause in his contract. We know that these clauses exist all across the country, because we had congressional testimony before our committee on this.

So the doctor does her history and physical exam. She has got three options, one of which might be more expensive than another, but he has got a gag clause in his HMO contract. What does he have to do? He has to say, excuse me, leave the room, get on the phone and find out if it is okay with the HMO if he tells that lady all of her treatments.

That is an infringement upon first amendment rights. It is also a terrible infringement on doctor/patient relationships. Patients need to trust their physicians that their physicians are going to tell them the whole story, not just what their HMO wants them to tell the patient. Doctors should be patients' advocates. They should not be the company doctor.

Both of these bills have protections for patients in them that even some of the nonprofit HMOs have said are very good pieces of legislation and have called for Federal legislation.

I would just like to enter into this discussion with my colleagues because I think we need to explain to our colleagues here why we need Federal legislation. Why can we not just leave this to the State insurance commissioners or the State legislatures? I wonder if my colleague from New Jersey would like to address that issue.

Mr. PALLONE. Absolutely.

Mr. Speaker, if I can comment on that, and one other thing that the gentleman said so eloquently, the reason is because when we talk about insurance plans that are basically for the self-employed, if you will, we have the ERISA preemption.

Essentially what that means is that if the State, like my home State of

New Jersey, passes a patient protection act, if they will, which they did, I should say, is now law, it does not apply to the majority of people who have health insurance in the State because of the Federal preemption, so to speak.

So if we do not pass a Federal bill like the two that you have mentioned, then the majority of people in New Jersey are not actually impacted by the State Patient Protection Act. So that is why we need Federal legislation.

Mr. GANSKE. Mr. Speaker, I know my colleague from Texas is an attorney, and I wonder, is this not a result of prior Federal law that we have this exemption, this exclusion?

Ms. JACKSON-LEE of Texas. Mr. Speaker, we have to correct it. Part of the additional reason, unlike my good friend from New Jersey, I am not sure of your State, Doctor, I like to call you doctor, because you have clearly outlined for us the real crux of the problem, my State as well has dealt with the question on a State level.

I think the problem is and why this is raised to a level of a Federal need is, one, because there is a lot of interstate commerce, if you will, between HMOs. Frankly, there needs to be consistency on the Federal level as far as the problem that was mentioned by my good friend in New Jersey. But because we created a problem federally, we now have to fix it federally.

It is much more apropos because, in many instances, our physicians are calling out of State for approval because they are under this HMO or that HMO. Many HMOs have put their offices in different States. Some have moved to the more popular States. But many times, they are calling out of State.

To add to the consistency and not be subject to the individual State laws, we need the Federal correction of this problem, which is the problem of how you deal and protect the patient/physician relationship. It is key.

Mr. PALLONE. Mr. Speaker, my understanding is that the self-insured that come under the Federal law are actually a majority in many cases. The gentleman can tell us a little more about that.

Mr. GANSKE. Mr. Speaker, the problem that we have is that 25 years ago Congress passed a law primarily to deal with uniformity of pension standards that was then applied to health plans. An exemption from State insurance regulation was in that, that legislation.

So what we have happen is we have had a large amount of our health care now delivered by health plans that are not under State insurance quality regulation, and there is no Federal legislation. So they are basically totally unregulated.

That is why I and others who, in a bipartisan fashion, have supported this type of legislation, that 300 or so that are signed onto the Patient Right to Know Act which would ban gag clauses, are getting so frustrated with the leadership of this House and of the other body for not bringing this to the floor when it could pass overwhelmingly this type of legislation. It is why I think that it is very important that our constituents demand that Congress deal with this problem.

We are not talking about something radical here. We are simply talking about some uniform quality standards so that, when you have insurance and you get sick, that it actually means something, that you can actually use it.

I hear my colleagues say, just let the market work. Competition. I would liken this to buying an automobile. All of us buy an automobile that has Federal standards related to headlights, brakes that work, turn signals, seat belts. These are minimum safety standards that we know when we go out and buy a car, that is what we are going to have. Has that resulted in a nationalized auto industry? For heaven's sakes, no. There is tons of competition out there.

It is just that you know, when you buy your car, you are going to have some minimum safety standards. The same thing should apply, doggone it, for health insurance when you have got health plans that are making life and death decisions. It may be even more important in some respects than safety standards for some of the other things that Congress has legislated on.

Mr. PALLONE. Mr. Speaker, the reason that I was so impressed with the gentleman's comments earlier is because he was pointing out, really, how basic these patient protections are. I think that we cannot emphasize enough how this is really a floor. We are not doing anything radical here. These are basic patient protections that I think most people probably think are already there until they are faced with the reality of how to deal with the managed care organizations in certain circumstances.

I loved the gentleman's analogy of the emergency room situation, because that is really so typical. I do not think people can imagine that, if they need a hospital or other kind of care in an emergency, that they have to get prior authorization.

What we do in the Patient Bill of Rights, and I think that the Parker bill does the same thing, is to basically say that you use the prudent layperson standard. In other words, if I am in an emergency situation, I have to go to an emergency room, then the standard about the level of care that should be ensured is what the average layperson would think should be ensured in those circumstances.

□ 2145

Of course, the average person is not going to think that they have to have prior authorization or that they have to go to a hospital that is 40 miles away, the example I used before. The average person would think that they would go to the closest emergency room, and they would just walk in and get the care, because it is an emergency. It is a pretty simple phenomenon. It is very basic. It is nothing really abstract.

Those are the kinds of patient protections, the sort of floor, if you will, of patient protections that we are talking about here which make sense, I think, to the average person. That is why, I think, we are getting so much support from our constituents saying, do something about this, because it is not acceptable, what we have to face now.

Ms. JACKSON LEE of Texas. If the gentleman will continue to yield, Mr. Speaker, the gentleman raises the obvious. That is what we hear when we go home. I just want to raise a Texas issue.

Many of the Members are aware that there were fires burning in Mexico. There was the glaze that was reported in the news, I think the national news, a small glaze that was covering Texas, and it may come back again, with heavy air, and causing a lot of symptoms for our asthmatic citizens down there and our constituents down there.

Under HMOs, the other point of their fiscal responsibility is to limit the number of visits one can go to a physician for during a certain period of time. There are certain regulations along those lines. You are then interfering, because of an environmental problem that was exacerbating those people with asthma or respiratory illness. They were filling up the emergency rooms. They were not heart attack cases, they were not accident cases, not the comatose case, which obviously rings a bell with everyone, but they were coming in because they were in a confined situation, a bad haze, and it was exacerbating their problem.

In those instances, the questions of whether or not they would be accepted as having an HMO service because they were in there repeatedly, or they did not seem to be really an emergency case, this is what is happening around the country when we have a system that is not responsive to the physician treating the patient, the responsible physician treating the patient.

My Indian doctors from India, doctors who treat a particular clientele in Houston, a very diverse community, have raised concerns about them being on an HMO list. I do not know if we have discussed that this evening, about the difficulty, sometimes, of physicians being able to get on a list, and particularly a lot of physicians in the inner city.

These physicians who treat a certain patient clientele have had difficulty in maintaining their names on HMO lists so they can treat their patients and their patients can choose them; all kinds of problems that I believe reasonable men and women can come together and fix, so that the tragedies that the gentleman has mentioned, the

humor that the gentleman has mentioned, that does not make it funny, can stop.

Because the question becomes, who are we as a Nation if we cannot provide the kind of health care to live up to our own reputation, with the excellent physicians? My own doctor, Michael DeBakey, traveled to Russia, and I think President Yeltsin is as fine and fit as I have seen him. That was a United States physician, trained in America, Dr. Michael DeBakey, who left here to supervise that open heart surgery. Today the President of Russia is considered healthy and robust physically, as Dr. DeBakey shared with me after his last check-up.

I think it is extremely important that we do not diminish what we have here in this country. We have it. We have the ability to be fiscally responsible with health care, and I understand that is important, and at the same time using the resources that we have to make our country one of the healthiest around.

What a tragedy, and the gentleman is a physician and he knows, that we have such a high death rate in certain instances because we are not getting the care and the technology and the expertise to the patient. If the doorkeeper is in there diminishing that access, that is why people cry out for universal access. They throw up their hands.

Mr. GANSKE. Mr. Speaker, if the gentleman would yield further, let me relate another example. I recently had a woman pediatrician in my office. She left her medical practice, which involved running a pediatric intensive care unit, partly because she could no longer handle the types of things, the demands that were being placed on her from managed care. Let me give an example that she told me about.

One day she had a 5-year-old boy come into her ICU. The boy was a victim of drowning, so he was attached to a ventilator. He had his IVs running. All the medicines were being given. He had been in the ICU, been in the hospital, about 4 hours. This team of doctors and nurses and other health professionals were standing there, doing everything they could for this little 5-year-old boy, with the parents standing there.

Think of how you would feel if this were your 5-year-old boy who had been in that hospital for about 4 or 5 hours. They were basically standing around the bedside holding hands, praying for a sign of life, and the telephone rings. It is an HMO reviewer from some distant place.

So this pediatrician gets on the line and she tells this nonphysician reviewer what the situation is, and how it does not look very promising. Do you know what that reviewer suggested? The reviewer said, well, if the prognosis is so bad, have you thought about sending the child home on a ventilator in order to save money?

Mr. PALLONE. That is incredible.

Mr. GANSKE. That is an incredible but true story. It shows that that reviewer did not know what she was talking about, or he was talking about, I do not know which.

But I know how it happened. This reviewer was sitting at a computer terminal, and she saw ''Respiratory distress''; moved up the algorithm, ''Ventilator''; moved up the algorithm, ''Poor prognosis.'' The next question you ask is, have you thought about home ventilation?

Let me tell the Members, that is a situation where this little boy's life was hanging in the balance. There is nobody that I know of, including myself or my wife, who is a physician, that could take a child in that situation home without all the technology that you would need in that intensive care unit and have a chance of that little boy surviving. Yet that is the kind of recommendations that we are getting from people that should not be giving the recommendations.

That is why part of this legislation we are talking about says that if you are going to deny care, the denial of care has to come from somebody who is legitimate and qualified to understand the situation in order to deny the care.

Then the legislation says that if you do not agree with that denial of care, you can appeal it, but the appeal has to be adjudicated on a timely basis, not 6 months from now, when, like this poor unfortunate lady, you may no longer be in this world.

Mr. PALLONE. What the gentleman is bringing up again is so important, because we had a forum in New Jersey with Senator TORRICELLI and myself in my district, and the people that came and talked about the problems they had with managed care, their biggest concern was the bureaucracy of having to deal with a denial; in other words, denial of certain services, denial of certain equipment, and how they had to go about appealing that or finding someone who would hear their case.

I just could not believe the hours and hours parents or a relative would spend trying to get through that bureaucracy to try to have someone hear their case on appeal, or whatever the grievance procedure is. I think that that is a very important part of the legislation that we are talking about here today, because how many people can do that? A mother maybe can do it for her child if she is not working, but most of the time you have to call during the day, and a lot of people just cannot take the time to go through the morass that has been set up in these organizations.

Again, I just want to say to the gentleman from Iowa (Mr. GANSKE) that the reason it is so valuable to have the gentleman here tonight if he is just pointing out how common-sense these patient protections are.

The gag clause, again, I think most people would not believe that their physician is not allowed to tell them what the proper treatment should be or make recommendations because of some gag clause, or the circumstance the gentleman just described. We are only talking about things that I think most people would expect would be the norm, but unfortunately, they are not. That is the problem.

Mr. GANSKE. If the gentleman will yield further, Mr. Speaker, we always hear from opponents to this that this legislation will cost so much. It is going to make premiums double.

Phooey on that. As far as I know, there is one independent study that has been done by Coopers & Lybrand, a well-respected actuarial firm, by a nonpartisan group that has looked at the cost of a Patient Bill of Rights, exclusive of the liability provision, and the cost to a family for a year would be about $31. All sorts of surveys across the country have shown people would be willing to have their premiums go up more than that in order to have their insurance mean something.

Mr. PALLONE. Mr. Speaker, I want to thank everyone for joining us. This was certainly worthwhile. We have to keep pressing to have patient protection legislation brought to the floor.

Ms. JACKSON-LEE of Texas. I thank the gentleman. I think America deserves it.

GROWING THREAT TO NATIONAL SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROHRABACHER. Mr. Speaker, I came to the floor on April 30 as the chairman of the Subcommittee on Space and Aeronautics. As someone who holds that title, I have the responsibility to oversee NASA and America's space effort.

My purpose in that April 30 speech was to disclose what appeared to be a horrible threat to our national well-being. American companies, I charged, may have upgraded Chinese strategic missiles, compromising the safety of the American people, putting every man, woman, and child in our country in greater vulnerability to nuclear attack, a nuclear attack launched from the mainland of China.

Technology transfers, at the least, may have undercut our country's ability to deal with an aggressive Chinese Communist regime in the future. Even worse, of course, our gallant defenders in the future may be shot out of the sky or die in their submarines, victims of weapons researched and developed by the American taxpayer and delivered to our potential totalitarian foe by greedy American businessmen.

Since my initial warnings in that April 30 speech, information that has emerged suggests the horror story that I described of our country being more vulnerable to nuclear attack from the Communist Chinese and the upgrading of other weapons systems, that horror story that I described is much worse than I originally imagined, as I have continued to look into this matter.

That is what I would like to report tonight to my colleagues and the Members in the House, to those people watching on C-Span and reading the Congressional RECORD. I thought I would give them a little update of what has happened since the last time I gave a special order on the floor of this House concerning this, what I consider to be the worse scandal not only of this administration, but perhaps the worst scandal in terms of the transfer of deadly technology to a potential enemy of the United States since the Rosenbergs transferred the atomic bomb secret to Josef Stalin back in the late 1940s.

As I have continued to look into this, I and others have heard testimony and discovered evidence that not only verifies the serious charges that I have made, those charges in general that we have upgraded the missile system and other weapons systems, but suggest that there is even a greater threat to our safety.

In that April 30 speech, I suggested, number one, that as a Presidential candidate, Bill Clinton chastised President Bush for coddling Communist China and granting the despots in Beijing most favored trade status, which is what he opposed during the election, coddling the Communist dictators in Beijing and opposing most favored trading nation status.

I thought President Clinton would probably be easier to work with than President Bush was. After being sworn in as President, Bill Clinton did an immediate about-face. He boldly, or perhaps the better word is brazenly, decoupled any linkage between human rights and trade negotiations in our dealings with the Communist Chinese. This was the worst single setback to the human rights movement in my lifetime.

I remember when it happened, I was out of town. All of us in Congress were out of town. The President expected that all of the controversy would just sort of pass over by the time Congress got back into session.

□ 2200

In the years since the decoupling, in the years since he, and we can only use the word ''betrayed,'' the human rights movement and betrayed our fundamental principles in doing so, the brutality against religious believers and against democracy advocates in Communist China has intensified. The regime in Communist China, since the decoupling of trade negotiations with any human rights considerations, the human rights situation has gotten worse. The genocide in Tibet is worse. The killing of the Muslims in the far reaches of the western part of China has gotten worse.

