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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 4, 1999.

I hereby appoint the Honorable JOEL HEFLEY to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

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

We are grateful, O God, for the many blessings that have come from Your hand, and we begin this day with appreciation for the gift of friendship. With our families and with our colleagues, there can be that kind of relationship that transcends all the divisions of position or responsibility, that surmounts the differences that separate people from each other. For friends who support us when the day is done, we offer our praise. For friends who encourage us when we are discouraged, we offer thanks. For friends who forgive when we miss the mark and for friends who stand near us when we are alone, we offer these words of gratitude and thanksgiving. This is our earnest prayer. 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 Oregon (Mr. WU) come forward and lead the House in the Pledge of Allegiance.

Mr. WU led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair wishes to announce that the one-minute will be limited to 15 on each side.

REMOVING SOCIAL SECURITY EARNINGS TEST

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

Mr. KUYKENDALL. Mr. Speaker, I rise today to urge Members' support of a piece of legislation that will be introduced shortly in the House. That legislation is called the Senior Citizens' Freedom to Work Act of 1999 and it removes the earnings limitations that now exist in our Social Security laws. For 1999, this limit penalizes retirees with above \$9,600 in earnings. For example, if the Social Security recipient is under the age of 65 and they earn \$20,000, they would lose \$5,200 from their Social Security benefit. It is a little better if you are age 65 to 69. Then you would only lose about \$3,500 in your Social Security benefits.

This restriction on outside earnings dates back to the original Social Security law. In 1935, unemployment in the United States exceeded 25 percent, net new business investment was a negative \$55 billion, and national wages had declined from \$50 billion in 1929 to \$30 billion.

In this environment, it made sense to provide a disincentive to an older generation of workers to remain in the work force. The government would take care of this older generation by ensuring a level of financial support we now call a social insurance system. In turn, new positions for younger workers were created, giving them the wherewithal to become financially independent from government assistance. Taxes from these workers would become the mechanism to fund the benefits payments to the retirees.

Sixty-five years later, it is time to revisit the premise underlying this penalty. With record low unemployment rates, the annual earnings limit is an outdated disincentive that we cannot afford to keep. We need the expertise and wisdom that these workers can provide, but we make it punitive to compensate them for this value. It is time we change this provision of the Social Security Act. The Senior Citizens Freedom to Work Act of 1999 does exactly that and addresses one of the most unfair provisions of all, the penalty for working. I urge all of my colleagues to join me in supporting this important, and long overdue, piece of legislation.

SCHOOL MODERNIZATION

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

Mr. WU. Mr. Speaker, I rise to speak in favor of school modernization. In communities like Astoria in Oregon, there are elementary schools with only one electrical plug in each classroom. No new elementary schools have been built there since 1927. This is simply not an adequate 21st century learning environment.

In my congressional district, communities like Astoria and McMinnville need the resources to modernize school buildings and provide schools with up-to-date technological tools. In other rapidly growing communities such as Beaverton and Hillsboro, schools are suffering from that growth. There,

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

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classroom overcrowding creates difficult learning environments and exacerbates student discipline problems. Schools there need the resources to expand and maintain education quality.

Congress can make it more affordable for local school districts to refurbish old school facilities and construct new school buildings by paying the interest on local school bonds designated for construction and repair of school facilities. The agenda is clear but it requires a real commitment by Congress. We must work hard to meet that challenge.

BREAST AND CERVICAL CANCER TREATMENT ACT OF 1999

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

Ms. ROS-LEHTINEN. Mr. Speaker, it is estimated that this year alone approximately 44,000 women will lose their lives to breast cancer and an additional 15,000 will die from cervical cancer. As these treacherous diseases continue to spread in women, researchers work diligently in hopes of finding a cure for cancerous cells and in hopes of providing solutions to improve and extend the lives of cancer patients. Yet with all this new technology and new medications, scores of low-income women, mothers, daughters and wives, will never know the benefits of this new research because they simply cannot afford treatment for their potentially fatal cancer.

The gentleman from New York (Mr. LAZIO) will soon introduce a bill that will provide States with an optional Medicaid benefit to provide coverage for treatment to low-income women who are screened and diagnosed with breast or cervical cancer through our Federal CDC Early Detection Program. With little cost to taxpayers, passing this fiscally conservative legislation will literally mean saving the lives of thousands of women. I urge each and every one of our colleagues to sponsor this bill.

SOCIAL SECURITY

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

Mr. GEORGE MILLER of California. Mr. Speaker, Members of the House, did you hear the one about the Republicans who think that we ought to privatize Social Security because the interest earned on Social Security trust funds is too little? Now, they have a plan this week, the interest on the trust funds is so little that they are going to take it away from the people that paid into the trust funds. They have a plan where they say they are going to save Social Security, that they are not going to touch the principal of the trust funds or 70 percent of it, 60 percent of it, something like that.

But what they are going to do is they are going to take away the interest. So working men and women in this country pay in their hard-earned dollars through the FICA tax into Social Security, it earns interest that they are supposed to be the beneficiaries of, and along come the Republicans and they are going to steal the interest.

I hope America is watching closely when this legislation comes to the floor, because while they say they are going to protect the principal, lo and behold we see that JOHN KASICH and others have a proposal to take it and use it for tax cuts or to take it and use it for spending proposals that they have. If you are going to protect Social Security, you got to protect the principal and the interest.

LET US WORK TOGETHER TO SAVE SOCIAL SECURITY

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

Mr. HAYWORTH. Mr. Speaker, did you hear the one about the liberal who markets the politics of fear?

I am reminded by the previous speaker that in this Chamber, 2 years ago, we heard that the elderly would be thrown into the streets and that schoolchildren would be starved. That just was not true. And yet in the name of political hyperbole and fear, the liberals pull out the only card they know to market, to try and scare the H-E-double-hockey-sticks out of seniors.

The fact is, less than a year ago, our majority in Congress moved to save 90 percent of the surplus for Social Security. We currently are working on plans to save all of that surplus for today's seniors. Sad to say, the other side offers fear. We offer hope, opportunity and reality. There is a clear difference in America, and that is why together, as Americans, we can solve problems, if we avoid the partisan temptations of fear.

STOP ILLEGAL TRADE

(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, take the steel crisis, please. America is being violated every day, every hour, every minute by illegal trade, and the White House has done nothing. To make matters even worse, Congress has done nothing. This is wrong, this is stupid, this is unAmerican. Illegal trade must be stopped. Congress must grow a backbone.

I yield back 10,000 jobs, 10,000 American jobs already lost in the steel industry.

PRESIDENTIAL BUDGET FAILS STRAIGHT FACE TEST

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

minute and to revise and extend his remarks.)

Mr. SCHAFFER. Mr. Speaker, the President's budget is fraudulent. That seems to be the devastating verdict of the nonpartisan Congressional Budget Office. CBO took a look at the President's budget and they were appalled at what they saw. Double counting, slick accounting, arithmetic gymnastics, things like this have not been seen since the advent of rain forest math and faddish politically correct schools.

Social Security is not saved. In fact, Social Security would remain insolvent despite the figures the President's budget says looks good on paper. And spending busts the spending caps that Congress worked so hard to pass only 2 short years ago. Spending goes up, way up. And so the security of Social Security goes down, way down.

One would think that the White House would avoid this kind of slick accounting. Double counting of imaginary money is guaranteed to get them in trouble with the CBO and all other budget analysts and economists. Congress is eager, though, to work with the President to stick with our historic balanced budget agreement. But the President's budget just does not pass the straight face test. Mr. Speaker, we need to go back to work.

EDUCATION

(Ms. STABENOW asked and was given permission to address the House for 1 minute.)

Ms. STABENOW. Mr. Speaker, I rise today to support efforts to modernize our schools so that our children have the skills and the tools they need for the jobs that they will face when they graduate.

Two years ago I was pleased, with the gentlewoman from California (Ms. ESHOO), to sponsor the Computer Donation Incentive Act to encourage businesses to donate computer equipment and software to schools to help upgrade the schools. Since that time in my district, we have wired almost 50 schools with volunteer effort.

But we know that, if our children are going to learn, we not only need to have the hardware there, the software, be able to support teachers, to have the professional development and training they need, but our classrooms need to be smaller so that teachers can truly give children the attention that they need. That is why I am so strongly supporting the efforts to have the Federal Government be a junior partner in supporting communities to build new schools, to modernize their schools and to make sure that in order to have smaller classroom sizes, we have more classrooms and more teachers in those classrooms. This is a very important effort that the Federal Government needs to address. I urge it be a part of this year's budget.

SOCIAL SECURITY

□ 1015

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

Mr. BALLENGER. Mr. Speaker, the same people who told us again and again and again just 2 years ago that Congress could not cut taxes and balance the budget were wrong. Congress cut taxes, and the budget is actually now in surplus.

Well, the same people now are telling us that we cannot cut taxes and strengthen Social Security at the same time. Well, of course we can.

The same people who are defending the President's budget, which loots the Social Security trust fund to the tune of \$30 billion on new Washington-based social programs and double counts \$2.4 trillion in Social Security, are criticizing the Republican plan to strengthen Social Security, cut taxes and pay down the debt.

Well, the naysayers are wrong. The Republican plan will accomplish three important goals. It will strengthen Social Security, it will refund middle-class taxpayers some of the government overcharge, and it will start to chip away at the national debt, which means lower interest rates and good economic times for people trying to make ends meet.

SCHOOL CONSTRUCTION

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

Mr. BAIRD. Mr. Speaker, if this Nation sincerely believes that education is the foundation of our democracy, then it is time to act like it. In high-growth areas like the Evergreen School District in Clark County, Washington, the growth rate is too high for the local district to keep up. Evergreen is the fastest growing school district in our State, with a growth rate of 4.5 percent a year; and by 2004 their student enrollment is projected to increase by 26,000 students.

To respond to the number of students enrolling, Evergreen has put up 320 portable classrooms where 20 percent of our school district students are educated. This is not an effective environment in which to teach or to learn. That is why I am proud to be an original cosponsor of the School Construction Act of the gentleman from North Carolina (Mr. ETHERIDGE) which will create new tax credits to leverage \$7.2 billion in school construction bonds. Under this bill, the bonds would be allocated according to enrollment growth over the next 10 years.

It is a good bill for our students, it is a good bill for our communities, and it is a good bill for our democracy. I urge my colleagues to support it.

RICH, MIDDLE CLASS OR POOR—
REPUBLICANS STAND FOR TAX
CUTS FOR ALL AMERICANS

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

Mr. CHABOT. Mr. Speaker, the Republican party stands for saving Social Security; and, yes, we stand for tax cuts, too. We stand for across-the-board tax cuts for all Americans. We stand for the elimination of capital gains taxes because capital investment is the engine of job growth, the key to economic opportunity for all Americans, whether rich or poor.

We stand for the expansion of IRA accounts. We stand for elimination of estate taxes because we think the government should not have two and three whacks at the fruits of a lifetime of work and because we think the government has already done enough to kill the family farm and to kill small businesses.

We stand for elimination of the marriage tax penalties. Right now, a married couple pays higher taxes if they are married than if they are not, and that is just plain wrong.

So let us work together to reduce the tax burden on all Americans whether rich, middle class or poor.

SUPPORT THE SCHOOL RECON-
STRUCTION AND MODERNIZA-
TION ACT

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

Mr. CROWLEY. Mr. Speaker, I rise today to speak about the conditions of elementary and secondary schools in New York City. I wish to bring to light to my colleagues the dire conditions faced by students in New York and across our country.

Many of my colleagues may ask why the Federal Government needs to become involved in school renovation and construction issues which are historically local concerns. The simple answer to my colleagues is because the problem has grown so large that localities or States alone cannot handle it. They simply cannot handle it.

A recent survey by the Division of School Facilities in New York City concluded that in my district alone 19 new schools are needed to alleviate the overcrowding in my districts. Currently, three of the five community school districts in my district, my congressional district, are operating over capacity. The fact is, we are 9,789 seats short, 9,789 seats short. I ask my colleagues to think about that: almost 10,000 students for which the schools simply do not have any room.

Mr. Speaker, that is not the worst problem. Population growth is expected to increase over the next 10 years, leaving us 44,822 seats short.

This is why I support and Congress must pass the Democratic School Reconstruction and Modernization Act.

SAVE OUR STEEL INDUSTRY

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

Mr. ADERHOLT. Mr. Speaker, sometimes an industry suffers from foreign competition because a new tool is invented or product quality goes up without a price increase or their government reduces regulation and taxes. But this is not the reason that the U.S. steel industry is suffering. Since 1980 it has modernized, it has streamlined, and it is 240 percent more efficient.

The International Trade Commission announced that foreign companies have indeed dumped hot rolled steel at prices below their own market. That announcement and the suspension agreement with Russia might provide some relief, but a key fact is often missing from the discussion. Some of these same countries have simply switched their dumping to other categories of steel. Russia has played that game since 1997.

The coming weeks and months are very critical to saving these United States jobs. This Congress must act. It must act quickly in order to save American jobs and our steel industry here in the United States of America.

PROVIDING 21ST CENTURY LEARN-
ING INSTITUTIONS FOR OUR
CHILDREN

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

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to talk about school modernization. There is absolutely no doubt that our schools are in a state of despair. I have traveled New Mexico and talked to students and teachers in the schools and seen the problems firsthand, from buildings being shut down because of health and safety violations, temporary classrooms put on the campus for 1 year and used for 10 years, and the list could go on and on.

Mr. Speaker, one in three New Mexico schools need repair and need to be refurbished. The cost is staggering: \$2 billion. No one entity can do it.

So what we need, Mr. Speaker, is a partnership of the States, local school boards, the Federal Government, to make sure that we build 21st century learning institutions for our children.

HYPOCRISY OF TRASH

(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, I read with interest an article in yesterday's Washington Post which some Members of this Congress are upset and demanding legislation to stop other States from shipping garbage into their

States. There is some real irony here. My colleagues will understand my surprise when I read this because these alarmist complainers are some of the very same Members of Congress who want to ship their trash, including nuclear waste, all across this country and into my State.

Mr. Speaker, let me get this straight. They want to stop shipping garbage to their State, but they want to ship their deadly toxic waste into mine. A transportation accident, including banana peels and used paper towels, is certainly not going to be the same as one of the consequences of an accident with nuclear waste.

I yield back this hypocrisy of trash, and I encourage Members to support common sense, fairness and safety, and oppose H.R. 45.

WE MUST MAKE BETTER SCHOOLS AND BETTER EDUCATION A NATIONAL PRIORITY

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

Mr. PHELPS. Mr. Speaker, I rise today to support the initiatives to improve education for our children by building and modernizing our schools. As a former teacher and the husband of a teacher, as a former legislator, I know firsthand the burdens and constraints that overcrowded classrooms and antiquated buildings place on our student, teachers and administrators.

Mr. Speaker, when I taught, I had so many students it was impossible to foster the proper learning and mentoring relationships that are necessary to provide quality education. In my district today, schools are struggling just to provide space. There are deplorable conditions. One school in any district does not have proper air conditioning, even sometimes no heat. One particular broom closet was vacated to provide a small library for our elementary students. One school in my district had to go to a local prison track for their track team to utilize for their team.

Mr. Speaker, these are unacceptable conditions today in which we seek to prepare our students for tomorrow and for our future. We have a great opportunity in this Congress to make these schools a national priority.

CONGRESS MUST UPHOLD THE DELICATE BALANCE OF THREE SEPARATE BUT EQUAL BRANCHES OF GOVERNMENT

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

Mr. METCALF. Mr. Speaker, this Congress has every legitimate reason to be deeply concerned about the President's barrage of, count them, 280 Executive Orders. Congressional authority is clearly at risk. Nowhere is it written that the President has any authority to issue Executive Orders. Our

Founding Fathers reserved the responsibility of spending taxpayers' money to the people's representatives.

Mr. Speaker, the delicate balance of the three separate, but equal, branches of government is at stake. We cannot allow the President to issue Executive Orders that require the expenditure of Federal funds unless those funds are appropriated by Congress.

Recently, Mr. Speaker, I introduced H. Con. Res. 30 which reasserts the role and responsibility of Congress to enact the laws and appropriate Federal dollars. It seeks to curb the infringement of executive power on legislative authority. Furthermore, H. Con. Res. 30 will clarify any confusion regarding Executive Orders by emphasizing Congressional authority granted under Article 1, Section 8, of the Constitution.

Please join me in cosponsoring this bipartisan resolution.

PRESERVING SOCIAL SECURITY AND MEDICARE AND PAYING DOWN THE NATIONAL DEBT

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

Mr. WISE. Mr. Speaker, the Congress this year will undertake the most sweeping domestic legislation probably in 40 or 50 years and certainly, in the case of Social Security, the most sweeping changes since Social Security was created in 1935. So I think there ought to be some basic premises here, particularly as we look at, of all things, a budget surplus, something no one ever expected to see.

First, take 62 percent of that surplus and invest it in Social Security and in preserving Social Security. Preserve it for the 400,000 West Virginians that depend upon it.

Second, take 15 percent of that budget surplus, totaling 77 percent now, and save Medicare, for which 300,000 West Virginians depend upon for their basic health care, those over 65 and those who are disabled.

Third, take that surplus and pay down the national debt.

Mr. Speaker, now this is a program that America can rally behind: 62 percent for Social Security to preserve it, 17 percent to preserve Medicare and, finally, paying down the national debt. Let us get moving.

HAITI: A CLIMATE OF INSTABILITY

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

Mr. GOSS. Mr. Speaker, earlier this week Haitian Senator Toussaint was gunned down in front of his home in a gruesome, politically-motivated murder. Toussaint had been a member of the OPL, the political party that has controlled parliament in Haiti and is the opposition party for current Presi-

dent Preval and former President Aristide, and it is no coincidence that the loss of Senator Toussaint also means the loss of OPL's majority status in the Haitian Senate.

Mr. Speaker, it is also no coincidence that in Haiti those who are targeted for surveillance, intimidation and even worse are Haitian and American individuals who are working in support of the rule of law; free, fair elections; and economic improvement in that impoverished country.

The United Nations has called attention to the crises, noting there is increased polarization in the country and new risk to constitutional government, but there has been precious little word out of the Clinton administration.

Mr. Speaker, the crown jewel of their foreign policy is badly tarnished, and we need a new approach to Haiti's failed democracy. We are filing such legislation today, and I urge Members to read it and support it.

SCHOOL CONSTRUCTION AND MODERNIZATION

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

Mr. WYNN. Mr. Speaker, I rise today to talk about the Democratic proposal on education and specifically the modernization of our schools.

Improving education in America requires all levels of government to pull their load. Today, local and State school systems are working very hard to improve education, but there is a Federal role. We ought to be providing assistance to local school districts who are trying to modernize their schools.

This problem takes on many faces. Perhaps the most obvious one is the face of temporary buildings in front of school systems. We have lots of temporary buildings that were supposed to be there for 1 year. They are now there for 10 and 15 years, and they are proliferating. They are growing these little pods. It is almost like Monopoly to see these little toy schoolrooms being built.

We need to address that problem. We have systems that have major ventilation problems and major heating system problems and major air conditioning problems and leaking roofs, and we need to address that problem as well. And we have school systems that lack modern technology. Over half the schools in this country are not wired to assume the technology that exists today.

We need to modernize our schools. We need the Democratic plan.

DEMOCRATIC AGENDA CO-OPTED FROM THE REPUBLICANS

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

Mr. KINGSTON. Mr. Speaker, as my colleagues know, yesterday the Democrats had a little love fest over in the

Rotunda to talk about their agenda, and I was interested in this. I like to watch Democrats. After all, they are very interesting people when we really study them. And of course so much of their agenda they have co-opted from the Republicans. Our best agenda, for example, balancing the budget, paying down the debt, excellence in education, "S" for saving Social Security, "T" for lowering taxes.

The Republican's best agenda; that is what the Democrats are using.

But then they could not stop there. They had to put in something for the whacky fringe left element of their policy, spending 38 percent of the Social Security dollars. That is right. They are bragging, hey, we are going to save only 62 percent of Social Security, using 32 percent for non-Social Security items.

The whacky fringe left also is pushing busting the budget caps. Of course, the President, he did give his word, but so much for that.

Then federalizing public education. I am sorry that the school districts in their areas did not do the responsible things and build school buildings, but I do not want the Federal Government coming into my district and telling us how to build, how to educate our children.

Mr. Speaker, we do not need Washington bureaucrats; we need local control of education.

□ 1030

POPULATION PRESSURES IN SCHOOLS MEAN STATE AND FEDERAL RESPONSIBILITY

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

Mr. WEINER. Mr. Speaker, I would invite my colleague to visit some of the schools in my district in Brooklyn and Queens. I think what they will find are some great teachers and some eager students. They will probably find them not only in classrooms, but they will find them in gymnasiums, they will find them in storage closets, they will find them in lunch rooms, stuck in nooks and crannies in virtually every building.

Why is that? It is because in places like Community School District 24 and 27 in Queens, Districts 21 and 22 in Kings County, we have populations in those schools in the neighborhood of 120 to 140 percent of capacity.

This is an extraordinary blessing. These students represent the best hopes for our country and best hopes for our community. But with that blessing comes a certain responsibility that we must face, not only in localities but here in Washington. That is to support school modernization. If we can build roads that go by these schools, we should be able to build roofs and extensions on these schools and make sure they are wired for the Internet.

School modernization represents our national defense for the generations to come. We should support it heartily on both sides of the aisle.

A NATURAL DIVIDE BETWEEN REPUBLICANS AND DEMOCRATS

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

Mr. FOSSELLA. Mr. Speaker, this is a natural divide here today. We hear it on the other side of the aisle. I think both parties are sincere about protecting and strengthening social security and Medicare. Both want to improve education. How can we not be for improving education? I think on our side of the aisle, at least, we want to strengthen national defense.

The divide, really, is between more spending and bigger government on this side, and tax relief and more opportunity and more freedom for the American people on this side. We believe strongly that we can protect and strengthen social security if given the chance, despite the rhetoric on the other side, and at the same time agree that the American people are overtaxed and they deserve more of their hard-earned money back, and the freedom and opportunity to spend it on their families and their communities.

If we keep it here in Washington, we give the other side the chance, and all they are going to do is spend it unnecessarily on wasteful spending.

RISING DEMANDS ON SCHOOLS, NOT IRRESPONSIBILITY, CAUSE HIGHER SCHOOL UPKEEP COSTS

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

Mr. FORD. Mr. Speaker, I would say to my friend, the gentleman from Georgia (Mr. KINGSTON), people in Tennessee have not been irresponsible in spending education funds. I would recommend to him that he ought to look at the problems in Atlanta and other places in Georgia in keeping up with some of the rising demands in our schools.

The reality is that some 14 million of our students, of the 52.7 which are enrolled in public schools around the Nation today, go to school each and every day with some major infrastructure problem. We can argue Republican and Democrat, we can argue State and Federal, but the reality is, 14 million kids day in and day out have to worry about a roof falling in.

Maybe it is me, but I think we have a role in ensuring our kids can go to school in safe and clean and learner-friendly environments. Maybe it is me, in thinking that the Federal Government, if we can build prisons, that we ought to be able to build schools.