President Clinton, even seeing this, has done nothing to rectify his precipitous decision to decouple those negotiations.

As a result, the tough guys in Beijing are confident that anything that is said by this administration about human rights is a hollow gesture for domestic consumption only. In fact, the Chinese Communist rulers have used the upcoming presidential visit to China, with its opening ceremonies scheduled to be held in Tiananmen Square, they have used this in their callous campaign to stomp out the memory of those who were slaughtered in 1989, those hundreds of democracy activists who were slaughtered in that very same square.

On the recent June 4 anniversary of that tragedy, and it was just 10 years ago June 4 when the gallant democracy advocates were mowed down in Tiananmen Square and their papier-mache copies of the Statue of Liberty crushed under the treads of the tanks. On that anniversary, Communist China claimed the Communist Party and government made a correct conclusion, end of quote, to order that slaughter. And they ruled out any revision of that official judgment.

And this morning, this very morning, scoffing at congressional requests that Clinton not be received in Tiananmen Square, the U.S. Ambassador, our Ambassador to China, James Sasser, told the Chinese press that the President, quote, will be pleased to be welcomed in the Great Hall of the People, which of course is right next to Tiananmen Square. And that gesture on the part of our President will further the concept that we have heard recently coming from this administration of a, quote, strategic partnership, end of quote, between our two countries. That is what our Ambassador is suggesting.

In that mind-boggling atmosphere, if the President even mentioned human rights there while he is in Tiananmen Square or right next to Tiananmen Square in his upcoming visits, if he mentions human rights it will only be making things worse because the ruling clique in Beijing will know that it is just for show and that even our own President is willing to make a cruel joke, a mockery out of what many of us have been raised to believe is the essence of America, that being a sincere belief in democracy and freedom.

Is that not what our country is supposed to be about? Is that not what that flag is supposed to stand for? We are not just a geographic location. We are people who came here from all parts of the world, every race and ethnic background and every religion. We came here because our Founding Fathers and the people who came before us believed in freedom. That is what separated us from the rest of the nations in the world and that was our responsibility, to carry the torch when they put it down that they had so gallantly fought for, this freedom in the last 200 years.

Well, that is not what going to Tiananmen Square will signal the world. It will signal the world that America no longer holds that dear to our hearts. And maybe in times of trial and in times of the Cold War we had to compromise and associate ourselves with such dictatorships, but in a time of peace there is no excuse for this.

But most alarming, it appears that this administration's flawed strategic partnership view towards this brutal dictatorship in Beijing has even permitted the Communist Chinese to have access to the most sophisticated weapons that we built during the Cold War for our own domestic protection.

This idea of a strategic partnership has permitted sophisticated weapons related to aerospace technologies and defense technologies to be made available to a brutally harsh Communist dictatorship, a belligerent country that some day may be our enemy and may kill Americans. And even while making these technologies available, the administration cast a blind eye toward Beijing's role in spreading these weapons of mass destruction and the components of these weapons of mass destruction to other unstable areas of the world, making a mockery not only of America's fundamental beliefs in freedom and democracy and human rights, but also making a shambles out of our efforts to contain the proliferation of nuclear weapons technology so that countries like India and Pakistan do not face each other and possibly ignite a horrific conflagration that could cost millions of lives.

So this administration even turns an eye while Chinese Communists ship these weapons to these countries, causing great instability and causing a cycle of violence and a cycle of weapons advancement that will only put the entire world in greater threat.

In my April 30 speech, I outlined how our own country's elite has maintained a policy that has steadily shifted resources and power to China at the detriment of our own people. Not only the security of our own people, but to the economic well-being of our people.

What are we doing this for? Why are we making the Chinese better off, stronger, more capable of military aggression, more capable of beating us economically, putting our own people in jeopardy not only from nuclear weapons but also from being taken and shoved into the cold without a job, being shoved out of their jobs because of slave labor being used in China?

We have been watching a policy, an intentional policy that has been to the detriment of our people and building up China as a competitor and an adversary. Who is watching out for the American people? Is this not the fundamental job that we have as elected representatives? Who is watching out for the interests of our people?

First, we have obscured the trade relationship that allows China to charge 30 and 40 percent tariffs on American goods, so when we manufacture something here and want to sell it in China, they charge us 30 and 40 percent tariffs on the goods that are imported from the United States, while under Most Favored Nation status the Chinese goods which they produce over there flood into the United States with a

mere 3 percent duty. How unfair is that to our own people? How about those people who are manufacturing those goods in the United States who are put out of work? It is one thing to say then Americans can buy low-cost Chinese commercial goods, but if our companies cannot sell over there without a large or huge tariff, then there are not any other jobs being created for these people who are put out of work.

Again, Mr. Speaker, this is a betrayal of the interests of our own people and it has been going on year after year after year. And when we try to fight against Most Favored Nation status, we are being told that it creates jobs. Yet we are using taxpayer dollars to subsidize the building of factories in China that will end up exporting goods to the United States in competition with our own people, the people who pay those tax dollars to begin with.

This is the reason that we have this $50 billion annual trade deficit with Communist China. Fifty billion dollars. And that is a minimum every year that we have had for many years now with Communist China. That puts our money into their pockets. Fifty billion dollars a year.

What do they do with those $50 billion? First of all, it builds up their own dictatorship. It permits the Communist dictatorship to keep a stranglehold on anybody who would want democracy in that country. We upgrade their police techniques. We have trained their policemen for a totalitarian country. What do those people do when they go back? They throw Christians and other people in jail. They use their techniques to find out who wants democracy and to persecute them. We have them over here training in our country.

And that $50 billion, what is it used for? Yes, it pays for some of that training. Perhaps we might charge them a little. And it finances their arms buildup and puts our own people out of work. More than putting dollars in their pockets, the trade relationship is so unbalanced and we have permitted them to have this 30 and 40 percent tariff against our goods, which is unfair to us because their goods come in at 3 and 4 percent. But we have also permitted them to make outrageous demands over and over again of our own business community. And again these demands have been to the horrible detriment of thousands of American working people.

For instance, in order to sell airplanes to China, and there will be someone in my office tomorrow from Boeing Corporation, the largest employer in my district, to tell me why we have to make sure that we have those airplane deals to China. But in order to sell those airplanes to China, in the past the Communist Chinese leaders have demanded that we build airplane manufacturing and spare parts factories in Communist China. That means 10 years from now, they will have a modern aerospace industry to rival our own. It is short-term profit and even medium-term selling out our economic interests, not to mention the national security interests.

We even use U.S. tax dollars when they make these demands. ''If we are going to buy your planes, you have to set up the wing manufacturing facility here in China,'' and we even use tax dollars through the IMF, through the Export/Import Bank and OPIC and other government subsidized agencies with our tax dollars, we use this tax money to guarantee the deal which builds those manufacturing operations in China.

We are building manufacturing units in China that will rival our own and put our own aerospace people out of work. In the medium run, again, a few fat cats may get rich. The Chinese will get a few more freebies. They get the technology and the American people will end up getting the pink slip.

With the wealth of technology that Bill Clinton and the corporate power brokers are transferring, China is steadily building a state-of-the-art Army, Navy, and Air Force and strategic missile force. This is a power that will threaten anyone who gets in their way. And we are financing it. We are subsidizing it. We are facilitating it. And this administration is celebrating it. And when the party is over, as I say, a very few rich Americans are going to be better off and a multitude of our own working people will be displaced by low-tariff imports.

And something else to consider: Our military personnel will be in grave danger and our country vulnerable to nuclear attack and high-tech warfare attack. All of this from this nonsensical policy. And it goes on and these are easy to calculate. They are easy to see.

What spurred my interest in this area was a few months back when I stumbled upon evidence that American technology was being used to upgrade Chinese rockets. It actually took my breath away to learn that U.S. aerospace companies may have flippantly violated lawful safeguards provided by previous administrations by providing the Chinese with technology they needed to upgrade their rockets and interballistic missiles putting millions of Americans in danger of incineration by a nuclear ballistic missile launched from China.

Recently, I have had a series of meetings with aerospace workers and I would invite anyone listening to this who has information about this to contact my office, because a number of aerospace workers, patriots in the aerospace industry, had information about this and contacted me and I met with them. They were disgusted that as patriotic Americans, technology was being used, American technology was being used in a way that would put our own country in jeopardy.

These workers that I have already talked to have firsthand knowledge of security breaches that put our country in jeopardy. I was told that U.S. technology to ensure stage separation of Chinese rockets had been addressed. Guidance systems and control systems were upgraded. There was MIRVing that was not possible by the Chinese before, and yet on May 2 the Chinese launched a Long March rocket.

□ 2215

Three out of four of them used to blow up. This is a perfect launch. And not only did it get up there, but once it was up, it was able to spit out two satellites instead of one because it now has MIRVing technology, the same technology that permits that very same rocket to carry multiple warheads, warheads that could be aimed right at Los Angeles or Chicago or Detroit or anywhere, anywhere in the United States.

I was also told about the laser ring magnetic gyroscope, this system that was so important that Americans discovered and built to make us the technological leader of the world, a stabilizing system that is absolutely essential for MIRVing and for submarines and other launch rockets launched from other places, and for airplanes. If these things do not have this type of high-tech gyroscope, they cannot really fire their weapons as accurately, and the fear is that the Chinese Communists now have that gyroscope.

All of these items, I was told, of course, are built at taxpayer expense. These aerospace workers knew all along they were working for the taxpayers. This was money that we spent during the Cold War to give us the edge. This was things that we spent billions of, hundreds of billions of dollars we spent to make sure that our people had the qualitative edge.

While talking to these aerospace people, I was told that among those involved in this diabolical betrayal of America's security was a senior vice president from Loral Corporation. Some of his fellow workers had been appalled years ago by this very same man's breach of routine security procedures, yet the company had inexplicably sided with the security violator instead of the whistleblower. Now we are told that this same top executive, who is now even higher in the company than he was then, was the point man in getting U.S. missile technology and know-how into the hands of the Communist Chinese.

In the investigating of this controversy, much attention has been paid to what occurred after the explosion of the Communist Long March rocket in February of 1996 and the 200-page technical review report given to the Chinese by a U.S. technical team. We have heard the claim that this report concerns a simple soldering problem; a soldering problem, that is what we are being told. Yes, that is it, a few bad solders is what caused two out of every three Chinese rockets to explode at launch, a few bad solders.

Some of the aerospace engineers I have been talking to about this told me

when they heard that, they almost fell off their chairs laughing. To say that was not a believable explanation to these engineers who spent a lifetime building rockets.

After the explosion in 1996, Loral apparently went forward and intentionally and systematically upgraded the Chinese rockets, and we are not just talking about a few bad solders. As is clear in a letter from this very same Loral vice president, who they complained about years ago for not following security procedures, that Loral vice president, a man named Wah Kun, stated in a letter, and I believe that this letter is a smoking gun, if there ever was a smoking gun, of evidence of a crime, in this letter from Dr. Wah Lim the vice president of Loral to Lou Jiyuan, to the chairman of the China Aerospace Corporation, which is a part of their government and a part of their military, that Loral Vice President Lim states that an important goal for this review was, quote, using the failure, that means the 1996 blowup, as an opportunity to ensure that the Long March vehicles have the best reliable record in the future. We at Space Systems Loral would like China to be a strong supplier of launch services, and we will do everything in our power to help you, end of quote.

And to ensure that, he says, your company, and I quote, your company will take their share of the world market for satellite launch services, end of quote.

Only a week and a half earlier, in a committee strategy report, Lim outlined, that is vice president of Loral Lim outlined the objectives for the review team that has gotten so much attention these last few weeks, including recommending to China Aerospace and its launching subsidiary, the Great Wall, any other areas of improvement. So thus they will give them any advice they need in any areas of improvement for their system so that they can capture a share of the world's launch services. I am including, and I will include in the CONGRESSIONAL RECORD tomorrow, a copy of the full text of the letter from Mr. Lim to the Chinese aerospace leader.

In May of 1996, before the draft committee, this is after the work of this committee, and it had a 200-page report on this blowup of this Chinese missile, but before that report was submitted to the State Department for security review, the security review is mandated under export control law, Vice President Lim of Loral faxed a copy of that report to the Chinese. Lim did this knowing full well that China Aerospace Company, which controls all space launches, is the same military-owned company that builds China's ballistic missiles, the same company that builds the missiles that would land atomic weapons in our country and incinerate our people. It is the same company that builds the satellite launching rockets, almost the same technology.

According to U.S. intelligence, at least 14 of these missiles that the Chinese already have are targeted at the United States. That was denied by this administration, of course. And just as the President has sometimes mentioned things that sort of do not make sense and we disagree with, in this particular case the President suggested that there are no missiles aimed at the United States in Communist China. Of course, we all know that it takes about a half an hour to retarget a missile, and I am not so sure how much credence you have to put in a situation like that in terms of people's statements that we do not have much to be worried about.

The New York Times published this story that we are talking about in terms of the Loral upgrading of the Chinese missile, and to its credit that paper and several other publications have done a diligent job in providing this all-important information to the American people.

This past Sunday, for example, 60 Minutes, the news program on CBS, did a compelling report on a story concerning the transfer of deadly weapons and technology to Communist China. The 60 Minutes program, which was also covered by the Washington Post, described how in 1993, the McDonnell Douglas Company was blackmailed by the Chinese Communists into selling at fire sale prices sophisticated machine tools for the building of jet fighters, the B–1 bomber and the cutting edge C–17 transport airplane. And like a scene out of a movie, the American workers at the Columbus, Ohio, factory who had offered to buy the equipment, they wanted to keep that plant going, and they were willing to buy it for $10 million, twice the price which the Chinese Government offered, those workers were turned down by the company, and like right out of a movie, they were there yelling epithets and attempting to block, quote, dark-suited Chinese officials, end of quote, who came there to inspect these huge machine tools which were used to produce sophisticated weapons.

And yes, our working people wanted those jobs, and they deserved the jobs that those tools could provide, but they also knew that those tools were going, Communist China would produce things that would kill Americans. But unlike management, the workers knew, I guess, and that plant, that when you see the term ''U.S.,'' that means not just United States, it also means us. Who is the United States? When we are talking about America, the U.S. security interests, we are talking about us, all of us together, e pluribus unum. We are all together in this, and we believe in freedom. That is what ties us together. They knew they were being betrayed, and their interests were being betrayed. They could not even offer more money than the Communist China expected to get those pieces of equipment that would permit them to earn a decent living. They had only given half their lives in service to building weapons during the Cold War to protect our country.

The aerospace workers, the unsung hero of the Cold War, the aerospace workers are the ones who developed the technology we needed to deter war with Russia until it collapsed in its own evil. They were the ones that gave us that technological edge because we could not have matched them man for man. Now when it is all over, we sell our tools to Communist China, and they give their jobs away.