It is my hope that we can get beyond this partisan and inflammatory rhet-

oric that seems to, quite frankly, come on both sides, and do what is right for our children. We support tax relief, we support strengthening defense. But let us be honest, they did not support school modernization last year. With a new day here in the Congress, we have moved beyond all the partisan bickering and division that separated us last year.

Let us do what is right. I say to the gentleman from Illinois (Mr. WELLER), I will support marriage tax relief if he will support building new schools in Illinois and Tennessee.

ENDING THE MARRIAGE TAX PENALTY

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

Mr. WELLER. Mr. Speaker, I would like to, of course, point out to my friend across the aisle that this House passed legislation to provide for school construction in the 90-10 tax cut plan last year, and Republicans voted for it.

I have an important question before the House today. That is, do the American people feel that it is right, that it is fair, that married working couples pay higher taxes under our tax code just because they are married? Do the Americans feel that it is right that 21 million average working married couples pay, on average, \$1,400 more in higher taxes just because they are married, higher taxes than identical working couples working outside of marriages?

Of course Americans do not feel that is right, that is fair. It is just not right and fair that married working couples pay more. In fact, we should make elimination of the marriage tax penalty a priority in this Congress. The \$1,400, the average marriage tax penalty, that is one year's tuition in the Joliet Junior College in the district that I represent, or 3 months of day care at a local child care center. It is real money for real people back home.

Let us lower taxes, and let us make elimination of the marriage tax penalty a family priority this year.

QUALITY SCHOOLS SHOULD BE A BIPARTISAN GOAL

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

Ms. BERKLEY. Mr. Speaker, I rise to talk a little bit about the district that I represent. I represent southern Nevada, which is the fastest growing district in the United States. I have 5,000 new residents pouring into southern Nevada every month.

We have the fastest growing school-age population in the United States. We need to have school construction in order to keep up with the unprecedented growth. We have 1,200 students for every school in southern Nevada.

That is twice the national average. We have 210,000 people in our school district. These students are being educated in trailers, they are being educated in portables.

I say, Mr. Speaker, that this is not an appropriate place for our students in America to be educated. They are crying out for better educational opportunities.

I believe education is a nonpartisan issue and should be approached in that manner. Our goal should be to prepare our students for the next millennium, for the great challenges that lie ahead in our global economy. I ask the people on the other side of the aisle to join with us in order to do what is right for our American students.

THE EXPANSION OF ED-FLEX PERMITS DELEGATION OF GREATER AUTHORITY IN EDUCATION TO STATES AND LOCALITIES

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

Mr. LUCAS of Kentucky. Mr. Speaker, as the former chairman of the Northern Kentucky University Board of Regents, I believe that all too often education decisions are made at the Federal level by bureaucrats who have little knowledge of the needs of the school at the local level, leaving teachers, principals, and local school boards with their hands tied.

That is why I support the Education Flexibility Partnership Act of 1999. The expansion of Ed-Flex allows the Secretary of Education to delegate to States the authority to waive Federal regulation requirements that interfere with the schools' ability to educate our children.

The proposed legislation makes many programs eligible for waivers. The bill will help do away with many burdensome Federal regulations, giving more decision-making power to the local level. Our schools must have the flexibility to tailor specific solutions to specific problems. Local school boards understand local needs best.

IT IS TIME TO TAKE ADVANTAGE OF THE EIGHTH WONDER OF THE WORLD, COMPOUND INTEREST

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

Mr. COOKSEY. Mr. Speaker, Baron Rothschild once said, I do not know what the Seven Wonders of the World are, but I do know the eighth, compound interest. Mr. Speaker, Baron Rothschild called compound interest the eighth wonder of the world for a good reason. Modest amounts of money, when invested and then reinvested, grow over time in a spectacular fashion. It takes patience but it works, as all seniors who started out with modest means but saved now know.

The biggest reason why social security needs to be reformed is not because it is going bankrupt, although it is impossible to deny that it is. No, the biggest reason why social security needs to be reformed is because the current system denies ordinary workers the benefits of compound interest. Money taken out of a worker's paycheck does not go into a fund that will earn compound interest. It is spent. The money does not grow, and benefits can only come from taking money out of someone else's paycheck.

It is time to take advantage of the eighth wonder of the world.

TIME FOR A BIPARTISAN SCHOOL MODERNIZATION ACT

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

Mr. LARSON. Mr. Speaker, school buildings in this Nation represent a \$2 trillion investment, an investment that was primarily made by a generation of people who survived the depression and fought and won the Second World War. Upon returning, they saw the need to expand schools, saw the need to provide for their children, saw the responsibility that was placed upon them as they addressed the issue of a crumbling infrastructure system and the need to have schools that were not overcrowded and could provide the best possible education.

Many of the Members of Congress are beneficiaries of that generation. It is the responsibility of us today to embrace the issue of school modernization and pass in a bipartisan effort the School Modernization Act. By providing these monies, we can ensure not only smaller classes, but address the infrastructure concerns and the technological concerns that we need to take this Nation and our children into the 21st century.

Let me conclude by saying this, that this is a match that cannot be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 707, DISASTER MITIGATION AND COST REDUCTION ACT OF 1999

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 91 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 91

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 707) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster

assistance, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. Each title shall be considered as read. During consideration of the bill for amendment, the chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend, the distinguished gentleman from Massachusetts (Mr. MOAKLEY), the ranking member, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, I am pleased to bring forward another noncontroversial open rule under the leadership of the gentleman from California (Chairman DAVID DREIER).

The rule waives clause 4(a) of rule XIII requiring a 3-day layover of the committee report against consideration of the bill. The rule provides for 1 hour of general debate, equally divided between the chairman and ranking member of the Committee on Transportation and Infrastructure, and makes in order our committee amendment in the nature of a substitute as an original bill for the purposes of amendment.

The Chair is authorized to accord priority in recognition to members who

have preprinted their amendments in the CONGRESSIONAL RECORD, and finally, the rule provides one motion to recommit, with or without instructions. This is an otherwise wonderful rule that should certainly engender no controversy, and deserves, I believe, the support of the full House.

H.R. 707, which this carries, is the straightforward commonsense solution to a very real problem that impacts folks in my district and, of course, throughout the country as well.

□ 1045

The problem we are facing is not a new one: How to improve the way we plan for and deliver assistance to communities that have the misfortune to be hit by natural disasters.

I commend the gentlewoman from Florida (Mrs. FOWLER), my Florida colleague, for her leadership on this important issue and for the substantive, bipartisan work product which she has delivered.

Mr. Speaker, H.R. 707 improves the process by outlining seven specific, objective criteria for awarding grants and by requiring mitigation projects to be cost-effective. H.R. 707 increases the role of the State and local governments in the short term and requires FEMA to develop a process for delegating a greater portion of the hazard mitigation piece to the States after fiscal year 2000.

Having witnessed a number of natural disasters, regrettably in my own district and elsewhere, I know that hazard mitigation is best accomplished at the local level, where people tie down their roofs and board up their windows. This bill clearly moves in that direction.

This is a sound approach that will help our constituents at every stage of the process. Our communities will be better prepared for disasters and, when one hits, the process to receive assistance will be streamlined and more efficient. I know that will be welcomed news.

Mr. Speaker, H.R. 707 complements an effort that the Committee on Rules has been working on in conjunction with the Committee on the Budget to fix our broken budget process. One of the pillars of our bill, the Comprehensive Budget Process Reform Act, is the creation of a reserve fund to budget up front for emergencies, an initiative long championed by the gentleman from Delaware (Mr. CASTLE), the former governor of Delaware.

H.R. 707 enjoys the support of several major organizations, including many at the front lines such as the American Red Cross and the National League of Cities. In fact, the gentlewoman from Florida (Mrs. FOWLER) has been working closely with the administration and has incorporated a number of recommendations from them in this package. As a result, FEMA is also supporting H.R. 707.

Mr. Speaker, the bottom line is that effective mitigation saves lives and

money. H.R. 707 is a good bipartisan bill that is long overdue. I encourage my colleagues to support this open, fair rule, as well as the underlying bill.

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

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman from Sanibel, Florida (Mr. GOSS) for yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, in the last 5 years, natural disasters have killed over 800 people in the United States. In addition to costing people their lives, these disasters cost \$60 billion in property loss and other damage.

But this open rule provides for the consideration of the bill which will help minimize the loss of life and property due to fires, floods, hurricanes earthquakes and tornadoes.

Mr. Speaker, it will enable Federal, State, and local governments to take steps to prepare for disasters before they happen in order to minimize the injuries or damage caused by these natural disasters.

This bill will help people. It will create firebreaks to stop the spread of wildfires, it will help build emergency generators to provide electricity during hurricanes, it will strengthen water towers and retrofit overpasses to slow the impact of earthquakes, and it will seal manhole covers in case of floods.

Mr. Speaker, this bill will also enable the President to help people who do not have disaster insurance make emergency repairs to their homes in a timely fashion.

According to the Federal Emergency Management Agency, last year was one of the deadliest hurricane seasons in more than 200 years, killing about 10,000 people in eight countries and causing billions and billions of dollars in damage. Experts predict that this year will even be worse, particularly in the Atlantic basin.

Mr. Speaker, this June we had horrible flooding in my home State of Massachusetts. The damage was so bad that President Clinton declared seven Massachusetts counties disaster areas. Thousands upon thousands of people applied for recovery assistance to repair the damage, most of which was caused by surge backup and overflows. Mr. Speaker, we all know that kind of damage is not always covered by property insurance and people usually learn about it just a little too late. This bill will help those people.

This bill is also based on the idea that if we prepare for disasters now, we will save people's lives and people's property later.

Conservative estimates are that this bill will save \$109 million over the first 5 years; and that is assuming that a dollar spent before disaster is only worth a dollar after disaster. And, Mr. Speaker, most people say the numbers are even greater, that every dollar spent now saves \$3 later. Mr. Speaker, either way, this bill will pay for itself and then some.

Mr. Speaker, I urge my colleagues to support this bill and support this open rule. It is supported by the American Red Cross, the National Emergency Management Association, and it will make a big difference in people's lives when they need it most.

Mr. Speaker, I yield 3 minutes to the honorable gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I rise in support of the rule and the bill, but I want to talk a little bit about an amendment I am going to offer because it is not done yet, so I am going to belabor the point for about a minute. It is a "Buy American" amendment.

Mr. Speaker, I do not know if my colleagues noticed this past week they sent around these television remotes. They are like yellow toys. They are squeezey, real soft. They look like Teletubby toys. They are yellow. And when we look at them, everybody just says, look at this, the telecommunications industry is lobbying the Congress of the United States. What a way to get our attention.

Then if one turns it over on the other side and looks at the back and looks down at the bottom, it is made in China. I know everybody laughs about this, and we argue about flies on our face. I think we have got a dragon eating our assets.

But here is what I want to talk about. I think it is time to look at Buy American laws and to enforce what Buy American laws are on the books. From Teletubbies to remotes lobbying the Congress, the labels now read "Made for U.S.A." And if we look at it, on first glance we think it is made in the U.S.A. But we need the Hubble telescope to look at it further, and it says "Made for U.S.A." in big print, and down in microscopic print it says "Made in China." Come on, now, I think we even have to toughen these laws up.

Mr. Speaker, I am going have a little amendment. I congratulate the gentlewoman from Florida (Chairman FOWLER) on her very first bill. She is, in fact, making sure there will be enough money in this bill with her amendment, and we on this side support her and her amendment. I notified my colleagues of my amendment, and I hope it has time to get here.

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

Mr. GOSS. Mr. Speaker, we have no requests for time at this point. I only urge that Members support this fair, open rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. OBERSTAR. Mr. Speaker, I was inadvertently detained and unable to

vote on rollcall vote No. 32, the "Death on the High Seas Act." Had I been here, I obviously would have voted "aye."

DISASTER MITIGATION AND COST REDUCTION ACT OF 1999

The SPEAKER pro tempore (Mr. GOSS). Pursuant to House Resolution 91 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 707.

□ 1055

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 707) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes, with Mr. HEFLEY in the chair.

The Clerk read the title of the bill.

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

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

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

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

Mr. Chairman, I rise in strong support of this legislation.

The bill addresses two separate needs: increasing the predisaster hazard mitigation activities, as well as reducing the costs of providing post-disaster assistance. It establishes a federally funded predisaster hazard mitigation program, and it authorizes \$105 million over 2 years for helping fund a cost-effective hazard mitigation activity.

In addition, the bill increases the authorization for post-disaster mitigation funding by 33 percent. It also adopts measures that would modify and streamline the current post-disaster assistance program with the intention of reducing Federal disaster assistance costs without adversely affecting disaster victims.

There are two primary ways to reduce the costs of a natural disaster. One is to take measures that reduce our Nation's vulnerability to hazards, and the other is to make current disaster programs more efficient. The bill does both.

This legislation is sponsored by Members on both sides of the aisle and is supported by groups such as the American Red Cross, the National League of Cities, the National Emergency Management Association and the Association of State Floodplain Managers.

Mr. Chairman, I certainly congratulate the gentlewoman from Florida

(Chairman FOWLER) and the gentleman from Ohio (Mr. TRAFICANT), subcommittee ranking minority member, for their work on this legislation, as well as the gentleman from Pennsylvania (Mr. BORSKI) and the gentleman from New York (Mr. BOEHLERT). I also want to thank the gentleman from Minnesota (Mr. OBERSTAR), ranking minority member of the full committee, for his support.

Mr. Chairman, one final point, I want to emphasize my strong support for the outstanding job that FEMA is doing. Years ago, FEMA itself was a disaster in many respects. But under the leadership of James Lee Witt and others at FEMA, they are actually, in my judgment, doing an outstanding job; and I think the American people should know that.

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

The CHAIRMAN. Without objection, the gentleman from Ohio (Mr. TRAFICANT) will control the time allotted to the gentleman from Minnesota (Mr. OBERSTAR).

There was no objection.

Mr. TRAFICANT. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR), ranking Democrat on this side. And if we left the Social Security issue up to the gentleman from Minnesota and the gentleman from Pennsylvania (Mr. SHUSTER), we would have less arguments and more results.

Mr. OBERSTAR. Mr. Chairman, I rise in support of H.R. 707, the Disaster Mitigation and Cost Reduction Act of 1999. I greatly appreciate the initiative that the gentleman from Pennsylvania (Chairman SHUSTER) has demonstrated in moving this bill so quickly through subcommittee, full committee, and to the floor.

I congratulate the gentleman from New York (Mr. BOEHLERT), chairman of the Subcommittee on Water Resources and Environment, as well as the gentleman from Pennsylvania (Mr. BORSKI), the ranking member on that subcommittee. This bill was heard in their subcommittee in the last Congress. The bill has been reshaped and heard in a new subcommittee in this Congress, and I again commend the gentlewoman from Florida (Chairman FOWLER) and the gentleman from Ohio (Mr. TRAFICANT), ranking member, for their strong commitment to moving the legislation forward and doing so very quickly.

Mr. Chairman, there are two main elements that we are dealing with in this legislation: a predisaster mitigation program and streamlining of existing disaster assistance programs under the Stafford Act.

I think this legislation has great potential to improve Federal, local and State government response to disasters, reduce the cost of those responses and do a better job for the victims of disasters.

The cost of the Federal, State, and local response to disaster has been

going up incrementally and, in the last few years, almost explosively with the number of disasters and the greater intensity of disasters that we are seeing.

□ 1100

As the gentleman from Pennsylvania (Chairman SHUSTER) said at one time, FEMA's response to these tragedies was in itself a disaster. As chair of the oversight committee in the mid 1980s, I held hearings on the terrible response of FEMA and of a plan, then, that would have shifted unacceptable cost levels on local government as a result of disasters.

Together with our colleagues on the Republican side, we stopped that plan and reshaped the whole Federal Disaster Assistance Program, which has continued to be managed in an increasingly better fashion.

But in 1989, outlays, principally as a result of Hurricane Hugo were \$1.2 billion for disaster relief. That was a milestone. That was the first time the Federal Government had paid out for a single tragedy over \$1 billion.

Well, not this year, but in succeeding years, we have been in excess of a \$1 billion every year outlay for disasters. In 1994, it hit \$5.4 billion for one year. Last year, it dropped a little bit to \$2 billion. But still, those are extremely high numbers.

When we take a careful look at the circumstances, the geography, the local conditions, we find recurring patterns. A very significant portion of what we are paying for disaster relief is for people, properties that have sustained prior losses that have not taken action to protect themselves against these acts of nature.

What this bill does is it moves us in the direction of not continuing to pay over and over again for the same losses to the same people in the same geographic areas for which we have previously paid for losses.

We should not continue to shower Federal dollars and local and State dollars on people who insist on remaining in harm's way without taking preventative measures. An old adage, an ounce of prevention is worth a pound of cure, applies to this kind of Federal program as well.

Experience under section 404 of the Stafford Act provides for postdisaster mitigation, and it clearly shows that mitigation is an effective way to limit future damages; that is, postdisaster, after tragedy has struck, take some actions to protect yourself against the next one.

It is a good initiative. We are strengthening that response in this legislation. But it is not enough. We need to go further, as we learned from the history of these various kinds of tragedies and disasters that strike various parts of our country.

The predisaster mitigation program focuses on local government initiatives, private sector participation, and leveraging of private sector participation. After all, we continue to reimburse people and businesses who are in

harm's way, and private sector should be a part of the advance protection.

The expectation is, and I say expectation because I do not want to overstate the potential, the expectation is that these initiatives, predisaster actions, involving private sector, leveraging private sector resources will enhance State mitigation plans that should be developed in coordination and consultation with local governments and with FEMA.

We are hopeful that this new program is going to make a very useful and significant contribution to control disaster losses before disaster strikes, so that when one is and this region is struck, it will be better prepared to withstand and will have lower losses.

Now there is a pilot project that, as the gentleman from Pennsylvania (Chairman SHUSTER) said, was developed under the leadership of Director Witt at FEMA, called Project Impact. It has been widely praised by local communities. Community focus, bottoms up planning, local involvement, all of which are good initiatives. Let us hope this becomes a pattern, a model, a good starting point for this new predisaster initiative we are authorizing in this legislation.

But I emphasize from my previous experience in holding extensive hearings on disaster mitigation, it will require extensive intergovernmental coordination and cooperation. It is going to have to start from the local level.

The Federal Government is not going to come in and do it for them. They have got to do it. They have got to then coordinate with State and with FEMA well in advance of disasters and make some very tough decisions such as local zoning to keep people out of harm's way. If they do not do it, they should not expect to be compensated for their failure to keep themselves out of harm's way.

We will have to undertake extensive oversight of this Project Impact and of these future plans to see that they really are focused on what we intend them to do. At stake are people's lives, people's well-being, the integrity of communities, but also at stake are billions of dollars of Federal funds that are going to be called upon to reimburse local government and make them whole after disaster has struck.

We are off to a good start. I think this is a very good move forward. I also think, at the same time, it is going to require intense vigilance on the part of our committee and on the part of FEMA to make sure that it does work. It is in the right direction. I commend the chairman for moving this legislation. We are all going to have to make an extra effort to make it work.

Mr. SHUSTER. Mr. Chairman, I am pleased to yield 6 minutes to the distinguished gentlewoman from Florida (Mrs. FOWLER), chairman of the Subcommittee on Oversight, Investigations and Emergency Management.

Mrs. FOWLER. Mr. Chairman, I rise in strong support of this legislation. I

also want to thank the gentleman from Ohio (Mr. TRAFICANT), my good friend, the subcommittee ranking member, minority member, for his work on this legislation. I also want to thank the gentleman from Pennsylvania (Chairman SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), ranking minority member of the full committee, for their support and their help to me as well.

H.R. 707 would amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide authorization for a predisaster mitigation program, and it would implement several cost saving measures.

This legislation is substantially similar to legislation that was reported out of the full committee in the last Congress. I want to commend the gentleman from New York (Mr. BOEHLERT) and the gentleman from Pennsylvania (Mr. BORSKI) for their efforts in developing that bill, and they are cosponsors of this bill.

This is a product of three hearings that were held during the last Congress by the Subcommittee on Water Resources and Environment, and it reflects the careful work of State and local emergency managers and other State and local government officials.

H.R. 707 focuses on two important issues. First, mitigation activities are not set out as a high priority in the current Stafford Act. This needs to change. H.R. 707 will, for the first time, authorize Federal funding for cost effective predisaster mitigation projects. The appropriators have funded an unauthorized program for the last 3 fiscal years.

Second, the cost of natural disasters has been increasing to the point where Congress must take a hard look at measures that control cost while still providing that critical assistance that is needed by victims of disasters.

H.R. 707 would adopt various streamlining and cost-cutting measures, many of which were proposed by the administration. The committee anticipates this bill will save \$109 million over the first 5 years and even more in the long run.

In addition, the bill provides specific criteria and structure to a FEMA program that currently has no such criteria or structure.

Finally, the bill will require FEMA to give greater authority and control to State and local governments over the administration of the mitigation and disaster assistance programs.

Last year, the State of Florida, my State endured one of the most tragic natural disasters, wildfires. When the smoke had cleared and all of the fires were out, over half a million acres had been burned. Three hundred homes were damaged or completely destroyed, and numerous businesses were significantly damaged or closed.

My district suffered some of the heaviest damage with the entire county of Flagler being evacuated for safety precautions. With over 2,000 wildfires

burning statewide, every county in Florida felt the impact.

I just want to give you a brief story about these fires, an example here. One of my constituents, Greg Westin, a resident of Flagler County, and a deputy sheriff, lost his home in the wildfires. In early July, Deputy Westin left his home for work at 7 a.m. to assist county officials and fire fighters with the ongoing fires.

Throughout the day, Deputy Westin stayed in close contact with his wife and two children to give them updates on the fires. Then eventually he had to tell his own family to evacuate. But Deputy Westin did not just give up. He continued to fight the fires on the opposite side of the county. In fact, he was working side by side with fire fighters in the southern part of Flagler County when his own home caught fire and burned to the ground.

Among the homes he was trying to save was a fellow employee of the sheriff's department. This was the kind of commitment and sacrifice that was demonstrated during those fires last summer. I applaud Deputy Westin's efforts. But more than that, I want to help him and all of the other people who respond to these emergencies.

I believe that an emphasis on mitigation could have spared the State and my District from some of this devastation.

A recent report that was issued by our Governor's Wildfire Response and Mitigation Review Committee states that, if Florida does not take the necessary preventative efforts to ensure wildfire safety, the devastation experienced during the wildfires of 1998 will not only be repeated, but will also increase in severity.

Florida has already taken important steps in the wake of these wildfires to prepare itself for future disasters and is using methods like control burns of underbrush to prevent a similar disaster.

I just want to point out that this legislation will help alleviate the pain and suffering and property damage, not only of Floridians, but also of all Americans. It also has that added benefit of reducing our Federal cost.

Mr. Chairman, I urge support for this legislation.

Mr. TRAFICANT. Mr. Chairman, I yield as much time as he may consume to the gentleman from Pennsylvania (Mr. BORSKI), a gentleman who has much to do with the authorship of this legislation, his fine work with the gentleman from New York (Mr. BOEHLERT).