Although the sale of these tools was opposed by the Defense Department in the end, it had the support of the Clinton administration, and the Chinese got these tools, of course, and when they were buying the tools, they said they were going to use them to build civilian aircraft. Of course, guess what? Many of these same tools ended up in a Chinese factory that produces Silkworm missiles, missiles that will threaten American ships if we ever try to protect Taiwan again, thousands of our sailors put in jeopardy with American technology.

And in 1996, the U.S. Justice Department opened up a criminal investigation into whether McDonnell Douglas knew or should have known that the Chinese commitment to using these tools for civilian use was bogus. To their credit, the McDonnell Douglas officials reported that Chinese treachery immediately upon discovering that the tools had gone to the wrong location. However, neither the administration nor the company should have succumbed to the Chinese blackmail in the first place.

Even if the Chinese would not buy the civilian airplanes, we should not have told them we were going to build them a plant to build airplanes themselves. And even if those tools would have been used to build civilian airplanes rather than military planes, we should not have made that as part of our deal in the first place. Even if it did not put our national security in jeopardy, it certainly put our working people in jeopardy. Their jobs were in jeopardy.

In the end the Chinese, here is the hook on this whole thing, in the end the Chinese had promised to buy billions of dollars worth of planes from McDonnell Douglas if they sweetened that deal, if they could get their hands on all that defense-related technology, those tools and machine things that would permit them to build these weapons, but as soon as they got their hands on that technology, guess what, the rest of the deal fell apart. McDonnell Douglas did not even get the sale of their airplanes. They cut the deal short and only give them a minor, a minor purchase of McDonnell Douglas airplanes, while at the same time they not only now have all this technology at their disposal, but 1,000 skilled American workers were denied the chance to rescue their factory.

They wanted to buy it for $10 million, and they were denied that and denied

the decency of earning a living and owning part of the company, which they wanted to do out of some scheme that they thought would bring them untold riches from the China market.

□ 2230

Even if the deal was kept, the American workers would have had the shaft in the long run. The company sold out the ability of its own workers to compete by giving that technology to the Communist Chinese. And as I say, even in the short term, that profit was not realized because the Communists reneged on their agreement to buy all those airplanes.

In response to the public disclosure of these type of reckless export deals, the Clinton administration has reacted with its typical obfuscation and evasion, and this is what we have come to expect from this administration. This administration and its media allies have turned on the confusion machine now that this missile upgrade situation has reached a national controversy. Their confusion machine is designed to get the American people confused and mixed up.

First of all, the first purpose of the administration's strategy for confusing the American people is to minimalize the facts. We have been told, of course, that these technology transfers by Loral and others to the Communist Chinese were a little more than a few solderings, which we have already discussed. So you minimize. ''Don't worry about it. We're just talking about a few solderings.''

This is parallel to the FBI file scandal when President Clinton himself claimed that it was only a few FBI files that were mistakenly sent over to the White House by a Defense Department detailee. Remember those words? We all remember that being said on the White House lawn, only a few FBI files, and it was made by accident by a detailee from the Defense Department. Of course later we found out that that detailee was not just a detailee, after all. He was someone who had been placed at the Defense Department by the Clinton administration and sent back to the White House intentionally, and he was one of their people. He happened to be an opposition researcher for the Democratic Party, and he did not have just a couple of FBI files, he ended up with hundreds of FBI files in his possession. Of course this is all about just a few solders. Remember, just a few solders in a Chinese missile. That is all this is about.

Another tactic being used by this administration is to sidetrack the growing public rage over this scandal with an obvious attempt to confuse the public about what is the central issue that we are all upset about. If President Clinton and his apologists, his allies in the media, of course, if they can confuse the people, this incredibly serious issue might just be shrugged off as yet another attempt by Republicans to get this guy, as my good friend Geraldo Rivera implied on television and has implied several times, we are just out to get the President. No matter what, we want to get him.

No, that has nothing to do with what is going on in this case. I cannot talk for the other issues because I have not participated in these other scandals that have been talked about over this last year, but I can say this issue is very serious and deals with the survival or perhaps the death of millions of Americans who otherwise would not die, dying at the hands of Communist Chinese tyrants who have American technology.

So let me warn everyone about what they are facing, this tactic to try to confuse them. This administration and its liberal allies are trying to get you to believe that what we are upset about is nothing more than a decision to permit U.S. satellites to be launched on Chinese rockets. You will hear that over and over again. U.S. satellites launched on Chinese rockets, that is what everybody is upset about. Any newspaper or radio or television journalist or administration spokesman, or whoever, who starts talking about U.S. satellites on Chinese rockets as being the crisis or the scandal, at that moment, understand that that person is intentionally trying to lie by confusing you. So put that in the back of your head, if you hear someone say that, they are trying to confuse you, they are trying to lie, to get you not to understand the magnitude of what is going on. They know exactly what they are doing. It is called deception. So, please, my friends, do not be deceived.

Besides all the administration spokesmen who are trying to use this deceptive tactic, of course, the liberal left media troopers have been mobilized to throw dust into our face. Let me read to my colleagues a story from the Los Angeles Times from Monday, June 8:

> Republican leaders have charged that Clinton satellite exports may have jeopardized national security by helping China develop its missile capabilities.

It goes on.

> I am also worried if we can continue to play patty cake with China while they continue to be involved in weapons of proliferation, said Senator Majority Leader TRENT LOTT.

It goes on.

> Administration officials have countered that they were merely continuing the policy of satellite exports initiated by Presidents Reagan and Bush and that the satellites were exported under procedures that protected American technology.

Then the last sentence says,

> The Loral controversy is now the subject of congressional investigations.

Oh, all right. So we are talking about satellites here. Listen to the wording. You end up thinking that we are talking about a satellite controversy. And if you listen to the President or his paid spokesmen or his unpaid spokesmen or the spin masters, one thinks the issue is about satellites. And then it was pointed out that the Republicans, including Presidents Reagan and Bush and, by the way, including yours truly, Members of Congress like yours truly, suggested that U.S. satellites could be permitted to be launched on Chinese rockets. Thus if you listen to this and get confused enough by it, you believe that President Clinton is just acting consistently with everybody else and he is being unjustly attacked, that we are just out to get him and that everything is justified in what has happened and there is no grave danger.

> Reagan and Bush approved it, so forget it. Go to sleep. Have a good night's rest. Don't even ask any questions about it.

No, I am afraid that is not it. When the deception brigade starts talking about satellites, keep telling yourself, no, this is not accurate, these people are not concerned about satellites, that is not what they are upset about. In reality the core issue is not satellites. The core issue that people are upset about is the upgrading of Chinese Communist missiles. Let me repeat that. The upgrading of Communist Chinese missiles that can launch nuclear weapons at the United States and upgrading the Communist Chinese missiles puts millions of Americans at risk who would not otherwise have been at risk. All the others trying to talk to you about the satellite deal and the rest are doing their best to confuse the issue. Remember, when they talk about it, to tell yourself that. We are concerned about warheads landing in our country and incinerating our neighborhoods and with the incredible, just incredible thought that this could be happening and made more likely to happen with the use of American technology developed for our own defense.

The decision to let American satellites be launched on Chinese rockets may or may not have been a good idea. At the time of Reagan and Bush, they had strict enforcement provisions to ensure that there was no transfer of technology. The Chinese would not even gain any information from that. However, that was also at the time of before Tiananmen Square when China was evolving toward a more democratic society. The fact is that that may or may not have been a good decision, but that is not what is being called into question. Because no one who decided that those American satellites could be launched, no one believed that it was at all permissible and it would ever justify the upgrading of Chinese rockets. No one ever believed that. No one believed that the military capabilities of these rockets and missiles would ever be changed. This idea that we had some knowledge of that or Reagan or Bush thought that that could happen is absurd. I believe that what we have got here is a Chinese nuclear weapons delivery system that has been made more efficient with the use of American technology. Is that enough? Is that not enough? So let us not confuse it by talking about satellites. Even though

we did not think that could ever happen, it apparently happened.

We also know that some Federal watchdogs, Federal employees that were watching out for our security, they were minimalized during this whole situation. They were not permitted to do their job by pressure from on top. We also know that when an attempt was made to prosecute Loral for illegally transferring this technology, for upgrading this Communist Chinese missile, that President Clinton, against the advice of his own Justice Department, personally signed a waiver that he was warned would undermine any prosecution of Loral. In effect he was signing a retroactive permission for this deadly weapons of mass destruction technology and know-how to be given to the Communist Chinese. It is all a bit mind-boggling. There will soon be a House Select Committee to investigate the issue. It will be chaired by the gentleman from California (Mr. COX), a man of impeccable credentials and character. Each and every American is now in greater danger from Communist Chinese missiles and our defenders in military uniforms will find their lives in greater jeopardy.

We should, and this will be true if we ever, ever confront the Chinese if they become belligerent, this is something that makes the magnitude of the investigation of the gentleman from California (Mr. COX) many degrees more important to our country than any of the other charges that have ever been leveled at President Clinton. But let us not overlook that the upgrading of Communist Chinese nuclear weapons and delivery systems is just the most significant of the betrayals of our country's national interest in this administration's dealings with Communist China.

Businessmen, blinded by the prospects of fast megabucks, have been manipulated and used by the Communist Chinese over and over again. Not only Chinese rockets but a widening arsenal of high tech weapons have been provided to the Communist Chinese. These high tech weapons and the machines needed to build those weapons are now in the hands of the Chinese. We are upgrading their entire arsenal one way or the other. Economic cooperation with the Communist Chinese made sense at one time because the Communist Chinese were loosening their grip. It looked like the country might evolve. But that was reversed 10 years ago in the bloody action that took place in Tiananmen Square. That was almost 10 years ago exactly. The country had been seeming to move toward freedom. However, since that Tiananmen Square massacre, China has been sinking deeper into the vice grip of gangsters and thugs who are responsible for more tyranny, more terror, more human rights abuses, more belligerence than ever before. Even as they have broken promise after promise on their weapons of mass destruction program and even as they have transferred technology to other dangerous nations, this administration continues to lavish favors on its buddies in Beijing.

For the past 2 months, this administration has been suggesting that President Clinton would be proposing a, quote, strategic partnership and even more aerospace technology deals with this regime during his upcoming visit in Beijing. It was also leaked to the press that the President might even propose a greater cooperation in space efforts. When I heard the administration official at the International Relations Committee call for a strategic partnership, I could not help but ask, Against whom? Who are we going to have this strategic partnership against? Against India that has a democratically elected government? Against Taiwan with a democratically elected government? Against South Korea with a democratically elected government? Thailand with a democratically elected government? The Philippines with a democratically elected government? Or how about Japan with a democratically elected government?

We are going to have a strategic partnership with the one massive Communist dictatorship in a region filled with democracies? Give me a break. And then the administration official said,

> Well, partnership doesn't mean you're against anyone.

I said,

> Well, what does the word strategic mean if it doesn't mean you're putting yourself in juxtaposition with someone else and it has something to do with a military and economic power?

We should not be in a strategic partnership with a bloody Communist dictatorship. We should be encouraging people to invest in the democracies of the area instead of giving them an unequal trade relationship and subsidizing our businessmen when they want to do business in those areas. We should be directing them to the Philippines that are struggling for democracy, or some other country. If we are going to direct them anywhere, it should be to a democratic country. But not to a dictatorship where if a union person wants to form a union, he is thrown in jail or he is sent to the gulag, their laogai which is the equivalent of the gulag and worked to death so that they can export products here without any unions and without any labor legislation and without any dignity and without any ability to complain, without any ability to change your job, without any ability to worship God or have a day off.

□ 2245

So this administration wants to have a strategic partnership with that kind of regime.

So this looks a little bit, what we see happening and seen happening looks a little bit like parallel to what happened and was described in Gerry Aldrich's book, Unlimited Access. The standards have broken down. This administration has blurred the lines, have violated the standards right from the beginning, the standards of being right and wrong, of good and evil, of democracy versus tyranny, of patriotism versus globalism. The standards have been broken down.

Unlimited access; there is unlimited access to the White House and unlimited access to American technology, and one cannot, and we must recognize, and this is what we are seeing right now, one cannot give up one's standards, one cannot give up time-honored principles without paying a serious price. And today we are increasingly in jeopardy. American national security has been undermined by political leadership without principles, and of course businessmen are blinded by the dream of a fast buck in the so-called China market. And we have been put in jeopardy because we have left our principles behind.

This fantasy of this fast buck in the Chinese market has made idiots out of executives who should have known better. There are cases, the McDonnell-Douglas fire sale and transfer of defense machine toolery to China, where much of it landed in this weapons factory. Motorola built a computer chip factory there, and now there are these chips being used. Guess where? Guess what we found the latest? The latest we found Motorola chips in land mines that have been built by the Chinese and put all over Southeast Asia. In Cambodia we have a U.S. Army team trying to deactivate some of those mines, and they found out that the new mines were blowing up, and they were killing the people who were trying to diffuse them. And why were they blowing up? Because these were different kinds of mines. These were smart mines, and when they finally got them open, what did they find out? They were smart mines; they were killing the people who tried to diffuse them. They were designed that way because they have a computer chip inside these mines, a computer chip made that came from a factory, a Motorola factory that had been built by Motorola in Communist China.

Is that what we want? And is that making people in the United States, are the workers at Motorola any better because we built that factory over there? Nobody is any better, nobody is any better.

What about airplane wings? They are now being manufactured for transport planes. They were supposed to be, you know, for civilian aircraft. Yes, in order to have a deal to sell more airplanes, we set up the factory to build the airplane fuselages and their wings. And guess what? Now that factory is producing wings and fuselages for cruise missiles and Chinese fighters that will be sent against American forces if we ever have to confront them in the Taiwan Straits again.

American military personnel put at risk. We closed our eyes against even

as Israel has transferred war technology, and AWACs technology was sent over there as well as other sophisticated radar communications gear has been sent by Israel to the Communist Chinese. We have closed our eyes to that.

Over and over again we see our technology paid for by billions of dollars just for our own security, and the American people believed we should give our military a qualitative edge so we would not have to fight, we could deter war. Like the C–17; the C–17 was developed for what? To give our military the most efficient and reliable military transport plane in the world, and now they are talking about turning it into a civilian model and selling it to the Communist Chinese. Of course the civilian model will be painted in pastels rather than that military green.

It is absurd. We did not develop the C–17 with all its incredible capacity to fight a war in order to help the Chinese Army move into Tibet, to destroy the Tibetan people, or to fight the Muslims in the far reaches of their country or to put down Christians in some part of their country. We did not do that. We did not build a C–17 for that. We built the C–17 to transport our own military in the defense of our country, and we were willing to put the research and development into that plane.

It is not just the C–17, but all of these equipment that we are talking about, all of this gear that we are talking about. We invested in it willingly. The American taxpayers did this because it would give us the edge to preserve our precious freedom, and we wanted our defenders to have that qualitative advantage so they could win and come home safely.

Well, today these weapons are being handed over for nothing, for nothing, to the Communist Chinese, and nothing maybe perhaps except for campaign contributions, some political campaign contribution. We will never get to the bottom of that. I wonder where all those Buddhist monks who gave those $5,000 contributions in that Buddhist monastery, where did they get that $5,000 from? They were impoverished Buddhist monks. They did not get it themselves. Where did it come from? We will never find that out.