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

Mr. BORSKI. Mr. Chairman, I rise in strong support of H.R. 707, the Disaster Mitigation and Cost Reduction Act of 1999. This bill is a result of bipartisan cooperation over two Congresses.

In particular, I want to acknowledge the hard work of my colleague and subcommittee chairman, the gentleman from New York (Mr. BOEHLERT), for his

work in laying a foundation for this bill in the last Congress in a truly bipartisan fashion. That bipartisanship has extended to this Congress and the new leadership of the Subcommittee on Oversight, Investigations and Emergency Management, the gentlewoman from Florida (Mrs. FOWLER), and the gentleman from Ohio (Mr. TRAFICANT), ranking member.

This bill demonstrates how we can work together under the leadership of the gentleman from Pennsylvania (Chairman SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), ranking member, to accomplish a common goal, improving the health and safety of all of our citizens.

Mr. Chairman, in the years that the disaster relief program was within the jurisdiction of the Subcommittee on Water Resources and Environment, we had several opportunities to hear about the Federal response to disasters and, more importantly, about the need to do something to reduce disaster-related losses in advance of disaster. We learned that it is better to be proactive than reactive, and that is what this bill is about.

As has been noted before, James Lee Witt, the director of FEMA, has done a truly remarkable job in turning FEMA from one of the most criticized agencies in the Federal Government into one of its more shining examples of Federal, State, local partnership. No longer does the old line "I'm from the Federal Government, and I'm here to help" elicit laughs, at least not where FEMA is concerned.

What we are doing today is endorsing Director Witt's concept of providing assistance to communities in advance of disaster. We are endorsing Project Impact. I am optimistic that the investment we are making today will return great dividends in future losses avoided to lives, property, and the national economy.

That is why I am so pleased to co-sponsor this bill.

□ 1115

Mr. Chairman, I urge all of my colleagues to support H.R. 707 on its final passage.

Mr. SHUSTER. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. SWEENEY), a distinguished member of the committee.

Mr. SWEENEY. Mr. Chairman, I thank the gentleman for yielding me this time, and I also want to thank the gentlewoman from Florida (Mrs. FOWLER).

I rise today in strong support of H.R. 707, the Disaster Mitigation and Cost Reduction Act. In particular, I would like to stress the importance of section 208 to my constituents.

On the first day of the 106th Congress, also my first day in Congress, I introduced a bill that would help provide emergency assistance to the dairy farmers in my congressional district. I could not be more pleased that the language of that bill has been incorporated into H.R. 707.

Mr. Chairman, the 22nd Congressional District of New York is notorious for its harsh winters, but no one could have prepared for the January, 1998, ice storm disaster. Below-freezing temperatures, coupled with record rainfall combined to coat a region extending from Western New York to Maine in solid ice. As you all know, the results of this storm were devastating. Seventeen lives were lost, and roughly 1.5 million people were without electricity, some for more than 3 weeks.

The hardest hit in the storm were the dairy farmers. The prolonged power outage severely jeopardized their livelihood. The production and distribution abilities of the dairy community came to a sudden halt. Without power, the farmers were unable to store or produce milk properly. This resulted in the loss of approximately 14 million pounds of milk, taking money right out of the dairy farmers' pockets.

As a result of the storm, farmers were forced to apply to the Dairy Production Disaster Assistance Program. To give my colleagues some understanding of the scope of the disaster, 362 farmers, Mr. Chairman, applied for assistance and over \$600,000 was committed. However, this process took incredible time, and some of the farmers still have not received their assistance.

Quite frankly, the response was not fast enough. The problem was that the people working in the field lacked the authority to make critical decisions. No action was taken until they checked with their supervisors. This time-consuming decision-making process must be changed.

Let me give a perfect example. A constituent of mine who helped coordinate the disaster relief operations complained about the lack of a direct line of communications with officials from FEMA. For instance, he told one official over the phone that the farmers were in desperate need of generators, yet he had to make several appeals with three separate people before the message was heard. It still took over a week for the generators to arrive.

In the meantime, these farm families had no income. Going a week without power is a disruption to all of our lives, but to be unable to make a living jeopardizes one's entire existence.

Actually, the first generators to reach the farmers were loaned by farmers from other regions of the State. They recognized the severity of the situation and acted accordingly. They were able to ship generators to the needy farmers in just 2 days.

Mr. Chairman, this type of relief should not only occur because of the generosity and understanding of our neighbors. We must install a quicker, more decisive policy for providing immediate assistance to the agricultural community.

My language, included as section 208 of the bill, begins to address this problem. It directs FEMA to develop methods and procedures to accelerate emergency relief to rural communities.

Mr. Chairman, I believe the United States does a better job than any other country in the world in responding to natural disasters. Yet, in the words of Thomas Edison, "There's always a way to do it better. Find it."

Simply put, my bill requires the director of FEMA to find a better way to help dairy farmers who are hit by a natural disaster. I believe this legislation is vital to provide a meaningful long-term benefit to the farm families I represent. I commend the gentlewoman from Florida for her great work and the members of the committee as well.

Mr. TRAFICANT. Mr. Chairman, I yield such time as he may consume to the gentleman from Maine (Mr. BALDACCI) and thank him for his work on this bill and some of the interests he brings forward.

Mr. BALDACCI. Mr. Chairman, I thank the ranking member both for that courtesy and for his leadership on the committee in bringing this legislation forward, and also I wish to thank the chairman and the subcommittee chairman for their work.

A little over a year ago, Maine had suffered one of the worst storms of the century. It was the ice storm of the century. Maine residents were without power for over 2 weeks, in most cases. We are talking about nearly 70 percent of all the Maine households who lost power for that period, affecting and impacting over 1.2 million people in the State of Maine.

Lewiston, the second largest city in the State of Maine, suffered nearly 100 percent power loss. Farmers and small businesses were devastated by the ice storm. That is why I strongly support and worked with the committee to make these reforms necessary so that, next time around, the only natural disaster occurs is the one we are working to clean up, not the one after the government comes in to try to help people work on.

This is a bipartisan bill focusing our attention on the pre- and post-disaster mitigation assistance and better preparing our communities for the future. I am in particular support of the pieces that deal with Maine farmers and forestry and dairy, who were especially hard hit. There was almost a delayed response for getting assistance to our farmers to make sure that milk was not lost or spoiled. The generator assistance and others moved at a snail's pace.

Agriculture needs a faster, more efficient system to better aid our farmers and our small business people, and that is why this bill calls for directing the FEMA director to develop a better agriculture system, working with the Department of Agriculture to report back to our committee in 180 days to develop a much better, more efficient system.

So this is a first step. I want to commend the ranking members and the chairman of the committee for the work that has gone on and their leadership on these issues, and I look forward

to working on more and more reforms in the future.

Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. MCKEON), a former member of our committee.

Mr. MCKEON. Mr. Chairman, I thank the chairman of the committee, the gentleman from Pennsylvania (Mr. SHUSTER), for yielding me this time; and I thank him and the subcommittee chairman, the gentlewoman from Florida (Mrs. FOWLER), for their leadership in getting this bill to the floor.

I rise in strong support of H.R. 707. Every time disaster strikes, local governments are faced with the critical task of dealing with the recovery efforts. California is no stranger to natural disasters. In my district alone, we have had a severe earthquake and floods and fires in my time here in Congress. Local governments have been forced to bear a tremendous fiscal burden resulting from these unfortunate events.

It is bad enough that homes, buildings and lives are destroyed at the hands of nature, but our local government are the means through which we can most effectively prepare for and respond to disasters. It is imperative that we ease their financial burden and do all we can to help them respond to the needs of those people whose lives are destroyed after a disaster strikes.

H.R. 707 does exactly that. Specifically, it authorizes grants to help communities mitigate natural disasters and streamlines existing disaster relief programs. Additionally, it includes a number of provisions that make current disaster programs more efficient.

More importantly, the bill will now include measures to ensure local governments are protected against increased financial burdens. The manager's amendment includes my amendment that provides a public comment period when new or modified policies are issued. In addition, the amendment also prohibits any policy from being applied retroactively.

So I want to extend my deepest thanks to the gentlewoman from Florida for allowing this language to be included in her manager's amendment. I would also like to acknowledge Marcus Peacock, on the chairman's staff, for his dedication to this issue. Finally, I want to thank my colleagues on the California delegation for their support on this issue, especially the gentleman from California (Mr. JERRY LEWIS), the gentleman from California (Mr. DAVID DREIER), the gentleman from California (Mr. STEVE HORN), the gentleman from California (Mr. DUKE CUNNINGHAM) and the gentlewoman from California (Ms. JUANITA MILLENDER-MCDONALD).

For these reasons, I strongly support H.R. 707 and urge my colleagues to vote in favor of this bill.

Mr. TRAFICANT. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. BAIRD), a young member who had a significant role in this, who was able to

impress the chairwoman, the gentlewoman from Florida (Mrs. FOWLER), with concerns in his district on landslides and is to be given much legislative credit for his efforts.

Mr. BAIRD. Mr. Chairman, we have introduced an amendment which has been incorporated in the en bloc amendments to which the gentlewoman from Florida will be speaking. It has bipartisan support, but I rise now to give my colleagues a sense of the rationale and the background and the need for it.

I want to begin by thanking the chairman, the gentleman from Pennsylvania (Mr. SHUSTER); the subcommittee chairman, the gentlewoman from Florida (Mrs. FOWLER); the ranking members, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Ohio (Mr. TRAFICANT); as well as the gentleman from New York (Mr. BOEHLERT) and the gentleman from Pennsylvania (Mr. BORSKI); and I particularly want to thank the committee staff. When I brought these concerns to the committee, the committee staff immediately worked with my office and with FEMA to find an appropriate solution. I want to thank Ken Kopocis, Arthur Chan and Marcus Peacock.

Here is the situation we are dealing with. In my district a landslide, a slow-moving landslide, has destroyed 137 homes. The landslide moves a few inches a day, but over the course of the last year people's homes have been moved as much as 200 to 300 feet down a hill and completely destroyed. We are speaking today of a bill that is designed to reduce the cost of disasters by preventing them, and I strongly support that. Clearly, a dollar saved in prevention can save us \$3 down the road in recovery.

H.R. 707 reduces the Federal share for alternative projects from 90 percent to 75 percent. These projects are used when local governments decide not to repair, restore or reconstruct public facilities. The amendment we have offered today would ensure that communities which are unable to rebuild due to unstable soil, such as a landslide, would still receive the higher Federal contribution; and there is a good reason for it.

The folks in my district built with good intent and every reason to believe their homes would be safe. There had been no landslide there before. They could not buy landslide insurance because, as my colleagues may know, it is very difficult. So they had every reason to believe they would be free from disasters. Actually, some had built above a floodplain, saying they did not want to be flooded out. They had done the right thing. But here we have this landslide that has wiped them out.

So what we want to do is make sure that in cases where the land is unstable, where the local government decides not to rebuild, which I think is a prudent decision, we would provide the full support of the current law and not

penalize folks who, for no fault of their own, had their possessions wiped out. Areas like Kelso, Washington, have no alternative to an alternative project. So reducing the Federal share in these situations would unfairly hurt these residents.

Included in the manager's amendment is a provision to preserve the 90 percent funding level for alternative projects where communities decide not to rebuild due to soil instability. Frankly, that is a sound decision. Not rebuilding where the soil is unstable will prevent disaster recurrence in the future. So this bill will not only protect my local communities, in the long run it will save us money.

I would like to thank the committee again, the gentlewoman from Florida and the chairman for their support, and I very much appreciate this chance to address this important amendment.

Mr. TRAFICANT. Mr. Chairman, I yield such time as he may consume to the gentleman from Southern Ohio (Mr. STRICKLAND) who has some concerns as well.

Mr. STRICKLAND. Mr. Chairman, I rise today in support of H.R. 707. This legislation streamlines the process used by individuals and families in applying for disaster assistance through FEMA. H.R. 707 consolidates two existing programs, the Temporary Housing Assistance Program and the Individual and Family Grant Program into one. This change will help speed relief to families who are hit hard by a disaster.

Under current law, a family faced with damage due to flooding or another natural disaster must first apply for temporary housing assistance, a fully Federal program, and for a small business loan. If they do not qualify for either of these programs, they are then often referred to the State-run Individual and Family Grant Program for help. The Individual and Family Grant Program generally assists low-income families. Because of this two-part approach, families who are least capable of shouldering the burden of a disaster often wait the longest for relief. Consolidation of the Temporary Housing Assistance and Individual and Family Grant Programs will relieve this pressure and speed relief to those who need it most.

I am particularly pleased that this legislation also permits homeowners to obtain grant funds to replace homes that are damaged in a disaster. Under current law, homeowners who sustain minimal damage to their homes receive grants of up to \$10,000 to restore their home to pre-disaster conditions. However, homeowners who sustain substantial damage, or whose homes are destroyed, are not eligible for the \$10,000 grant.

Tragically, the disaster victims who have been shut out of this grant program are owners of mobile homes and other less expensive residences, the very people who need the grant the most.

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For example, consider this story about a young couple in southern Ohio. Their combined income was less than \$30,000 when their mobile home was destroyed by a flood in March of 1997. Two days after the flood hit, a baby was born into their family. They had no home and were unable to recover the \$10,000 grant that their neighbors, whose homes were not destroyed, received. This couple was forced to move in with parents in a room, one room in a small home, and they were forced to take out a loan to purchase a new mobile home. Ironically, if they had owned a more expensive home, they well could have received \$10,000 in grant funds and been able to return to their homes quickly.

Last Congress, I introduced H.R. 2257, the Disaster Assistance Fairness Act, to correct this inequity. I am pleased that the goals of that bill have been met by H.R. 707 today. The citizens of southern Ohio, which I represent, have had extensive dealings with FEMA-run disaster programs over the last several years. In most instances, FEMA employees have performed above and beyond the call of duty. However, current law has hampered their ability to respond quickly to some of the most difficult disaster cases. The changes envisioned in H.R. 707 should help restore fairness to the process, and I thank those who are responsible for this worthy bill.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent that the gentlewoman from Florida (Mrs. FOWLER) be permitted to control the balance of my time.

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, I yield myself such time as I may consume. I want to acknowledge the bipartisanship of the gentleman from Pennsylvania (Mr. SHUSTER), who is without a doubt one of the great chairmen in our Congress, and the gentleman from Minnesota (Mr. OBERSTAR). The two of them working together have solved a number of problems that people thought were not solvable, believe me.

I also want to pay credit to the new chair, the gentlewoman from Florida (Mrs. FOWLER), the great job that she has done on this and the way she opens up the committee and gives an opportunity for everyone to have a say, even the new Members. I want to thank her for accommodating the concerns of the gentleman from Washington (Mr. BAIRD) who had problems with landslides and was concerned about the legislation. I want the Congress to know that not only did she take his issue to heart, she made it a part of her manager's amendment, and we want to thank her for that.

I also want to commend the gentleman from Pennsylvania (Mr. BORSKI) and the gentleman from New York (Mr. BOEHLERT). They basically were

the driving force for this in the last Congress when the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) brought it and made it possible. Time ran out in the Senate, we were not able to have this bill enacted into law, and here we are today.

I think the bill speaks for itself. The gentleman from Minnesota (Mr. OBERSTAR) said an ounce of prevention is worth a pound of cure. The gentleman from Maine (Mr. BALDACCI) said sometimes the disaster was really after the disaster, with FEMA. The new director, Mr. Witt, I believe, has brought a lot of wit and wisdom to this particular agency. I think that the gentlewoman's efforts to stabilize cost, cost efficiency and to make sure there is enough money in there by the nature of her amendment, which she is to be commended for, because this side of the aisle also felt that there may have been a little bit too drastic of measures in this bill. That has been done.

I think we have a good bill before us. I think that FEMA becomes stronger and better. I think local communities have more of a say and there is more help to the average American who suffers from some tragedy.

With that, I am in strong support of this bill.

Mr. KUYKENDALL. Mr. Chairman, I wish to raise two issues relating to the disaster assistance bill we are about to consider. I think that the attempt to streamline costs and place higher priority on predisaster mitigation are commendable goals. One of the provisions within the bill would allow the President to contribute funds to governmental entities to repair public facilities, or to private nonprofit facilities that are damaged but only if certain stringent conditions are first met by the owners of these private facilities. (The Transportation Committee amended this provision to essentially eliminate the conditions for the recovery of federal funds by these private nonprofit entities.)

My concern is with the amendment. Specifically, the original terms of the Stafford Act already limit the types of nonprofit entities that may receive disaster relief to those providing "essential" services. Again, this is a narrowly defined term. If the amendment is intended to get essential services back on line first, and they worry about who picks up the tab later, it seems to me that the Stafford Act already accomplishes this. Now, we have established essential services and critical services without clearly articulating the distinction.

My second concern, however, is far more serious. And that is that there are plenty of private, for-profit entities that provide essential services. As the Washington area all too recently experienced with PEPCO customers down for more than a week during the cold snap, sometimes these are the entities that are hardest hit in emergencies. Now, PEPCO is a pretty big company that could probably obtain emergency financing from other sources. But the point is that we should not be favoring one type of business entity over another with respect to disaster relief. The amendment, however, does exactly this.

I hope we might resolve these issues in conference and yield back the balance of my time.

Mrs. FOWLER. Mr. Chairman, I rise in strong support of this legislation.

I also want to thank my good friend Subcommittee Ranking Minority Member Traficant, for his work on this legislation. I also want to thank Chairman Shuster and the Ranking Minority Member of the Full Committee, Jim Oberstar for their support.

H.R. 707 would amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide authorization for a pre-disaster mitigation program, and implement several cost saving measures.

This legislation is substantially similar to legislation reported out of full committee in the last Congress. Congressmen Boehlert and Borski are to be commended for their efforts in developing that bill.

It is the product of three hearings held during the last Congress by the Water Resources Subcommittee and reflects the careful work of state and local emergency managers, and other state and local government officials.

H.R. 707 focuses on two important issues:

First, mitigation activities are not set out as high priority in the Stafford Act. This needs to change. H.R. 707 will, for the first time, authorize federal funding for cost effective predisaster mitigation projects. Appropriators have funded an unauthorized program for the last three fiscal years.

Second, the cost of natural disasters has been increasing to the point where Congress must take a hard look at measures that control costs, while still providing the critical assistance needed by victims of disasters.

H.R. 707 would adopt various streamlining and cost-cutting measures, many of which were proposed by the administration.

The Committee anticipates this bill will save \$109 million over the first five years and even more in the long run.

In addition, the bill provides specific criteria and structure to a FEMA program that currently has no such criteria or structure.

Finally, the bill will require FEMA to give greater authority and control to state and local governments over the administration of the mitigation and disaster assistance programs.

Last year, the state of Florida endured one of the most tragic natural disasters—wildfires. When the smoke had cleared and all the fires were out, over a half million acres had been burned, 300 homes were damaged or completely destroyed, and numerous businesses were significantly damaged or closed.

My district suffered some of the heaviest damage, with the entire county of Flagler being evacuated for safety precautions. With over 2,000 wildfires burning statewide, every county felt the impact.

Let me give you just a brief story about one of my constituents Greg Weston, a resident of Flagler County and a Deputy Sheriff who lost his home in the wildfires. In early July, Deputy Weston left his home for work at 7:00 a.m. to assist county officials and firefighters with the ongoing fires. Throughout the day Deputy Weston stayed in close contact with his wife and two children to give them updates on the fires and then eventually told his family to evacuate. But Deputy Weston did not just give up.

He continued to fight fires on the opposite side of the county. In fact, he was working side-by-side with firefighters in the southern part of Flagler when his own home caught fire and burned to the ground. Among the homes

he was trying to save was a fellow employee at the Sheriff's Department.

This was the kind of commitment and sacrifice that was demonstrated during last summer. I applaud Deputy Weston's efforts, but more than that, I want to help him and all the other people who respond to emergencies.

I believe that an emphasis on mitigation could have spared the state, and my district, from some of this devastation.

A recent report issued by our Governor's Wildfire Response and Mitigation Review Committee states that if Florida does not take the necessary preventive efforts to ensure wildfire safety, the devastation experienced during the wildland fires of 1998 will not only be repeated, but will also increase in severity.

Florida has already taken important steps in the wake of the wildfires to prepare itself for future disasters and is using methods like controlled burns of underbrush to prevent a similar disaster.

Mr. Chairman, this legislation will help alleviate the pain and suffering and property damage of not only Floridians, but also all Americans.

It also had the added benefit of reducing federal cost.

I urge support of this important legislation.

Mr. BILIRAKIS. Mr. Chairman, I rise today to support H.R. 707, the Disaster Mitigation and Cost Reduction Act of 1999.

Florida occupies a unique position in our nation's landscape. Unfortunately, natural disasters often threaten my state's magnificent environment. In the past year alone, Florida has been devastated by floods, fires, and tornadoes.

Nationwide, the cost of responding to such catastrophes has skyrocketed over the past decade. According to the National Oceanic and Atmospheric Administration, twenty-five major weather-related incidents occurred from 1988 through 1997, resulting in total damages of approximately \$140 billion.

The most costly insured catastrophe in U.S. history was Hurricane Andrew, which hit South Florida in August 1992. It caused more than \$25 billion in damages and resulted in fifty-eight deaths. In the aftermath of this hurricane, many insurance companies no longer provide coverage in Florida. As a result, my constituents are concerned about the availability and affordability of residential property insurance.

I have cosponsored legislation to guarantee that homeowners have access to affordable disaster insurance. I have been working with the Florida delegation to enact this important measure.

Prevention is critical to reducing the economic costs and loss of life when severe weather strikes. To that end, I held a workshop in my district last year on Project Impact, an initiative sponsored by the Federal Emergency Management Agency (FEMA). Project Impact helps communities prepare for natural disasters by establishing a partnership between citizens, businesses and government. It also encourages communities to act now to reduce the threat of future calamities.

Congress must take a more pro-active approach to disaster mitigation. H.R. 707, sponsored by Congresswoman FOWLER and Congressman TRAFICANT, achieves this goal. Through this bill, states will be able to accurately assess the risks of natural disasters and reduce the resulting damages. I commend my

colleagues for working on a bipartisan basis to develop this common-sense measure.

Mr. Chairman, H.R. 707 represents a critical step forward in disaster mitigation efforts. I urge my colleagues to support the bill.

Ms. MILLENDER-McDONALD, Mr. Chairman, I would like to thank the Chair and Ranking Member of the Subcommittee on Oversight, and the Chair and the Ranking Member of the Full Committee on Transportation & Infrastructure for their attentiveness to the needs and concerns of California's municipal and county governments by including "Due Process" language in the Committee's Manager's Amendment. This language has the bi-partisan support of the California Delegation, the California State Association of Counties, and the California League of Cities.

The fiscal burden that California's county and municipal governments have had to bear as a result of natural disasters has grown dramatically over the last few years. The increased number and magnitude of natural disasters is one of the major factors contributing to this fiscal burden. While the Federal government plays a key role in disaster recovery, it is state and local governments that are ultimately charged with responding to the immediate needs of citizens and businesses in the aftermath of a natural disaster. Since state and local governments must carry this burden, they should have a voice in the rulemaking process.