We permitted an unfair trade relationship to provide Communist China with $50 billion in hard surplus and hard currency and their trade surplus to purchase high-tech weapons and tools and machines needed to produce these weapons. At a tiny fraction they are getting them of the cost that we invested in those weapons and those machines in the first place. They are getting the weapons at a bargain-basement rate, and the taxpayers are ending up through the Export-Import Bank financing some of these sales, some of the sales from manufacturing units. And what are the Communist Chinese—this is practically giving them this technology that will put us in danger and endanger the lives, endanger the lives of our military personnel if there is ever a confrontation with this bloody and belligerent Communist regime.

I think this is a scandal of monumental importance.

America's future is at stake. Our young people will live in a dangerous world, and what will they think when they learn that we made it more dangerous because we provided the world's most dangerous military power with weapons as well as tools and machines to produce their own tools and their own weapons. What will they think? And what will America's military personnel think when they find that their fellows and their brothers and sisters at arms are being wiped out and being torn apart, I mean blown out of the sky with weapons that were perfected by U.S. technology?

The 40 pieces of silver in the pockets of our corporate leaders will not just weigh upon their consciousness and their consciences if we let this happen, because it will not be just the corporate elite who is at fault, although they must bear the burden of making immoral decisions as well and decisions that hurt our country. But we ourselves will have to bear some of that responsibility. We ourselves will have to bear that responsibility if we do not put a stop to this, because today we are aware of the erosion of our national security, and if we do nothing to stop it, we must bear some of the blame.

We cannot afford to surrender the future of our country, the future of peace, forfeit the survival and freedom of America's next generation. It is impossible that the Chinese military could attack the United States; is that right? It is impossible; that is, we have heard that. It is not going to be impossible. Let me tell you in the future it will not be impossible for them to attack the United States.

We could confront, we could confront the Chinese in the Taiwan Straits a few years ago when they were launching the rockets across Taiwan trying to intimidate them. We confronted them with our aircraft carriers, confident that the aircraft carriers could defend themselves, all those thousands of our sailors on those carriers, and confident that our homeland would not be attacked by atomic bombs and missiles launched from the mainland of China. That is not true anymore, and every day what we are seeing is our American technology is making not true, and, if we have to confront them in the future, we will be doing so at great risk and perhaps lose thousands of our military peoples' lives.

In 1996, a Chinese publication, in a Chinese publication, a major general of the Chinese, in fact, it was the vice commander of the Academy of Military Services in Beijing, was quoted as saying, and I quote:

> As for the United States, for a relatively long time it will be absolutely necessary that we quietly nurse our sense of vengeance. We must conceal our abilities and bide our time.

End of quote.

They are biding their time. They are biding their time until we are vulnerable.

Finally, if a decade from now a crazed or power-hungry Chinese general even by mistake or perhaps unintentionally or even intentionally launches a missile attack on the United States, perhaps it will be just one rocket or maybe two, but they launch it over towards our country, millions of our people will be incinerated. The horror of it, and it is unthinkable, and if that happens at that ghastly time, we will have to remember that President Clinton opposed developing a missile defense system, and even worse, we may remember that the upgrades of those Communist Chinese missiles happened with American technology under President Clinton's watch. We cannot defend ourselves, and we have given the technology to kill us.

50TH BIRTHDAY OF THE STATE OF ISRAEL

The SPEAKER pro tempore (Mr. GIBBONS). Under the Speaker's announced policy of January 7, 1997, the gentleman from New York (Mr. OWENS) is recognized for 32 minutes, approximately one-half the time remaining until midnight.

Mr. OWENS. Mr. Speaker, I hoped to have a complete hour, but was going to be divided in two parts anyhow. One part I wanted to utilize to congratulate the State of Israel on its 50th birthday. I wanted to do that some time ago, but it has been very difficult to get time on special orders recently. So I am a little late, but it is still the year of the celebration of the 50th birthday of the State of Israel, so I think that it is appropriate that I make these remarks. And I want to make the remarks in the spirit of comparison of Israel with many other nations and draw some lessons from the conduct of the leadership of Israel.

Second part of my presentation I wanted to deal with leadership in the United States as compared to leadership of Israel and other parts of the world on the vital issue of education, and I hope that I will be able to do that. I know the rules are that I cannot do that if the majority Representatives show up to claim the last 30 minutes. But I do hope to have the time to do that. If not, I will settle for just using the first 30 minutes to discuss the birthday of Israel and the significance of that in this modern world.

Mr. Speaker, I want to wish Israel a happy birthday and state that it is 50 years old, and among nations that is really an infancy, it is an infant nation. You know, the United States is 222 years old, and we are considered quite a young Nation at 222 years. Israel at 50 years is an infant nation.

But Israel is not alone. There are a lot of new nations in the world nowadays. There are many nations that are younger than Israel, and it is very interesting to compare some of the nations about the age of Israel, some of the nations that are younger than Israel, and some of the nations that are much older than Israel and look at the performance.

Israel has done a great deal. The leadership of Israel is to be congratulated on the achievements that they have accomplished in the 50 years of the State of Israel's existence. It is a tribute to leadership, and by leadership I do mean large numbers of people, not just the prime ministers and the Cabinet ministers. Israel has had layers and layers of leadership. As we say in basketball or football, the bench; they have a lot of people on the bench whose names you never know among the civil servants and the deputies and the assistants across a broad range of agencies and activities developing policies to maintain civility, a balanced civic life in the nation. At the same time for the entire existence of Israel, they have been under pressure and fighting for survival.

□ 2300

So I salute that leadership and want to talk about leadership. Sir Arthur Lewis, who was a Jamaican and shared a Nobel Prize in economics with a colleague of his, sir Arthur Lewis's major theme in his book on developing nations was that the key was leadership. The key was not natural resources. The key was not location, geographic location. The developing nations prospered and advanced in accordance with the leadership that they had, and that was the critical item.

If you look at the recently established nations, nations who received their independence even after Israel, you see a pattern where if natural resources and geographical location was a determining factor, they should be much further along than Israel.

For example, if you look at Nigeria, and I think of Nigeria because Nigeria is in the news today, Nigeria's strongman ruler, the dictator who has been in the position for 5 years, but they have had a lot of other military dictators, he died today. Sani Abacha died, and I do not care to comment on his death or his life. I certainly do not think it is the time to launch a critical analysis of his regime, but I would like to say that he leaves nothing behind that we can be proud of in history. He leaves a record of a sovereign predator who used his enormous powers, and we can see nothing good that came of his great use and abuse of his enormous powers.

Nigeria is a country blessed with natural resources. Nigeria is a country blessed with the particular natural resource which guarantees wealth. Nigeria has not only fantastic oil deposits, but they have a type of oil which is much sought after all over the world. So Nigeria has had oil wells pumping for a long time, and if natural resources alone could determine the faith of a developing nation, Nigeria would be among the leaders of the developing nations.

Nigeria is 37 years old. It was granted its independence by the United Kingdom October 1, 1960, so it is 37 years old. Israel is a little older, May 14, 1948. But Israel has no oil, no uranium, no gold, no great deposits of diamonds. Natural resources certainly do not exist in any significant abundance in Israel, so they did not have that boost.

Nigeria is 37 years old, and its oil wealth has been squandered by its leadership. The oil wealth has not been utilized to really build a prosperous country. It is a large country, more than 100 million people. It is the most densely populated country on the African continent. It has more population and more people. It is not the largest in size, but it has more people, 100 million. South Africa, has many fewer people, less than 30 million people. Nigeria has 100 million. But it has vast land resources and many other natural resources, but oil is the key, because it is the cash crop, the generator of cash in hard currency. The cash that can buy anything you want anywhere in the world, Nigeria had that. But it has all been squandered by the leadership of Nigeria.

The leadership of Israel is a great contrast. Having no natural resources, the only oil well Israel ever had was the oil wells in the Sinai Peninsula, and they developed the oil there while they were occupying the peninsula, and then they gave it up. The leadership decided at a critical moment that in order to make peace with Egypt, that they would agree to surrender the oil wells in the Sinai Peninsula. So their very short period of wealth by oil was ended.

So the leadership of Israel stands out even more when you take a look at the nature of the land that they occupied. It is land that had been given as desert, where nothing great was going to happen there, certainly nothing in the area of agriculture and self-sustaining food production. Yet they transformed that land into an agricultural giant. They became an agricultural giant, not only for production of food in the Middle East, but they exported large amounts of food to Europe.

At one point, agriculture was their major industry. It is no longer the major industry in Israel. Agriculture is not the major industry. High-tech industries, high technology industries based on brain power and the development of complex industrial operations to take advantage of the knowledge that is produced in the Israeli educational system and other parts of the world, because Israel does benefit from the fact that the leadership is drawn from a diverse group of people who came from all over the world.

The diversity in their leadership probably explains some of the reason it has been so effective. They have a great deal of wisdom they bring as a result of years and years of the Jewish people, centuries of the Jewish people suffering, but they also have a knowledge of all the cultures in the world. People came to Israel from all parts of the world. So Israel is a premier example of what great leadership can do. Nobody else has accomplished this.

No other Nation can say in 50 years they have accomplished as much as Israel. It is basically a self-sufficient society at this point, as much as any society is. Even the great United States of America, we depend on export markets and various other things, where if they were to collapse in other parts of the world, it would have an impact on us here also. So nobody is totally self-sufficient, but in 50 years Israel is about as self-sufficient as a Nation can become. Yes, they receive large amounts of aid from other countries, particularly from the United States, but they have made good use of that aid.

Let us examine the age of some of the other countries that are in existence now. One of the youngest, probably the youngest, is South Africa. I do not know of any country that has come into existence since South Africa reestablished itself May 10, 1994. So South Africa, the new South Africa, the democratic South Africa, the South Africa where all of its people, black and white, are allowed to participate in its government, is only four years old. So it is among the youngest.

The Congo is 37 years old. The new Congo that came into existence after the Belgians were forced to give it up is 37 years old. Most of that time it has been under one leader, the leader was installed after the death of Patrice Lumumba. He, of course, recently died also, and there was a whole new leadership that has taken over.

But since then the Congo, with the vast natural resources, vast wealth, huge land mass, the Congo is an impoverished country right now. It can barely feed its own people. It cannot even feed its own people. All of the potential that exists there in terms of its wealth and its minerals, tin and diamonds, very few things you do not have in terms of natural resources are there that do not exist in the Congo. Yet the Congo is a miserable place. The leadership of Mobuto established by the CIA, the Central Intelligence Agency, helped to over throw the Lumumba government and install Mobuto, and Mobuto reigned for many, many years with the help of the CIA and aid from this country, and he did nothing but pilfering the country. He was a sovereign predator with all of the power, and he did nothing but make himself and his cronies wealthy.

Some countries that came into existence recently include Guyana here in this hemisphere. Guyana is 32 years old. Jamaica is 35 years old. Trinidad is 35 years old. I remember being quite happy when the independence was

granted to Trinidad and Jamaica and Guyana and Grenada, because in my Congressional district, you have large numbers of people from all of these countries. The West Indian population outside of the West Indies, the greatest concentration is in the 11th Congressional District in Brooklyn.

□ 2310

So I have experienced the joy of independence with all of these different groups. I also experienced the sadness that set in as a result of the various problems that each one of these nations has experienced. They have varying degrees of success in this hemisphere. But, generally, it is not a good picture when you look at the economics of these various nations.

Trinidad and Tobago have a great deal of oil. They had tremendous oil resources. They still have substantial oil resources. They were not utilized properly. The leadership did not utilize that wealth properly in the early days of independence.

If Trinidad and Tobago had made some decisions about utilizing their wealth to build a first class education system, if they had educated their populace and prepared for the complexities of this century and the kinds of economies that we have now, they might have done what they did in Bangalore, India, begun to develop a large pool of people who are educated in the area of computer science.

Bangalore, India is considered the computer programming capital of the world, because they have this tremendous pool of people, young people constantly being produced from their education system who are computer experts. Many American companies send their computer work over there by contract.

When they import professionals, people in the computer industry, into this country, they come from Bangalore, India in large numbers. In fact, there is an issue right now on the table concerning the new American Competitiveness Act which was passed by the Senate.

That act provides for us to solve our problems in terms of the shortage of personnel in the information technology industry by bringing in foreign experts, foreign computer workers, information technology workers. The greatest percentage of those workers would come from India.

Right now, there is a dispute because some people are wondering how can we have an American Competitiveness Act which is designed to make us more competitive by relying on outside workers to come in? Why do we not train our own workers? Why do we not build up our capacity here and make certain that large cities, the big cities, inner cities with large numbers with unemployed people, train the people who are able to take these jobs, and we would have the resource here in the Nation.

One fallacy of relying on outsiders is we are building the capacity of countries like India to create their own nuclear bombs and their own nuclear weapons. Many of the Indians that helped to create the nuclear bomb which was exploded recently and for which they have endured sanctions from our government and indignation from the rest of the world, many of those experts were trained right here in this country. They were trained here.

As you train more and more, you bring them in to work here, and you pay them, you are increasing the pool of people who come from India to be able to do that kind of thing.

I am not going to single out Indians and say we should not import more computer workers and information technology workers from India and discriminate against them, import them from other countries instead, I am saying we should not be importing them from anywhere because we have the potential pool right here.

The failure of leadership, to get back to my concern tonight, the failure of leadership in places like Trinidad, Jamaica, Guyana, Grenada, the failure to invest more in their own education systems places them outside the possibility of the realm of being able to have workers come from their countries with the same expertise as the workers who are trained in India or some other central European countries that will be soon exporting workers to this country, instead of us developing our own.

The answer to the problems is to develop our own. But if you are not doing that, this is an opportunity that the countries of this hemisphere had, but I do not think it is going to be there much longer.

So we have some countries that are younger than the Nation of Israel, and some have done very poorly in terms of their years of existence and foundations they have laid. I think Israel is to be congratulated for having done far better than the Soviet Union, which came into existence in December 1922.

Russia, Ukraine, a number of countries that made up the Soviet, existed long before the Soviet Union. The Soviet Union was 75 years old when it died. The Soviet Union is no more. It is dead. That is very interesting. Modern nations can die. Modern nations. A superpower we have watched die.

So Israel is not invulnerable. It will not go on forever. It is always going to need what they have now, and that is excellent leadership.

At 50 years, Israel is much further along than the United States was at 50 years. At 50 years, we had endured some pressure from the outside. We had to fight for survival. There were a number of different challenges to the new Nation. Of course we came into existence only after fighting a war with Great Britain. This new Nation was struggling along.

Thanks to Thomas Jefferson, we have doubled our size on to his presidency. When he died, the Nation was 50 years old. When John Adams died, the Nation was 50 years old. Thomas Jefferson, John Adams, James Madison, James Monroe, they all left a legacy which guaranteed that the Nation was strong enough to resist the greatest challenge that it faced in the 1800s when civil war erupted and the Nation had to fight for its life.

If we had had two nations resulting from the Civil War, history would be very different, I assure you. So we have had, after our first 50 years, we were much further along when the greatest challenge that the nations ever faced came along; that is, the Civil War.

Israel is not immune to some new catastrophe. They have suffered one catastrophe after another, one challenge after another, one war after another where everybody who is not familiar with the Israelis themselves counted them out and said they will never survive.

They were attacked from all sides at one time before they made peace with Egypt. Then they were attacked even after that later on, and they are under constant pressure.

If you take a look at the physical nature of Israel, you can understand why they are always at risk. Israel looms very large in the minds of most of us because of the fact that they play a major role in terms of war and peace and the world. They have a large population in this country that, of course, keeps us very much aware of the problems of Israel and the achievements of Israel. So it looms large in our minds.

But when you go to Israel, the first shock that I had when I landed at the airport was that it is a very tiny country. You really begin to feel how tiny it is when you land at the airport in Israel.

I began immediately to feel it, even before we started traveling around the country and found that the country's dimensions physically are astounding. It is so tiny in that it is hard to conceive of the fact that its total area is 20,770 square kilometers. But you cannot really envision that.

Stop and think about the State of New Jersey. The State of New Jersey, which too many New Yorkers think of as sort of a suburb of New York, the State of New Jersey is a State in itself, but Israel is smaller than the State of New Jersey.

As of July 1997, you were talking about a population of 5,534,000. That is a great increase. When I first went to Israel in 1983, the population was about 3 million. So they have a great increase in population by bringing in groups from all over. But it is still only 5,534,000.

They occupy a very tiny strip of land. The width of Israel is a very narrow waist. Of course the length also is very short. The preoccupation of the Israeli leadership with land is very easy to understand. They have taken the little land that they have, and they have transformed it. The greening of the desert is discussed often.

□ 2320

They have used their knowhow, their ingenuity, to make good use of all the land available. But when it comes to their defense in military terms, the fact that it is so easy to penetrate with even short-range rockets or short-range artillery gives the Israelis a well-understood concern always about their survival in terms of land.

But the leadership, despite all these problems, has maintained itself, and everybody knows the military machine that the Israelis were able to build was a remarkable one, indeed. They have earned high praise for that.

But most people do not understand how at the same time the Israelis were under such military pressure, they have built a Nation with a strong education system, they have built a Nation with institutions of culture, they have built a Nation that has a great deal of compassion and humanity.

In the midst of all their troubles, the Israelis rescued 40,000 black Jews, Ethiopian Jews, from Ethiopia and brought them into Israel. In the midst of all their troubles they made special provision for black Jews from Ethiopia. The Israeli leadership decided to undertake this very difficult job of assimilating people who have a different skin color.

They were not stupid. They knew very well that in the modern world color is very important, and that it is a new kind of problem. When I visited Israel the last time, I visited a school called Yemin Ord, where half of the 500 students there were Ethiopian. They deliberately reached out to bring in the Ethiopian youngsters in this village school setting.

They have tremendous achievements there. The Ethiopians have come from a pastoral society, and have been able over a short period of time to rise to the level and the challenge of Israeli education. The graduates from that school who were Ethiopian performed at an equal level to the other graduates from that school.

Since then, they have had some difficulties. We have had some headlines about Ethiopians rioting in the streets of Tel Aviv, and being very upset about the fact that some bigoted people in the Israeli blood supply system separated their blood out and threw it away without telling them because they thought there was something wrong with their blood, and some other incidents have taken place.

So they have had, as a result of reaching out to the black Jews of Ethiopia and recognizing that they were Jews, first of all, and color had to be secondary, they have had some special problems. The Israeli leadership is to be congratulated for taking on those problems with all the other problems that they have.

If I had to call names, of course, and I do want to call some names, David Ben-Gurion, the first Prime Minister of Israel; Golda Meir, the American schoolteacher who went to Israel and became Prime Minister; Menachem Begin.

Menachem Begin was labeled by the British as a terrorist, and he was in that sense a terrorist. He led the violent uprisings which helped to force a critical situation which led to the creation of the State of Israel.

Yitzhak Rabin and Shimon Perez. It is interesting that Begin and Yitzhak Rabin were both military people, they were coordinators of violence. They were successful generals and successful commanders of violent activities, of wartime activities, military activities. But Menachem Begin and Yitzhak Rabin were the greatest peacemakers of Israel. Men who have faced war and understood war were the ones who understood the necessity for peace.

Menachem Begin invited Anwar Sadat to come from Cairo to Israel and open the doorway to the peace agreement which Jimmy Carter presided over, and led to an agreement with Egypt and Israel which in many ways has done more for the security of Israel than any other action taken by the leadership of Israel since its existence.

They eliminated one front. They eliminated their largest and most effective enemy, Egypt, by negotiating peace at the proper time. They gave up some oil wells, some real estate that was very popular with the Israeli population. They gave up a lot, but they got peace and security as a result. Menachem Begin, Yitzhak Rabin.

Shimon Perez was very interesting individual, in the background for a large part of his life. If one person can be credited with building the Israeli military machine in terms of the equipment and the organization of it, and even the creation of the Israeli Air Force, and the creation of the series of activities which probably led to Israel developing a nuclear weapon of their own, and I cannot document this and nobody admits it, but certainly the Air Force and the military machine of Israel was built mostly through the ingenuity and leadership of Shimon Perez, who operated behind the scenes and never fully got the credit. It is important that there are unnamed Israelis that we will never know who helped to make Israel what it is.

Leadership means more than the people on top. The leadership in Nigeria, the leadership in Trinidad and Jamaica, et cetera, the problem often is that the leadership is too scarce. There is only one layer of leadership, and that layer of leadership, if they have errors and faults, there is nobody to balance them off. There are no people to criticize them.

Leadership in a nation means that you have to have newspaper editors, judges. The whole set of modern functionaries have to be present, and they have to sort of play off each other and keep each other in line, and you create something which, by trial and error, becomes a stable Nation.

The absence of this kind of leadership in most of the nations that have been newly formed is a serious shortcoming. If there is any remedy for underdeveloped nations or developing nations that we ought to look at, it ought to be some way to give them more and more aid to create more and more leaders. That means that education in other developing nations ought to take priority.

There are some nations which are pitiful. Somalia destroyed itself completely. Somalia is 37 years old, but they have completely destroyed themselves. There is no Nation of Somalia anymore. There is something on the map. They have no government at all, it is completely gone.

This is a Nation where most of the people are of African descent. This is a Nation where most of the people speak the same language, most are the same religion. We cannot understand quite what happened to Somalia, but because of faction fighting, they destroyed themselves completely. Israel exists because they have been able to deal with each other. They have had this pool of leadership drawn from all over the world. They have been able to compromise and negotiate when necessary.

There are some very serious problems internally within the Nation now. At 50 years old, its existence is not guaranteed, I assure the Members, but certainly when we think of the pressure on the Jewish populations of Europe, which is part of what helped to create Israel, the man who created those pressures, Adolph Hitler, said that the Third Reich would reign for a thousand years. The third Reich is gone, it is no more, but Israel is very much alive with a lot of promise for growth in the future.

I salute the State of Israel on the occasion of its 50th birthday. The Jewish people have defied numerous catastrophies and they have survived for thousands of years. Now Israel has become a harvesting place for all of these centuries of suffering and the wisdom accumulated from that suffering. Happy birthday to the State of Israel.

Mr. Speaker, if the majority is not here, I would like to claim the other 30 minutes that is left for the second portion of my presentation.

The SPEAKER pro tempore (Mr. GIBBONS). The time of the gentleman from New York (Mr. OWENS) has expired. In the absence of a member of the majority party, the gentleman from New York (Mr. OWENS) is recognized for the remainder of his hour.

Mr. OWENS. Mr. Speaker, I want to talk about leadership again. The theme of leadership now shifts to the United States. It shifts to the Congress of the United States.

Last week on Friday we voted the majority budget into existence. That majority budget completely ignored a major need of this Nation. This Nation needs to reform its education system. At the heart of that reform process is a need for the construction of new schools.

In the Republican budget there are no funds allocated for the construction

of new schools. In fact, the Republican budget represents an attack on education. They are going to wipe out Title I programs as we know them, and they will proceed to turn the dollars for Title I into vouchers.

They are going to completely ignore the major problems. The problems have been clearly delineated by the President, who started with his State of the Union Address delineating the problem of the schools when he said, we need $22 billion for the construction of new schools. That is his program. I wish we had a more direct way to deal with the problem of the schools, and not through a loan program.

□ 2330

He offers a $22 billion loan program where States and localities may borrow the money and the Federal Government would pay the interest. So they are interest-free loans. That is better than nothing, of course. It is significantly better than nothing. But I wish we would dedicate some portion of the funds that we have at the Federal level to the building of schools, grants outright to schools, especially in the inner-city communities and the rural communities where schools are in atrocious condition.

All over America, in the inner cities in the suburbs, and in the rural areas, we are beginning to find these schools that are 75, 85 and 100 years old. They need repairs at least. Many of them need extensive renovations. Then we find many situations where we need totally new schools and they are just not there. The Federal Government should take leadership and this Congress should take leadership.

We are facing a situation at this point where there is going to be a budget surplus of no less than $50 billion. No matter how they play with the numbers, there will be no less than $50 billion more in revenue collected than there will be expenditures. So with a surplus of $50 billion, now is the time. We have a window of opportunity to act and deal with the most pressing needs of our school systems.

Education reform needs a lot of different things, but what it needs most is the basics such as classrooms and safe schools; safe schools and classrooms in those schools which will allow us to then move to the President's second point.

His second point is that we need to use Federal resources to fund more teachers and decrease the student-teacher ratio so that teachers do not have so many students to teach, especially in the early years.

That makes a lot of sense and the education pedagogy, the surveys and studies, everything supports the fact that we would get a more effective and more efficient school system if in the early grades we had classrooms that are smaller; probably even in later grades too, but start with the early grades.

The President's proposal to provide Federal aid to reduce the number of children per class is the next step and it is very sensible, but it cannot take place in areas like New York City. Even if we had the money for more teachers, there is no place to put the classes. We have to have more classrooms if we are going to make use of the money for smaller classes.

The State of New York, the legislature, recently passed legislation which guarantees that in 5 years, every child will have a right to a pre-kindergarten education. Pre-kindergarten education will be universal in 5 years in New York, theoretically. Theoretically, it is going to be done. The money will be available for the State to fund a large part of it. But if we do not have the classrooms, and in the places where we do not have the classrooms like New York City, where are we going to put the pre-kindergarten kids when we have situations where we cannot take care of children who are already there?

We have situations like PS–161. And I had a group of students from PS–161 visit me last week. It is a great school, and I had been there to visit their school about a month ago. I was very much impressed with their school. Their school has been cited nationally. Even Diane Ravitch, who has very little positive to say about inner-city schools, cited this school as being an excellent school. Diane Ravitch is a former assistant secretary for OERI, the Office of Education Research and Improvement.

PS–161 is located about seven blocks from my district office on Crown Street in Brooklyn. 161 has a school building that was built for 500 students. They now have almost a thousand. They have twice as many students than they were built to hold. PS–161 has a coal-burning furnace. The school still has a furnace that burns coal, not only polluting the air around the school, but polluting the internal school building.

We cannot have coal-burning furnaces and not have coal dust escape. The first house I ever owned had a coal-burning furnace. I got a bargain because of that. No matter what filters we put in there or what steps we took, some of the coal dust escaped in the house. And after a while one can see the coal dust settling around.

Mr. Speaker, if a child sits in a school with a coal-burning furnace, and an old one at that because these premises are 50 years old or older, and the walls of the cellar and the walls in the area around the furnace, all of those are problem areas, the chimneys are problem areas, I assure my colleagues that if a child sits there for 6 years, day after day, year after year, his lungs will receive enough coal dust to affect his health in some way. They may never know.

But as I told the PS–161 students who came to visit me, they achieve despite it all. They are high achievers in reading and high achievers in math scores, among the highest in the city. They achieve no matter, despite all of this. But I hate to see one of those young people so gifted, and they are not necessarily gifted, but so well educated. They are normal children. They do not pick and choose them. They are not picked for gifted and talented attributes. They are just normal children. Most of them are poor. Ninety-five percent of the PS–161 students are eligible for school lunches. They are eligible for the school lunch program, which means they are poor. They are coming from low-income families. Nevertheless, they achieve at a very high rate despite it all.

I would hate to see one of those high-achieving students have their life cut short or their career made difficult because they develop aggravated asthma later in their teen or early college years. I would hate to see one of their lives cut short because they have lung cancer because they have sat in a building provided by the city fathers and the Board of Education that was unsafe.

We cannot control the environment that poor children come from. We do not have enough humanity yet to make certain that every child gets three meals a day and has a decent place to stay, and food, clothing, and shelter. We do not have that kind of society yet. But certainly when a child goes to school they ought to expect to have a safe place, a place free of harm to study, not a place which is a danger to their health.

So the coal-burning school, PS–161, is an abomination. The fact that we have 285 such schools in New York, out of 1,100 schools in New York, 285 have coal-burning furnaces. That is an abomination. That is cruel and inhuman treatment to children.

On top of that we add the fact that these same children are in a school that is overcrowded, so that some of them have to eat lunch at 10 o'clock in the morning. At PS–161 where despite it all they perform brilliantly, they have an excellent principal and they have teachers who care, somehow the reading scores, the math scores, any barometer we utilize shows that they are given an excellent education. But they are subjected to force feeding at 10 in the morning. To make a child eat lunch at 10 in the morning is a cruel and inhuman treatment. Some have to eat later on at 1 and 2 o'clock, and they are hungry. That is cruel also.

That has to happen, they tell me, because the lunchroom is not big enough to accommodate all the students. After all, the school was built for 500 students and it is accommodating almost twice that number.

If PS–161 was by itself, I would not be here today discussing this. But this is the rule, the pattern almost, in certain areas of the city. All of the schools have a problem that forces them to have very early lunches and very late lunches. Most of the schools have some problem there. Some are as bad as PS–161, and they have children eating lunch at 9:45 or 10 o'clock in the morning.

□ 2340

In PS–161, they have a very tiny library room, but it was filled with eager youngsters. They even have put in two sections where they have a ring of computers where the youngsters can practice on computers. The principal himself went out and begged and borrowed and got the money together, it did not come in the budget. Whatever has to happen he makes happen there.

He has a skilled staff that he keeps there because they like working there. Some of his teachers come in from the suburbs where they pay more money, and they could get jobs in the suburbs as teachers. They come there because they like what they are doing. They are in an environment with great leadership, to keep the theme of leadership going, because the principal is a great leader. They get things accomplished.

But in that library, they pack one on top of the other. The kids sit one next to the other. They can barely turn the page. But as a mark of what is happening in that school, you do not hear a single sound in terms of children complaining about not being able to turn the page because they are so close to one student, right next to another. They work; they read. They achieve despite it all.