FEMA often provides for public participation in the rulemaking process regarding its programs and functions, including matters that relate to public property, even though notices and public comment for rulemaking were not required by law. That such due process measures are not required by law is a mistake that can have major financial repercussions. The result of failing to require public due process, including the proper notification of policy modifications, has obviously had an overwhelming fiscal impact on California's state and local governments. In the aftermath of the 1995 winter storms, California's localities were not informed of FEMA's 1996 flood control policy which listed the federal agencies responsible for funding flood control projects. As a result of this failure to disseminate vital information, California local governments were denied millions of dollars in funding from federal agencies for damaged incurred during the 1995 winter storms.

As the former Mayor Pro-tempore of the City of Carson and the former Chair of the California Assembly's Committee on Insurance, I am all too familiar with these problems and understand the need for due process requirements and public comment in the rulemaking process. The language included in this Manager's Amendment requires FEMA to provide public comment before adopting any new or modified policy that would have a "nontrivial" impact on the amount of disaster assistance that may be provided to a state and local government. The language further prohibits FEMA from adopting any new or modified policy that would retroactively reduce the amount of assistance provided to state and local governments in the wake of a natural disaster.

Again, I would like to thank my California Colleagues, Representatives STEVE HORN, ELLEN TAUSCHER, BUCK MCKEON, BOB FILNER, JERRY LEWIS, GARY MILLER, STEVE KUYKENDALL, AND JOHN DOOLITTLE for their work together to protect the interests of the

State of California. Mr. Chairman, thank you again for responding to our concerns on this issue.

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

Mrs. FOWLER. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

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

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

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment and may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

The Clerk will designate section 1.

The text of section 1 is as follows:

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 "Disaster Mitigation and Cost Reduction Act of 1999".

The CHAIRMAN. Are there any amendments to section 1?

Without objection, the remainder of the committee amendment in the nature of a substitute will be printed in the RECORD and open to amendment at any point.

There was no objection.

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

SEC. 2. AMENDMENTS TO ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

TITLE I—PREDISASTER HAZARD MITIGATION

SEC. 101. FINDINGS AND PURPOSE.

(a) *FINDINGS.*—Congress finds that—

(1) *greater emphasis needs to be placed on identifying and assessing the risks to State and local communities and implementing adequate measures to reduce losses from natural disasters and to ensure that critical facilities and public infrastructure will continue to function after a disaster;*

(2) *expenditures for post-disaster assistance are increasing without commensurate reduction*

in the likelihood of future losses from such natural disasters;

(3) a high priority in the expenditure of Federal funds under the Robert T. Stafford Disaster Relief and Emergency Assistance Act should be to implement predisaster activities at the local level; and

(4) with a unified effort of economic incentives, awareness and education, technical assistance, and demonstrated Federal support, States and local communities will be able to increase their capabilities to form effective community-based partnerships for mitigation purposes, implement effective natural disaster mitigation measures that reduce the risk of future damage, hardship, and suffering, ensure continued functioning of critical facilities and public infrastructure, leverage additional non-Federal resources into meeting disaster resistance goals, and make commitments to long-term mitigation efforts in new and existing structures.

(b) PURPOSE.—It is the purpose of this title to establish a predisaster hazard mitigation program that—

(1) reduces the loss of life and property, human suffering, economic disruption, and disaster assistance costs resulting from natural hazards; and

(2) provides a source of predisaster hazard mitigation funding that will assist States and local governments in implementing effective mitigation measures that are designed to ensure the continued functioning of critical facilities and public infrastructure after a natural disaster.

SEC. 102. STATE MITIGATION PROGRAM.

Section 201(c) (42 U.S.C. 5131(c)) is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; and”; and

(3) by adding at the end the following:

“(3) set forth, with the ongoing cooperation of local governments and consistent with section 409, a comprehensive and detailed State program for mitigating against emergencies and major disasters, including provisions for prioritizing mitigation measures.”.

SEC. 103. DISASTER ASSISTANCE PLANS.

Section 201(d) (42 U.S.C. 5131(d)) is amended to read as follows:

“(d) GRANTS FOR DISASTER ASSISTANCE AND HAZARD IDENTIFICATION.—The President is authorized to make grants for—

“(1) not to exceed 50 percent of the cost of improving, maintaining, and updating State disaster assistance plans including, consistent with section 409, evaluation of natural hazards and development of the programs and actions required to mitigate such hazards; and

“(2) the development and application of improved floodplain mapping technologies that can be used by Federal, State, and local governments and that the President determines will likely result in substantial savings over current floodplain mapping methods.”.

SEC. 104. PREDISASTER HAZARD MITIGATION.

Title II (42 U.S.C. 5131–5132) is amended by adding at the end the following:

“SEC. 203. PREDISASTER HAZARD MITIGATION.

“(a) GENERAL AUTHORITY.—The President may establish a program to provide financial assistance to States and local governments for the purpose of undertaking predisaster hazard mitigation activities that are cost effective and substantially reduce the risk of future damage, hardship, or suffering from a major disaster.

“(b) PURPOSE OF ASSISTANCE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a State or local government that receives financial assistance under this section shall use the assistance for funding activities that are cost effective and substantially reduce the risk of future damage, hardship, or suffering from a major disaster.

“(2) DISSEMINATION.—The State or local government may use not more than 10 percent of fi-

nancial assistance it receives under this section in a fiscal year for funding activities to disseminate information regarding cost effective mitigation technologies (such as preferred construction practices and materials), including establishing and maintaining centers for protection against natural disasters to carry out such dissemination.”.

“(c) ALLOCATION OF FUNDS.—The amount of financial assistance to be made available to a State, including amounts made available to local governments of such State, under this section in a fiscal year shall—

“(1) not be less than the lesser of \$500,000 or 1.0 percent of the total funds appropriated to carry out this section for such fiscal year; but

“(2) not exceed 15 percent of such total funds.

“(d) CRITERIA.—Subject to the limitations of subsections (c) and (e), in determining whether to provide assistance to a State or local government under this section and the amount of such assistance, the President shall consider the following criteria:

“(1) The clear identification of prioritized cost-effective mitigation activities that produce meaningful and definable outcomes.

“(2) If the State has submitted a mitigation program in cooperation with local governments under section 201(c), the degree to which the activities identified in paragraph (1) are consistent with the State mitigation program.

“(3) The extent to which assistance will fund activities that mitigate hazards evaluated under section 409.

“(4) The opportunity to fund activities that maximize net benefits to society.

“(5) The ability of the State or local government to fund mitigation activities.

“(6) The extent to which assistance will fund mitigation activities in small impoverished communities.

“(7) The level of interest by the private sector to enter into a partnership to promote mitigation.

“(8) Such other criteria as the President establishes in consultation with State and local governments.

“(e) STATE NOMINATIONS.—

“(1) IN GENERAL.—The Governor of each State may recommend to the President not less than 5 local governments to receive assistance under this section. The recommendations shall be submitted to the President not later than October 1, 1999, and each October 1st thereafter or such later date in the year as the President may establish. In making such recommendations, the Governors shall consider the criteria identified in subsection (d).

“(2) USE.—

“(A) GENERAL RULE.—In providing assistance to local governments under this section, the President shall select from local governments recommended by the Governors under this subsection.

“(B) WAIVER.—Upon request of a local government, the President may waive the limitation in subparagraph (A) if the President determines that extraordinary circumstances justify the waiver and that granting the waiver will further the purpose of this section.

“(3) EFFECT OF FAILURE TO NOMINATE.—If a Governor of a State fails to submit recommendations under this subsection in a timely manner, the President may select, subject to the criteria in subsection (d), any local governments of the State to receive assistance under this section.

“(f) SMALL IMPOVERISHED COMMUNITIES.—For the purpose of this section, the term ‘small impoverished communities’ means communities of 3,000 or fewer individuals that are economically disadvantaged, as determined by the State in which the community is located and based on criteria established by the President.

“(g) FEDERAL SHARE.—Financial assistance provided under this section may contribute up to 75 percent of the total cost of mitigation activities approved by the President; except that the President may contribute up to 90 percent of

the total cost of mitigation activities in small impoverished communities.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for fiscal year 1999 and \$80,000,000 for fiscal year 2000.

“(i) AUTHORIZATION OF SECTION 404 FUNDS.—Effective October 1, 2000, in addition to amounts appropriated under subsection (h) from only appropriations enacted after October 1, 2000, the President may use, to carry out this section, funds that are appropriated to carry out section 404 for post-disaster mitigation activities that have not been obligated within 30 months of the disaster declaration upon which the funding availability is based.

“(j) REPORT ON FEDERAL AND STATE ADMINISTRATION.—Not later than 18 months after the date of enactment of the Disaster Mitigation and Cost Reduction Act of 1999, the President, in consultation with State and local governments, shall transmit to Congress a report evaluating efforts to implement this section and recommending a process for transferring greater authority and responsibility for administering the assistance program authorized by this section to capable States.”.

SEC. 105. INTERAGENCY TASK FORCE.

The President shall establish an interagency task force for the purpose of coordinating the implementation of the predisaster hazard mitigation program authorized by section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The Director of the Federal Emergency Management Agency shall chair such task force.

SEC. 106. MAXIMUM CONTRIBUTION FOR MITIGATION COSTS.

(a) IN GENERAL.—Section 404(a) (42 U.S.C. 5170c(a)) is amended by striking “15 percent” and inserting “20 percent”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to major disasters declared under the Robert T. Stafford Disaster Relief Act and Emergency Assistance Act after January 1, 1997.

SEC. 107. CONFORMING AMENDMENT.

The heading for title II is amended to read as follows:

“TITLE II—DISASTER PREPAREDNESS AND MITIGATION ASSISTANCE”.

TITLE II—STREAMLINING AND COST REDUCTION

SEC. 201. MANAGEMENT COSTS.

(a) IN GENERAL.—Title III (42 U.S.C. 5141–5164) is amended by adding at the end the following:

“SEC. 322. MANAGEMENT COSTS.

“(a) IN GENERAL.—Notwithstanding any other provision of law (including any administrative rule or guidance), the President shall establish by rule management cost rates for grantees and subgrantees. Such rates shall be used to determine contributions under this Act for management costs.

“(b) MANAGEMENT COSTS DEFINED.—Management costs include indirect costs, administrative expenses, associated expenses, and any other expenses not directly chargeable to a specific project under a major disaster, emergency, or emergency preparedness activity or measure. Such costs include the necessary costs of requesting, obtaining, and administering Federal assistance and costs incurred by a State for preparation of damage survey reports, final inspection reports, project applications, final audits, and related field inspections by State employees, including overtime pay and per diem and travel expenses of such employees, but not including pay for regular time of such employees.

“(c) REVIEW.—The President shall review the management cost rates established under subsection (a) not later than 3 years after the date of establishment of such rates and periodically thereafter.”.

(b) **APPLICABILITY.**—Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as added by subsection (a) of this section) shall apply as follows:

(1) Subsections (a) and (b) of such section 322 shall apply to major disasters declared under such Act on or after the date of enactment of this Act. Until the date on which the President establishes the management cost rates under such subsection, section 406(f) shall be used for establishing such rates.

(2) Subsection (c) of such section 322 shall apply to major disasters declared under such Act on or after the date on which the President establishes such rates under subsection (a) of such section 322.

SEC. 202. ASSISTANCE TO REPAIR, RESTORE, RECONSTRUCT, OR REPLACE DAMAGED FACILITIES.