I am here to salute PS–161 and all the people involved, the principal, the teachers, parents. They have an after-school program where the parents run it. The parents finance it. It is amazing what they do at PS–161.

But why should the leadership of the school system in New York, the leadership at city hall, we have a $2 billion surplus. This year we have a $2 billion surplus projected in the city budget. None of that has been proposed as a way to get rid of some of the coal-burning furnaces. At the State level we have more than a $2 billion surplus projected.

The Governor vetoed a bill recently which would have given $500 million to help alleviate the worst conditions in school buildings. So I cannot complain only about the Republican majority here in this body. We have a situation in our State and our city which shows that there is no compassion. The leadership wants to subject the children to cruel and inhumane treatment.

We have an American Competitiveness Act that is going to be on the floor soon, where the Senate has said the only way we can get the people we need for information technology, the only way we can meet the problem of Y–2000, you heard of that, where our computers are going to go wild, lots of things are going to happen if we do not get those computers changed which cannot deal with the year 2000. There is a mad race on behind the scenes to deal with the year 2000. We cannot get the people to do it. We do not have the personnel.

One of the reasons we are going outside the country to get personnel is because we are confronting that problem. But there is an ongoing need for information technology workers; 300,000 vacancies exist right now in the information technology industry. The Department of Labor projects that over the next 5 or 10 years we will have 1.5 million vacancies in the information technology industry, because they do not see the colleges and universities and the other places which produce these information technology workers, they do not have the capacity, they do not have the students in there now. Unless something radical happens, we are not going to be able to take care of those positions.

We have the American Competitiveness Act. If ever there was a misnamed piece of legislation, it is the American Competitiveness Act, which the House will be acting on soon, which calls for the importation of an extra 30,000 people in the category of professionals. We are going to lessen the quota in some other areas for immigrants and increase the quota for professionals in order to deal with this problem; 30,000 more in the first year and over a period of 2 or 3 years, 20,000 each year more.

Many of them are going to come from Bangalore, India. There is a special company over there which sends us large numbers, the same company that sends large numbers of Indian workers here for our information technology industry, that same company also has a large number of contracts to work on the Indian nuclear weapons. As I said before, you have a circle there where we are training people who can make the bombs, which we deplore, the proliferation of nuclear weapons.

So we have a problem of leadership in America. We have a problem with leadership in this House. There is no compassion for poor children out there who need the help of the Federal Government.

The Federal Government cannot do it all, but if we make the first step, we take the first step, we can push the States and the cities to use some of their surplus or more of their surplus or, if not the surplus, to find a way to meet us somewhere. Somebody has to have the compassion to see that you are putting children at risk in unsafe and dilapidated buildings.

I have not covered all of the hazards. Some of the schools still have lead pipes that are unhealthy. Some schools have lead paint. Some of the schools have top floors where there is deterioration as a result of too many leaks, and there are so many problems with the leaking that they cannot find it anymore. The walls are just caving in.

I am sure that this is not unique to New York. Other big cities and rural areas have similar problems with respect to defectiveness of school buildings. I want to salute the United Federation of Teachers, the affiliate of the American Federation of Teachers in New York. They took the case to court with respect to safety in school buildings, and they recently won a victory. A judge has ordered that all school buildings in New York have to be inspected for violations.

We inspect other buildings. Landlords are held to standards with respect to health and safety. But we have never had a situation where schools have been held to the same standards. They have been exempt from inspections from the health or the buildings departments. The judge has now ordered that.

We remember what happened in Washington when they began to look at certain kinds of shortcomings in the schools. For 3 weeks they had to delay the opening of schools here in Washington, D.C., because roofs had to be repaired. We hope that we are going to confront this problem and really get down to admitting that we have a crisis and are subjecting children to a crisis.

We are endangering and injuring the national security of the United States. Our national security is now tied up with the degree to which we educate our population.

I am not going to belittle the need for a strong Air Force or a strong Navy, the need for the most effective modern weapons, but in addition to that and in order to keep that going, you need an educated population on a scale we have not yet recognized to keep everything going.

We have these surveys that have been done about the shortages of information technology workers in business. They only look at businesses. They surveyed businesses. They have not surveyed the nonprofit sector and their needs for information technology workers. They have not surveyed schools, which are trying to get going with more and more information technology, and they need personnel. When you look at all of the ways in which we are going to be utilizing information technology workers, the problem mushrooms. Our Nation's national security, our leadership economically, all is being jeopardized by the blind manner in which we insist on proceeding by not recognizing the importance of education.

The budget that has been submitted by the majority Republicans in this House does not recognize the educational crisis at all. It plays games with education. It is dangerous, the budget that has been submitted by this House.

We are ignoring a window of opportunity. We have a $50 billion surplus we can contemplate. And anybody who says that none of that surplus is going to be spent on anything but Social Security, that is a lie. That is a big lie, because we have left certain things undone. We have not fully funded the transportation bill, not fully funded the agriculture research bill. A number of places have not been fully funded.

You watch, as we go into the latter part of this session, we get to the last days of October, you watch them pull the rabbits out of a hat. You watch and understand that part of that $50 billion surplus is going to go toward meeting some of these needs, as it ought to. I

am all in favor of some of the money being dedicated to Social Security.

When the President made his State of the Union address, we anticipated $8 billion. Certainly if you only had an $8 billion surplus, it should go to the Social Security contingency fund, rainy day fund. But if you have $50 billion, why not divide it the way that I propose. One-fourth of it can go to Social Security, $50 billion or more, one-fourth Social Security contingency fund. One-fourth should go to the reduction of taxes on people, families that earn $50,000 or less. And one-fourth should go to a direct grant system for school construction and repair and renovation and improvement. Another fourth should go to other education matters such as reduction of class sizes, the purchase of equipment, education technology.

□ 2350

We can spend $50 billion in ways that would be an investment for national security. If you put it into education, it is an investment for national security, unlike any other expenditures. We are going to spend it on something, we might as well put on the table a discussion right now of how we are going to spend the $50 billion, how we are going to invest the $50 billion and not play games.

I put a statement in the RECORD on the budget where I said the following last week at the time of the discussion of the budget:

It is highly likely that there will be a budget surplus of no less than $50 billion for the coming budget year. For the first time in many decades, there will be a window of opportunity to make meaningful Federal investments in education. Unfortunately, the Federal share of the overall expenditures for education is merely 7 percent at present. This budget surplus offers an opportunity to bolster our national security by increasing the pool of brainpower to operate our increasingly complex society. I propose that the new budget surplus be divided in accordance with the priorities that I have just stated. This represents a worthy budget deal. Let us make a deal. Let the deal be on the table in respect to how we should spend the dollars, one-fourth for direct emergency for school funding, one-fourth for Social Security, one-fourth to reduce taxes for people at the bottom, and one-fourth for other education priorities. This represents a worthy budget deal which should immediately be placed on the table for discussion and debate. We need an open debate on the best use for the surplus. What American voters should fear most is a closed-door, smoke-filled room, a deal made in October with only representatives of the Republican-controlled appropriations committees and representatives from the White House present. There will be a compromise which will leave out very important, basic national security concerns, especially as they relate to education. School construction will be tossed aside in that kind of compromise. Let us talk about it. Let the American people hear the possibilities. Let the focus groups and the polling show us where they are and let the parties respond to that. The common sense of the American voters cannot go into play if they do not know what the issues are, if they do not know what the possibilities are. We have an option. We have a $50 billion plus option, a window of opportunity, and the public ought to know about it. A multibillion dollar deal is going to be made. Let this deal be done in the sunshine. Let us do a deal for the children of America.

Start acting real.
Right now do a democratic deal.
Do this magic surplus deal.
Upfront right away.
Chase infected cynics
Off the political highway.
Make humane rules.
Build safe schools.
Start acting real.
Right now do the deal.
Sunshine is now okay.
Act fast in the light of day.
Invest it the people's way.
Stop pushing the no touch lie.
In four pieces cut the pie.
Start acting real.
Right now do the deal.
Vote for children's justice fast.
Make up for the stupid past.
The budget is on keen keel.
Upfront right away.
Do this magic surplus deal.

Do the deal now. Let us not have a situation similar to the one we had in 1990 when they all went to the White House under George Bush and the leadership of the Congress and they made a deal that was not in the best interests of the American people. At that time I wrote a piece called the Budget Summit where I said:

In the great white D.C. mansion
There's a meeting of the mob.
And the question on the table is
Which beggars will they rob?
There's a meeting of the mob.
Now, I'll never get a job.
All the gents will make a deal.
And the poor have no appeal.
There's a meeting of the mob.

It is still relevant. I do not want the mob to meet at the White House or any appropriations room and decide behind the scenes how to use the surplus without the input of Members of Congress. We all get elected, the same number of constituents in the districts. We should all have input. The American people should have an input. The columnists and the analysts, everybody should have an input. They should not suddenly wake up and find the deal is done and is done badly, we have used the money in ways that are really not consistent with what voters think are the priorities. Education is an ongoing priority.

Within the education priority, there is no priority more important than construction. Safe schools, safe schools where students can study safely and in peace and with the necessary equipment and supplies. They should come first. In our national security, nothing is more important than education. We have a window of opportunity. We need the leadership in this House, we need the leadership in this city, in Washington, leadership that understands this. Nations rise and fall on the basis of their leadership.

As I said before, superpowers can fall, too. The Soviet Union died at age 75 because its leadership was just not responsive. Its leadership closed its circle. They would not listen to anybody from the outside. They would not even let the outsiders know what they were deciding.

Nothing is worse than going into the backroom and making a deal without the input of the American people. Nothing is more anti-democratic. Nothing is more destructive. We need leadership. We are a great Nation. We are called, as President Clinton said, the indispensable Nation. We have a pivotal set of decisionmakers in this pivotal Nation. This year is a pivotal time of decision-making. Let us make decisions that are in the interest of the children of America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUSH (at the request of Mr. GEPHARDT) for today, on account of business in the district.

Mr. DEUTSCH (at the request of Mr. GEPHARDT) for today, on account of personal reasons.

Mr. FARR of California (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of official business.

Mr. SAM JOHNSON of Texas (at the request of Mr. ARMEY) for today, on account of attending a funeral.

Mr. HOUGHTON (at the request of Mr. ARMEY) for today and until 6 p.m. on Wednesday, on account of family 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. PALLONE!) TO REVISE AND EXTEND THEIR REMARKS AND INCLUDE EXTRANEOUS MATERIAL:)

Mr. CONYERS, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Mr. GOODE, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Ms. JACKSON-LEE OF TEXAS, for 5 minutes, today.

Mrs. MALONEY OF NEW YORK, FOR 5 MINUTES, TODAY.

(The following Members (at the request of Mr. FOX of Pennsylvania) to revise and extend their remarks and include extraneous material:)

Mr. RIGGS, for 5 minutes, on June 10.

Mr. METCALF, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today.

Mrs. LINDA SMITH of Washington, for 5 minutes each day, on June 10 and 11.

Mr. SCARBOROUGH, for 5 minutes, today.

Mr. FOX of Pennsylvania, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Member (at her own request) and to include extraneous material notwithstanding the fact that it exceeds two pages and is estimated by the Public Printer to cost $1,172.00:)

Mrs. MALONEY of New York.

(The following Members (at the request of Mr. PALLONE) and to include extraneous matter:)

Mr. MCGOVERN.

Mr. KIND.

Mr. SKELTON.

Mr. SHERMAN.

Mr. HAMILTON.

Ms. NORTON.

Ms. ESHOO.

Mr. SCHUMER.

Mr. BROWN of California.

Mrs. MALONEY of New York.

Mr. BERMAN.

Ms. FURSE.

Mr. BARRETT of Wisconsin.

Mrs. MEEK of Florida.

Mr. VISCLOSKY.

Mr. LANTOS.

Mr. ABERCROMBIE.

(The following Members (at the request of Mr. FOX of Pennsylvania) and to include extraneous matter:)

Mr. GILMAN.

Mr. DELAY.

Mr. BURTON of Indiana.

Mr. RADANOVICH.

Mr. DUNCAN.

Mr. MCKEAN.

Mrs. MORELLA.

Mr. WALSH.

Mr. PACKARD.

Mr. GINGRICH.

Mr. THOMAS.

Mr. NETHERCUTT.

Mr. COLLINS.

(The following Members (at the request of Mr. OWENS) and to include extraneous matter:)

Mr. BALLENGER.

Mr. UPTON.

Mr. HASTINGS of Florida.

Mr. CLYBURN.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1150. An act to ensure that federally funded agricultural research, extension, and education address high-priority concerns with national or multistate significance, to reform, extend, and eliminate certain agricultural research programs, and for other purposes.

S. 1244. An act to amend title 11, United States Code, to protect certain charitable contributions, and for other purposes.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 10, 1998, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

9529. A letter from the Manager, Federal Crop Insurance Corporation, Department of Agriculture, transmitting the Department's final rule—Peanut Crop Insurance Regulations; and Common Crop Insurance Regulations, Peanut Crop Insurance Provisions (RIN: 0563–AA85) received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9530. A communication from the President of the United States, transmitting his requests for FY 1999 budget amendments totaling $294 million for programs that are designed to strengthen our ability to deter and respond to terrorist incidents involving the use of biological or chemical weapons, pursuant to 31 U.S.C. 1107; (H. Doc. No. 105—270); to the Committee on Appropriations and ordered to be printed.

9531. A letter from the Deputy Secretary of Defense, transmitting a report entitled ''Report to Congress on the Use of the DoD Laboratory Revitalization Demonstration Program,'' pursuant to Public Law 104—106; to the Committee on National Security.

9532. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Leverage Capital Standards: Tier 1 Leverage Ratio [Regulation Y; Docket No. R–0948] received June 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

9533. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 87F–0162] received June 1, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9534. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

9535. A letter from the Director of Congressional Affairs, Central Intelligence Agency, transmitting reports on uncontrolled treaty-limited equipment, pursuant to section 2, paragraph 5(e) of the Resolution of Ratification of the CFE Flank Document; to the Committee on International Relations.

9536. A letter from the Secretary of Commerce, transmitting the semiannual report on the activities of the Inspector General for the period ending March 31, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9537. A letter from the Secretary of Education, transmitting the semiannual report to Congress of the Inspector General of the Department of Education for the period October 1, 1997, through March 31, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9538. A letter from the Secretary of Transportation, transmitting the semiannual report of the Inspector General for the period ending March 31, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9539. A letter from the Interim District of Columbia Auditor, District of Columbia, transmitting a copy of a report entitled ''Reveiw of the Financial and Administrative Activities of the Boxing And Wrestling Commission For Fiscal Years 1996 and 1997,'' pursuant to D.C. Code section 47—117(d); to the Committee on Government Reform and Oversight.

9540. A letter from the Chairman, District of Columbia Financial Responsibility and Managment Assistance Authority, transmitting the Financial Plan and Budget for the District of Columbia for Fiscal Year 1999, pursuant to D.C. Code section 1—732 and 1—734(a)(1)(A); to the Committee on Government Reform and Oversight.

9541. A letter from the Secretary of the Treasury, transmitting the Department's fiscal year 1997 financial report on the Treasury Forfeiture Fund, pursuant to Public Law 102—393, section 638(b)(1) (106 Stat. 1783); to the Committee on Government Reform and Oversight.

9542. A letter from the Acting Comptroller General, General Accounting Office, transmitting a monthly listing of new investigations, audits, and evaluations; to the Committee on Government Reform and Oversight.

9543. A letter from the Chairman, Consumer Product Safety Commission, transmitting the report from the Acting Inspector General covering the activities of his office for the period of October 1, 1997 through March 31, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9544. A letter from the Chairman, Federal Trade Commission, transmitting the semiannual report of final actions of the Office of Inspector General for the period ending March 31, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9545. A letter from the Chairman, National Credit Union Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 1997 through March 31, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9546. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Reduction In Force Retreat Right (RIN: 3206–AG77) received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

9547. A letter from the Secretary of Labor, transmitting the semiannual reports of the Pension Benefit Guaranty Corporation and the Office of Inspector General for the period October 1, 1997 through March 31, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9548. A letter from the Commissioner, Social Security Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 1997 through March 31, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9549. A letter from the Director, United States Information Agency, transmitting the semiannual report on activities of the Inspector General for the period October 1, 1997 through March 31, 1998, also the Management Report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9550. A letter from the Chairman, United States International Trade Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 1997 through March 31, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9551. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Blowout Preventer (BOP) Testing Requirements for Drilling and Completion Operations (RIN: 1010–AC37) received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9552. A letter from the Assistant Secretary for Indian Affairs, Department of the Interior, transmitting a proposed plan related to the use and distribution of the judgement awarded to the Little River Band of Ottawa Indians in Docket Nos. 18–E, 58 and 364, before the Indian Claims Commission, pursuant to 25 U.S.C. 1403 (b); to the Committee on Resources.

9553. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Data Collection [Docket No. 980513127–8127–01; I.D. 050598A] (RIN: 0648–AL15) received June 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9554. A letter from the Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Regional Nonindigenous Species Research and Outreach and Improved Methods for Ballast Water Treatment and Management: Request for Proposals for 1998 [Docket No. 980415097–8097–01] (RIN: 0648–ZA40) received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9555. A letter from the Deputy Assistant Administrator For Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Community Development Quota Program [Docket No. 970703166–8129–03; I.D. 060997A] (RIN: 0648–AH65) received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9556. A letter from the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, Department of Commerce, transmitting the Department's final rule—Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Disclosures [Docket No: 960828235–8109–02] (RIN: 0651–AA88) received May 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9557. A letter from the Assistant Secretary and Commissioner of Patents and Trademarks, Department of Commerce, transmitting the Department's final rule—Revision of Patent Cooperation Treaty Application Procedure [Docket No.: 980511124–8124–01] received May 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9558. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's prison impact assessment (PIA) report for 1996 and 1997, pursuant to 18 U.S.C. 4047(c); to the Committee on the Judiciary.

9559. A letter from the Director, National Legislative Commission, The American Legion, transmitting a copy of the Legion's financial statements as of December 31, 1997, pursuant to 36 U.S.C. 1101(4) and 1103; to the Committee on the Judiciary.

9560. A letter from the Secretary of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 1998 Rates [HCFA–1878–F, formerly BPD–878] (RIN: 0938–AH55) received May 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9561. A letter from the Acting Deputy Secretary, Department of Housing And Urban Development, transmitting three new reports on the HUD 2020 Management Reform Plan; jointly to the Committees on Banking and Financial Services and Government Reform and Oversight.

9562. A letter from the Director, Corporate Audits and Standards, General Accounting Office, transmitting a report of their opinion on the financial statements of the Congressional Award Foundation for the fiscal years ended September 30, 1997 and 1996; jointly to the Committees on Government Reform and 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. YOUNG of Alaska: Committee on Resources. H.R. 3069. A bill to extend the Advisory Council on California Indian Policy to allow the Advisory Council to advise Congress on the implementation of the proposals and recommendations of the Advisory Council (Rept. 105–571). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 461. Resolution providing for consideration of the bill (H.R. 2888) to amend the Fair Labor Standards Act of 1938 to exempt from the minimum wage recordkeeping and overtime compensation requirements certain specialized employees (Rept. 105–572). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 462. Resolution providing for consideration of the bill (H.R. 3150) to amend title 11 of the United States Code, and for other purposes (Rept. 105–573). Referred to the House Calendar.

Mr. SENSENBRENNER: Committee on Science. H.R. 3824. A bill amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft: with an amendment (Rept. 105–574 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Commerce discharged from further consideration. H.R. 3824 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 3824. Referral to the Committee on Commerce extended for a period ending not later than June 9, 1998.

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. STUMP (for himself and Mr. EVANS):

H.R. 4016. A bill to amend title 38, United States Code, to make permanent the eligibility of former members of the Selected Reserve for veterans housing loans; to the Committee on Veterans' Affairs.

By Mr. DAN SCHAEFER of Colorado (for himself and Mr. HALL of Texas):

H.R. 4017. A bill to extend certain programs under the Energy Policy and Conservation Act and the Energy Conservation and Production Act, and for other purposes; to the Committee on Commerce.

By Mr. BLUMENAUER (for himself, Mr. NEAL of Massachusetts, Mr. BALDACCI, Mr. MCGOVERN, Mr. FATTAH, Mr. FALEOMAVAEGA, Mrs. MORELLA, Ms. FURSE, and Mr. DEFAZIO):

H.R. 4018. A bill to identify the current levels of savings and costs to telecommunications carriers as a result of the enactment of the Telecommunications Act of 1996, to require accurate billing by telecommunications carriers with respect to the costs and fees resulting from the enactment of the Telecommunications Act of 1996, and for other purposes; to the Committee on Commerce.

By Mr. CANADY of Florida (for himself and Mr. NADLER):

H.R. 4019. A bill to protect religious liberty; to the Committee on the Judiciary.

By Mr. GUTIERREZ (for himself, Mr. BECERRA, and Mr. MENENDEZ):

H.R. 4020. A bill to amend the Nicaraguan Adjustment and Central American Relief Act to eliminate the requirement that spouses and children of aliens eligible for adjustment of status under such Act be nationals of Nicaragua or Cuba; to the Committee on the Judiciary.

By Mr. HASTINGS of Washington:

H.R. 4021. A bill to provide for the exchange of certain land in the State of Washington; to the Committee on Resources, and in addition to the Committee on Agriculture, 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. NETHERCUTT (for himself, Mr. RYUN, Mr. LEACH, Mr. MORAN of Kansas, Mr. CRAPO, Mr. HASTINGS of Washington, Mr. BOEHNER, Mr. NUSSLE, Mr. STUMP, Mr. GUTKNECHT, Mr. SKEEN, Mr. BONILLA, Mr. CUNNINGHAM, Mr. WALSH, Mr. COMBEST, Mr. DICKEY, Mr. GRAHAM, Mr. LAHOOD, Mr. WAMP, Mr. CHAMBLISS, Mr. DEAL of Georgia, Mr. NORWOOD, Mr. POMEROY, Mr. HORN, Mr. KINGSTON, Mr. BARRETT of Nebraska, Mr. DOOLEY of California, Mr. HILL, Mr. HASTERT, Mr. SESSIONS, Mr. BEREUTER, Mr. LATHAM, Mrs. LINDA SMITH of Washington, and Mr. WHITE):

H.R. 4022. A bill to amend the Arms Export Control Act to provide that certain sanctions provisions relating to prohibitions on credit, credit guarantees, or other financial assistance not apply with respect to programs of the Department of Agriculture for the purchase or other provision of food or other agricultural commodities; to the Committee on International Relations.

By Mr. THOMAS:

H.R. 4023. A bill to provide for the conveyance of the Forest Service property in Kern County, California, in exchange for county lands suitable for inclusion in Sequoia National Forest; to the Committee on Resources, and in addition to the Committees on Commerce, and Transportation and Infrastructure, 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. WHITFIELD:

H.R. 4024. A bill to amend the Federal Food, Drug, and Cosmetic Act relating to the distribution chain of prescription drugs; to the Committee on Commerce.

By Mr. BACHUS (for himself, Mr. LEACH, Mr. MCCOLLUM, Mr. BEREUTER, Mr. HINCHEY, Mr. SANDERS, Mrs. THURMAN, Mr. SOLOMON, Mr. CLEMENT, Mr. SHAW, Ms. KILPATRICK, Mr. JONES, Mr. OXLEY, Mr. KLUG, Mr. TAUZIN, Mr. BLUNT, Mr. TRAFICANT, Mr. DAN SCHAEFER of Colorado, Mr. NETHERCUTT, Mr. KUCINICH, Mr. WHITFIELD, Mrs. FOWLER, Mr. FORBES, and Mr. CASTLE):

H. Con. Res. 288. Concurrent resolution expressing the sense of the Congress that the United States should support the efforts of Federal law enforcement agents engaged in investigation and prosecution of money laundering associated with Mexican financial institutions; to the Committee on the Judiciary.

By Mr. PACKARD (for himself, Mr. BONILLA, Mr. HOYER, Mr. LINDER, Mr. NORWOOD, and Mr. PORTER):

H. Con. Res. 289. Concurrent resolution recognizing the 50th anniversary of the National Institute of Dental Research; to the Committee on Commerce.

By Mr. SOLOMON:

H. Res. 463. A resolution to establish the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China; to the Committee on Rules.

By Ms. NORTON:

H. Res. 464. A resolution amending the Rules of the House of Representatives to provide a vote in the Committee of the Whole to the Delegate to the House from the District of Columbia; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

334. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 171 memorializing the Congress of the United States to enact legislation to abolish the Internal Revenue Code by December 31, 2001, and replace it with a new method of taxation; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Mr. CUMMINGS.
H.R. 96: Mr. PICKERING.
H.R. 192: Mrs. BONO.
H.R. 303: Mr. HAYWORTH.
H.R. 306: Mrs. CAPPS.
H.R. 616: Mr. MATSUI.
H.R. 766: Ms. PELOSI.
H.R. 814: Mrs. CAPPS.
H.R. 864: Mrs. THURMAN, Mr. CRAMER, Mr. BRADY of Pennsylvania, Mr. GREENWOOD, and Mr. BONIOR.
H.R. 880: Mr. HILLEARY.
H.R. 979: Mr. PALLONE, Mr. LAMPSON, Mr. HAMILTON, Mr. SKEEN, and Mr. ROTHMAN.
H.R. 1009: Mr. RYUN.
H.R. 1061: Mr. QUINN.
H.R. 1126: Ms. ROS-LEHTINEN, Mr. MICA, Mr. MCKEON, Mr. MCCRERY, Mr. LEACH and Mrs. ROUKEMA.
H.R. 1165: Mrs. MORELLA.
H.R. 1166: Mr. LAFALCE.
H.R. 1290: Mr. BURR of North Carolina.
H.R. 1301: Mr. DELAHUNT and Mr. DIXON.
H.R. 1354: Mr. PICKERING.
H.R. 1378: Mr. BEREUTER and Mr. SMITH of Oregon.
H.R. 1452: Ms. MILLENDER-MCDONALD.
H.R. 1715: Mr. LEACH and Mr. SHAYS.
H.R. 1766: Mrs. BONO, Mr. BRYANT, Mr. EDWARDS, Mr. INGLIS of South Carolina, Mr. MCGOVERN, and Mr. PRICE of North Carolina.
H.R. 1863: Mr. PICKERING.
H.R. 1995: Mr. HUTCHINSON, Mr. KINGSTON, Mrs. CUBIN, Mr. HOUGHTON, Mr. SISISKY, Mr. OBERSTAR, Mr. SKAGGS, and Mr. GORDON.
H.R. 2023: Ms. LEE.
H.R. 2094: Mr. ABERCROMBIE.
H.R. 2409: Mr. ANDREWS.
H.R. 2504: Mr. KENNEDY of Rhode Island.
H.R. 2524: Mr. MATSUI and Mr. MORAN of Virginia.
H.R. 2541: Mr. WOLF.
H.R. 2568: Mr. JENKINS.
H.R. 2613: Mr. HINOJOSA, Mr. BAKER, Mr. SANDERS, Mr. STRICKLAND, Ms. HOOLEY of Oregon, Mr. HASTINGS of Florida, Mr. DELAHUNT, Mr. BOUCHER, Mr. DEFAZIO, Mr. SKEEN, and Mr. STUPAK.
H.R. 2701: Mr. LAFALCE.
H.R. 2804: Mr. BONIOR and Mr. DELAHUNT.
H.R. 2828: Mr. JACKSON.
H.R. 2923: Mr. ROTHMAN and Ms. ESHOO.
H.R. 2931: Ms. PELOSI.
H.R. 2938: Mr. SNOWBARGER.
H.R. 2995: Mr. BALDACCI, Mr. DOOLEY of California, and Mr. CLEMENT.
H.R. 2998: Mr. DAVIS of Illinois.
H.R. 3081: Ms. FURSE and Mr. TOWNS.
H.R. 3107: Mr. NORWOOD.
H.R. 3110: Mr. KOLBE, Mr. HALL of Ohio, Mr. BLAGOJEVICH, and Mr. MASCARA.
H.R. 3125: Mrs. LOWEY.
H.R. 3139: Mr. LUTHER.
H.R. 3181: Mr. LAMPSON and Mr. DAVID of Florida.
H.R. 3205: Mr. CLEMENT, Ms. ROYBAL-ALLARD, and Mrs. CAPPS.
H.R. 3240: Mr. TORRES, Mr. UNDERWOOD, and Mr. ROMERO-BARCELO.
H.R. 3248: Mr. BARR of Georgia.
H.R. 3267: Mr. MARTINEZ.
H.R. 3293: Mr. THOMPSON.
H.R. 3304: Mr. HERGER and Mr. RAMSTAD.
H.R. 3320: Mr. POMEROY, Mr. COSTELLO, Mr. WYNN, Mr. LAFALCE, Mr. BROWN of Ohio, Ms. MCCARTHY of Missouri, Mrs. MCCARTHY, of New York, and Mr. KILDEE.
H.R. 3396: Mr. CRAPO, Mr. KILDEE, and Ms. RIVERS.
H.R. 3459: Mr. BONIOR.
H.R. 3466: Mr. MORAN of Virginia, Mr. PALLONE, and Mr. DAVIS of Illinois.
H.R. 3514: Mr. FOX of Pennsylvania.
H.R. 3531: Mr. BALDACCI.
H.R. 3553: Mr. TOWNS, Mr. ENGEL, Mr. PASCRELL, Mr. CLAY, Mr. LAFALCE, Mr. MCGOVERN, and Mr. BERMAN.
H.R. 3572: Mr. MCNULTY, Mr. OXLEY, and Mrs. KELLY.
H.R. 3583: Mr. BRYANT.
H.R. 3598: Mr. STUMP, Mr. BRADY of Texas, Mr. DELAY, Mr. GREEN, Mr. GILLMOR, Mr. BENTSEN, Mr. FROST, Mr. ROMERO-BARCELO, Mr. TORRES, Mr. TURNER, Mr. SESSIONS, Mr. ARCHER, Ms. GRANGER, Mr. RODRIGUEZ, Mr. SMITH of Texas, Mr. THORNBERRY, Mr. ORTIZ, Mr. HINOJOSA, Mr. HALL of Texas, Ms. SANCHEZ, Mr. BONILLA, Mr. GONZALEZ, Mr. LAMPSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DUNCAN, Mr. SKELTON, Mr. SPENCE, Mr. STENHOLM, Mr. SANDLIN, Mr. CLAY, Mr. PASTOR, Mr. SERRANO, Mrs. MINK of Hawaii, Mr. GUTIERREZ, and Mr. UNDERWOOD.
H.R. 3602: Mr. ENGLISH of Pennsylvania, Mr. MATSUI, and Mr. OXLEY.
H.R. 3610: Mr. NETHERCUTT, Mrs. JOHNSON of Connecticut, Mr. SISISKY, Mr. MEEHAN, Mr. RANGEL, Mr. KLUG, Mr. BALLENGER, Mr. DOYLE, Mr. SCHUMER, Ms. CARSON, Mr. CAMP, Mr. LAZIO of New York, Mr. ROTHMAN, and Mr. GOODLATTE.
H.R. 3636: Mr. WALSH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WEXLER, and Mr. BROWN of Ohio.
H.R. 3644: Mr. MCDERMOTT.
H.R. 3648: Mr. FOX of Pennsylvania.
H.R. 3652: Mr. MARTINEZ, Mr. FILNER, Mr. ORTIZ, Mr. SKAGGS, Mr. YATES, and Ms. BROWN of Florida.
H.R. 3662: Mr. CASTLE, Mr. EHRLICH, Mr. MCCOLLUM, Mrs. KELLY, Mr. COOK, Mr. METCALF, Mrs. ROUKEMA, Mr. SNOWBARGER, Mr. SESSIONS, Mr. FOLEY, Mr. CAMPBELL, Mrs. MALONEY of New York, Mr. SANDERS, Mr. REDMOND, Mr. HINCHEY, Mr. ACKERMAN, Mr. BENTSEN, Mr. BACHUS, Mr. MEEKS of New York, Mr. WEYGAND, Mr. KING of New York, Mr. ADAM SMITH of Washington, and Mr. LAFALCE.
H.R. 3725: Mr. TALENT.
H.R. 3747: Mr. CAMP and Mr. CASTLE.
H.R. 3751: Mr. GOODLATTE.
H.R. 3775: Mr. MORAN of Virginia.
H.R. 3779: Mr. DEFAZIO, Ms. DEGETTE, Mr. GEJDENSON, Ms. DELAURO, Mr. DOOLEY of California, Mr. HINCHEY, Mr. EVANS, Mr. JACKSON, Mr. BISHOP, Ms. FURSE, Mrs. MORELLA, Mr. BROWN of Ohio, Mr. LEACH, Mr. FRANK of Massachusetts, Mr. FROST, Mr. DAVIS of Virginia, Ms. LOFGREN, Mr. MCNULTY, Mr. COYNE, Mrs. TAUSCHER, Mr. MENENDEZ, Mr. LAMPSON, Mr. CLEMENT, Mr. GREEN, Mr. HORN, Mr. ENGEL, Mr. MCINTYRE, Mr. MALONEY of Connecticut, Mr. ACKERMAN, Mr. BAKER, Mr. SUNUNU, and Mr. BENTSEN.
H.R. 3792: Mr. BATEMAN and Mr. BARTLETT of Maryland.
H.R. 3795: Mrs. EMERSON.
H.R. 3855: Mr. NEY and Mr. GEJDENSON.
H.R. 3858: Mr. ENGLISH of Pennsylvania and Mr. NETHERCUTT.
H.R. 3862: Mr. FILNER, Mr. COSTELLO, Mr. SANDLIN, Mr. PAYNE, and Mr. OLVER.
H.R. 3875: Ms. ESHOO.
H.R. 3879: Mr. MANZULLO, Mr. PAUL, Mr. ROHRABACHER, and Mr. POMBO.
H.R. 3897: Mr. KENNEDY of Rhode Island.
H.R. 3938: Mr. ENGLISH of Pennsylvania and Mrs. NORTHUP.
H.R. 3948: Mr. MCINTYRE.
H.R. 3949: Ms. DANNER, Mr. LEWIS, of Kentucky Mr. TIAHRT, Mr. HAYWORTH, Mr. BALLENGER, Mrs. EMERSON, Mr. PETERSON of Pennsylvania, and Mr. SESSIONS.
H.R. 3968: Mr. DAVIS of Virginia.
H.R. 4007: Mr. LOBIONDO, Mr. LANTOS, Mr. SHERMAN, and Mr. DOYLE.
H. Con. Res. 125: Mr. SHERMAN.
H. Con. Res. 229: Mr. CRAMER and Mr. FRELINGHUYSEN.
H. Con. Res. 249: Mr. ROTHMAN, Mrs. EMERSON, and Mr. MCDERMOTT.
H. Con. Res. 267: Mr. CALVERT.
H. Res. 218: Mr. ADAM SMITH of Washington, Mr. PASCRELL, Mr. HOYER, Mrs. TAUSCHER, and Mr. ROTHMAN.
H. Res. 313: Ms. SLAUGHTER and Mrs. MALONEY of New York.
H. Res. 417: Mr. ADERHOLT.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

[Submitted June 5, 1998]

H.R. 1766: Mr. DOGGETT.

H. Con. Res. 240: Mr. DOGGETT.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2183

OFFERED BY MR. GEKAS

AMENDMENT NO. 60: Insert after title III the following new title (and redesignate the succeeding provisions accordingly):

TITLE IV—TREATMENT OF REFUNDED DONATIONS

SEC. 401. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 101, is further amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 324. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST TO COVER ADMINISTRATIVE COSTS.—Any interest earned on amounts in the escrow account established under subparagraph (A) shall be applied toward the administrative costs incurred by the Commission in establishing and administering the account, and any remaining interest shall be deposited in the general fund of the Treasury.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to believe that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 324, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 301 of such Act (2 U.S.C. 431) is amended by adding at the end the following:

''(20) The term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in paragraph (8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 324.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 324 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

H.R. 2183

OFFERED BY: MR. GEKAS

(To the Amendment Offered By: Mr. Campbell)

AMENDMENT NO. 61: Insert after title III the following new title (and redesignate the succeeding provisions accordingly):

TITLE IV—TREATMENT OF REFUNDED DONATIONS

SEC. 401. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 301, is further amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 324. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST TO COVER ADMINISTRATIVE COSTS.—Any interest earned on amounts in the escrow account established under subparagraph (A) shall be applied toward the administrative costs incurred by the Commission in establishing and administering the account, and any remaining interest shall be deposited in the general fund of the Treasury.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require

any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to believe that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 324, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 301 of such Act (2 U.S.C. 431) is amended by adding at the end the following:

''(20) The term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in paragraph (8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 324.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 324 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

H.R. 2183

OFFERED BY: MR. GEKAS

(To the Amendment Offered By: Mr. Hutchinson or Mr. Allen)

AMENDMENT NO. 62: Insert after title III the following new title (and redesignate the succeeding provisions accordingly):

TITLE IV—TREATMENT OF REFUNDED DONATIONS

SEC. 401. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 101, is further amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 324. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST TO COVER ADMINISTRATIVE COSTS.—Any interest earned on amounts in the escrow account established under subparagraph (A) shall be applied toward the administrative costs incurred by the Commission in establishing and administering the account, and any remaining interest shall be deposited in the general fund of the Treasury.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to believe that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 324, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 301 of such Act (2 U.S.C. 431) is amended by adding at the end the following:

''(20) The term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in paragraph (8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 324.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 324 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

H.R. 2183

OFFERED BY: MR. GEKAS

(To the Amendment Offered By: Mr. Bass)

AMENDMENT NO. 63: Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, and 507, is further amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 326. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST TO COVER ADMINISTRATIVE COSTS.—Any interest earned on amounts in the escrow account established under subparagraph (A) shall be applied toward the administrative costs incurred by the Commission in establishing and administering the account, and any remaining interest shall be deposited in the general fund of the Treasury.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to believe that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 326, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 301 of such Act (2 U.S.C. 431), as amended by sections 201(b) and 307(b), is further amended by adding at the end the following:

''(22) DONATION.—The term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in paragraph (8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 326.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 326 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

H.R. 2183

OFFERED BY: MR. GEKAS

(To the Amendment Offered By: Mr. Obey)

AMENDMENT NO. 64: Insert after title V the following new title (and redesignate the succeeding provisions accordingly):

TITLE VI—TREATMENT OF REFUNDED DONATIONS

SEC. 601. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 301 and 402, is amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 325. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST TO COVER ADMINISTRATIVE COSTS.—Any interest earned on amounts in the escrow account established under subparagraph (A) shall be applied toward the administrative costs incurred by the Commission in establishing and administering the account, and any remaining interest shall be deposited in the general fund of the Treasury.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission

has reason to believe that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 325, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 301 of such Act (2 U.S.C. 431) is amended by adding at the end the following:

''(20) The term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in paragraph (8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 325.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 325 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

H.R. 2183

OFFERED BY: MR. GEKAS

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 65: Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, and 507, is further amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 326. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST TO COVER ADMINISTRATIVE COSTS.—Any interest earned on amounts in the escrow account established under subparagraph (A) shall be applied toward the administrative costs incurred by the Commission in establishing and administering the account, and any remaining interest shall be deposited in the general fund of the Treasury.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to believe that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 326, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 301 of such Act (2 U.S.C. 431), as amended by sections 201(b) and 307(b), is further amended by adding at the end the following:

''(22) DONATION.—The term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in paragraph (8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 326.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 326 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

H.R. 2183

OFFERED BY MR. GEKAS

(To the Amendment Offered By: Mr. Tierney)

AMENDMENT NO. 66: Insert after title V the following new title (and redesignate the succeeding provisions and conform the table of contents accordingly):

TITLE VI—TREATMENT OF REFUNDED DONATIONS

SEC. 601. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 401 and 402(d), is further amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 326. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political

committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST TO COVER ADMINISTRATIVE COSTS.—Any interest earned on amounts in the escrow account established under subparagraph (A) shall be applied toward the administrative costs incurred by the Commission in establishing and administering the account, and any remaining interest shall be deposited in the general fund of the Treasury.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to believe that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 326, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 301 of such Act (2 U.S.C. 431), as amended by section 402(c), is further amended by adding at the end the following:

''(22) The term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in paragraph (8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 326.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 326 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

H.R. 2183

OFFERED BY: MR. GEKAS

(To the Amendment Offered By: Mr. Farr)

AMENDMENT NO. 67: Add at the end of title VII the following new section (and conform the table of contents accordingly):

SEC. 704. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 305(a), is amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 325. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST TO COVER ADMINISTRATIVE COSTS.—Any interest earned on amounts in the escrow account established under subparagraph (A) shall be applied toward the administrative costs incurred by the Commission in establishing and administering the account, and any remaining interest shall be deposited in the general fund of the Treasury.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to believe that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an

effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 325, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 301 of such Act (2 U.S.C. 431), as amended by sections 133 and 301(b), is further amended by adding at the end the following:

''(32) The term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in paragraph (8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 325.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 325 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

H.R. 2183

OFFERED BY: MR. GEKAS

(To the Amendment Offered By: Mr. Doolittle)

AMENDMENT NO. 68: Add at the end the following new section:

SEC. 7. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 323. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST TO COVER ADMINISTRATIVE COSTS.—Any interest earned on amounts in the escrow account established under subparagraph (A) shall be applied toward the administrative costs incurred by the Commission in establishing and administering the account, and any remaining interest shall be deposited in the general fund of the Treasury.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to believe that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 323, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 301 of such Act (2 U.S.C. 431) is amended by adding at the end the following:

''(20) The term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in paragraph (8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 323.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 323 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

H.R. 2183

OFFERED BY: MR. GEKAS

(To the Amendment Offered By: Mr. Snowbarger)

AMENDMENT NO. 69: Add at the end the following new section:

SEC. 9. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 6, is amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 324. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the

contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST TO COVER ADMINISTRATIVE COSTS.—Any interest earned on amounts in the escrow account established under subparagraph (A) shall be applied toward the administrative costs incurred by the Commission in establishing and administering the account, and any remaining interest shall be deposited in the general fund of the Treasury.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to believe that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 324, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 301 of such Act (2 U.S.C. 431) is amended by adding at the end the following:

''(20) The term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in paragraph (8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 324.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 324 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

H.R. 2888

OFFERED BY: MR. FAWELL

AMENDMENT NO. 1: Page 4, strike lines 8 through 13 and insert the following:

''(B) the employee's—

''(i) sales are predominantly to persons or entities to whom the employee's position has made previous sales; or

''(ii) the position does not involve initiating sales contacts;

H.R. 2888

OFFERED BY: MR. OWENS

AMENDMENT NO. 2: Page 6, line 9, strike the period, quotation marks, and the period following and insert a semicolon and insert after line 9 the following:

except that an employer may not require an employee who is exempt from overtime payment under this paragraph to work any hours in excess of 40 in any workweek or 8 in any day unless the employee gives the employee's consent, voluntarily and not as a condition of employment, to perform such work.''.

H.R. 3494

OFFERED BY: MRS. KELLY

AMENDMENT NO. 1: Add at the end the following new title:

TITLE V—CHILD HOSTAGE-TAKING TO EVADE ARREST OR OBSTRUCT JUSTICE

SEC. 501. CHILD HOSTAGE-TAKING TO EVADE ARREST OR OBSTRUCT JUSTICE.

(a) IN GENERAL.—Chapter 55 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 1205. Child hostage-taking to evade arrest or obstruct justice

''(a) IN GENERAL.—Whoever uses force or threatens to use force against any officer or agency of the Federal Government, and seizes or detains, or continues to detain, a child in order to—

''(1) obstruct, resist, or oppose any officer of the United States, or other person duly authorized, in serving, or attempting to serve or execute, any legal or judicial writ, process, or warrant of any court of the United States; or

''(2) compel any department or agency of the Federal Government to do or to abstain from doing any act;

or attempts to do so, shall be punished in accordance with subsection (b).

''(b) SENTENCING.—Any person who violates subsection (a)—

''(1) shall be imprisoned not less than 10 years and not more than 25 years;

''(2) if injury results to the child as a result of the violation, shall be imprisoned not less than 20 years and not more than 35 years; and

''(3) if death results to the child as a result of the violation, shall be subject to the penalty of death or be imprisoned for life.

''(c) DEFINITION.—For purposes of this section, the term 'child' means an individual who has not attained the age of 18 years.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 55 of title 18, United States Code, is amended by adding at the end the following new item:

''1205. Child hostage-taking to evade arrest or obstruct justice.''.