(a) **CONTRIBUTIONS.**—Section 406(a) (42 U.S.C. 5172(a)) is amended to read as follows:

“(a) **CONTRIBUTIONS.**—

“(1) **IN GENERAL.**—The President may make contributions—

“(A) to a State or local government for the repair, restoration, reconstruction, or replacement of a public facility which is damaged or destroyed by a major disaster and for associated expenses incurred by such government; and

“(B) subject to paragraph (2), to a person who owns or operates a private nonprofit facility damaged or destroyed by a major disaster for the repair, restoration, reconstruction, or replacement of such facility and for associated expenses incurred by such person.

“(2) **CONDITIONS FOR ASSISTANCE TO PRIVATE NONPROFIT FACILITIES.**—

“(A) **IN GENERAL.**—The President may make contributions to a private nonprofit facility under paragraph (1)(B) only if—

“(i) the facility provides critical services (as defined by the President) in the event of a major disaster; or

“(ii) (I) the owner or operator of the facility has applied for a disaster loan under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); and

“(II) has been determined to be ineligible for such a loan; or

“(III) has obtained such a loan in the maximum amount for which the Small Business Administration determines the facility is eligible.

“(B) **CRITICAL SERVICES DEFINED.**—In this paragraph, the term ‘critical services’ includes, but is not limited to, power, water, sewer, wastewater treatment, communications, and emergency medical care.”

(b) **MINIMUM FEDERAL SHARE.**—Section 406(b) (42 U.S.C. 5172(b)) is amended to read as follows:

“(b) **MINIMUM FEDERAL SHARE.**—The Federal share of assistance under this section shall be not less than 75 percent of the eligible cost of repair, restoration, reconstruction, or replacement carried out under this section.”

(c) **LARGE IN-LIEU CONTRIBUTIONS.**—Section 406(c) (42 U.S.C. 5172(c)) is amended to read as follows:

“(c) **LARGE IN-LIEU CONTRIBUTIONS.**—

“(1) **FOR PUBLIC FACILITIES.**—

“(A) **IN GENERAL.**—In any case in which a State or local government determines that the public welfare would not be best served by repairing, restoring, reconstructing, or replacing any public facility owned or controlled by such State or local government, the State or local government may elect to receive, in lieu of a contribution under subsection (a)(1)(A), a contribution of 75 percent of the Federal share of the Federal estimate of the cost of repairing, restoring, reconstructing, or replacing such facility and of management expenses.

“(B) **USE OF FUNDS.**—Funds contributed to a State or local government under this paragraph may be used to repair, restore, or expand other selected public facilities, to construct new facilities, or to fund hazard mitigation measures which the State or local government determines

to be necessary to meet a need for governmental services and functions in the area affected by the major disaster.

“(2) **FOR PRIVATE NONPROFIT FACILITIES.**—

“(A) **IN GENERAL.**—In any case where a person who owns or operates a private nonprofit facility determines that the public welfare would not be best served by repairing, restoring, reconstructing, or replacing such facility, such person may elect to receive, in lieu of a contribution under subsection (a)(1)(B), a contribution of 75 percent of the Federal share of the Federal estimate of the cost of repairing, restoring, reconstructing, or replacing such facility and of management expenses.

“(B) **USE OF FUNDS.**—Funds contributed to a person under this paragraph may be used to repair, restore, or expand other selected private nonprofit facilities owned or operated by the person, to construct new private nonprofit facilities to be owned or operated by the person, or to fund hazard mitigation measures that the person determines to be necessary to meet a need for its services and functions in the area affected by the major disaster.

“(3) **MODIFICATION OF FEDERAL SHARE.**—The President shall modify the Federal share of the cost estimate provided in paragraphs (1) and (2) if the President determines an alternative cost share will likely reduce the total amount of Federal assistance provided under this section. The Federal cost share for purposes of paragraphs (1) and (2) shall not exceed 90 percent and shall not be less than 50 percent.”

(d) **ELIGIBLE COST.**—

(1) **IN GENERAL.**—Section 406(e) (42 U.S.C. 5172(e)) is amended to read as follows:

“(e) **ELIGIBLE COST.**—

“(1) **IN GENERAL.**—For the purposes of this section, the estimate of the cost of repairing, restoring, reconstructing, or replacing a public facility or private nonprofit facility on the basis of the design of such facility as it existed immediately before the major disaster and in conformity with current applicable codes, specifications, and standards (including floodplain management and hazard mitigation criteria required by the President or by the Coastal Barrier Resources Act (16 U.S.C. 3501 et seq.)) shall be treated as the eligible cost of such repair, restoration, reconstruction, or replacement. Subject to paragraph (2), the President shall use the cost estimation procedures developed under paragraph (3) to make the estimate under this paragraph.

“(2) **MODIFICATION OF ELIGIBLE COST.**—In the event the actual cost of repairing, restoring, reconstructing, or replacing a facility under this section is more than 120 percent or less than 80 percent of the cost estimated under paragraph (1), the President may determine that the eligible cost be the actual cost of such repair, restoration, reconstruction, or replacement. The government or person receiving assistance under this section shall reimburse the President for the portion of such assistance that exceeds the eligible cost of such repair, restoration, reconstruction, or replacement.

“(3) **USE OF SURPLUS FUNDS.**—In the event the actual cost of repairing, restoring, reconstructing, or replacing a facility under this section is less than 100 percent but not less than 80 percent of the cost estimated under paragraph (1), the government or person receiving assistance under this section shall use any surplus funds to perform activities that are cost-effective and reduce the risk of future damage, hardship, or suffering from a major disaster.

“(4) **EXPERT PANEL.**—Not later than 18 months after the date of enactment of the Disaster Mitigation and Cost Reduction Act of 1999, the President, acting through the Director of the Federal Emergency Management Agency, shall establish an expert panel, including representatives from the construction industry, to develop procedures for estimating the cost of repairing, restoring, reconstructing, or replacing a facility consistent with industry practices.

“(5) **SPECIAL RULE.**—In any case in which the facility being repaired, restored, reconstructed, or replaced under this section was under construction on the date of the major disaster, the cost of repairing, restoring, reconstructing, or replacing such facility shall include, for purposes of this section, only those costs which, under the contract for such construction, are the owner's responsibility and not the contractor's responsibility.”

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall take effect on the date of enactment of this Act, and shall only apply to funds appropriated after the date of enactment of this Act; except that paragraph (1) of section 406(e) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as amended by paragraph (1) of this subsection) shall take effect on the date that the procedures developed under paragraph (3) of such section take effect.

(e) **ASSOCIATED EXPENSES.**—

(1) **IN GENERAL.**—Section 406 (42 U.S.C. 4172) is amended by striking subsection (f).

(2) **OTHER ELIGIBLE COSTS.**—Section 406(e) (42 U.S.C. 5172(e)), as amended by subsection (d) of this section, is amended by adding at the end the following:

“(6) **OTHER ELIGIBLE COSTS.**—For purposes of this section, other eligible costs include the following:

“(A) **COSTS OF NATIONAL GUARD.**—The cost of mobilizing and employing the National Guard for performance of eligible work.

“(B) **COSTS OF PRISON LABOR.**—The costs of using prison labor to perform eligible work, including wages actually paid, transportation to a worksite, and extraordinary costs of guards, food, and lodging.

“(C) **OTHER LABOR COSTS.**—Base and overtime wages for an applicant's employees and extra hires performing eligible work plus fringe benefits on such wages to the extent that such benefits were being paid before the disaster.”

(3) **EFFECTIVE DATE.**—Paragraphs (1) and (2) shall take effect on the date on which the President establishes management cost rates under section 322(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as added by section 201(a) of this Act). The amendment made by paragraph (1) shall only apply to disasters declared by the President under such Act after the date on which the President establishes such cost rates.

SEC. 203. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

(a) **IN GENERAL.**—Section 408 (42 U.S.C. 5174) is amended to read as follows:

“SEC. 408. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

“(a) **GENERAL AUTHORITY.**—Subject to the requirements of this section, the President, in consultation with the Governor of the affected State, may provide financial assistance, and, if necessary, direct services, to disaster victims who as a direct result of a major disaster have necessary expenses and serious needs where such victims are unable to meet such expenses or needs through other means.

“(b) **HOUSING ASSISTANCE.**—

“(1) **ELIGIBILITY.**—The President may provide financial or other assistance under this section to individuals and families to respond to the disaster-related housing needs of those who are displaced from their pre-disaster primary residences or whose pre-disaster primary residences are rendered uninhabitable as a result of damage caused by a major disaster.

“(2) **DETERMINATION OF APPROPRIATE TYPES OF ASSISTANCE.**—The President shall determine appropriate types of housing assistance to be provided to disaster victims under this section based upon considerations of cost effectiveness, convenience to disaster victims, and such other factors as the President may consider appropriate. One or more types of housing assistance may be made available, based on the suitability and availability of the types of assistance, to

meet the needs of disaster victims in the particular disaster situation.

“(c) TYPES OF HOUSING ASSISTANCE.—

“(1) TEMPORARY HOUSING.—

“(A) FINANCIAL ASSISTANCE.—

“(i) IN GENERAL.—The President may provide financial assistance under this section to individuals or households to rent alternate housing accommodations, existing rental units, manufactured housing, recreational vehicles, or other readily fabricated dwellings.

“(ii) AMOUNT.—The amount of assistance under clause (i) shall be based on the fair market rent for the accommodation being furnished plus the cost of any transportation, utility hookups, or unit installation not being directly provided by the President.

“(B) DIRECT ASSISTANCE.—

“(i) IN GENERAL.—The President may also directly provide under this section housing units, acquired by purchase or lease, to individuals or households who, because of a lack of available housing resources, would be unable to make use of the assistance provided under subparagraph (A).

“(ii) PERIOD OF ASSISTANCE.—The President may not provide direct assistance under clause (i) with respect to a major disaster after the expiration of the 18-month period beginning on the date of the declaration of the major disaster by the President, except that the President may extend such period if the President determines that due to extraordinary circumstances an extension would be in the public interest.

“(iii) COLLECTION OF RENTAL CHARGES.—After the expiration of the 18-month period referred to in clause (ii), the President may charge fair market rent for the accommodation being provided.

“(2) REPAIRS.—The President may provide financial assistance for the repair of owner-occupied private residences, utilities, and residential infrastructure (such as private access routes) damaged by a major disaster to a habitable or functioning condition. A recipient of assistance provided under this paragraph need not show that the assistance can be met through other means, except insurance proceeds, if the assistance is used for emergency repairs to make a private residence habitable and does not exceed \$5,000 (based on fiscal year 1998 constant dollars).

“(3) REPLACEMENT.—The President may provide financial assistance for the replacement of owner-occupied private residences damaged by a major disaster. Assistance provided under this paragraph shall not exceed \$10,000 (based on fiscal year 1998 constant dollars). The President may not waive any provision of Federal law requiring the purchase of flood insurance as a condition for the receipt of Federal disaster assistance with respect to assistance provided under this paragraph.

“(4) PERMANENT HOUSING CONSTRUCTION.—The President may provide financial assistance or direct assistance under this section to individuals or households to construct permanent housing in insular areas outside the continental United States and other remote locations in cases in which—

“(A) no alternative housing resources are available; and

“(B) the types of temporary housing assistance described in paragraph (1) are unavailable, infeasible, or not cost effective.

“(d) TERMS AND CONDITIONS RELATING TO HOUSING ASSISTANCE.—

“(1) SITES.—Any readily fabricated dwelling provided under this section shall, whenever possible, be located on a site complete with utilities, and shall be provided by the State or local government, by the owner of the site, or by the occupant who was displaced by the major disaster. Readily fabricated dwellings may be located on sites provided by the President if the President determines that such sites would be more economical or accessible.

“(2) DISPOSAL OF UNITS.—

“(A) SALE TO OCCUPANTS.—

“(i) IN GENERAL.—Notwithstanding any other provision of law, a temporary housing unit purchased under this section by the President for the purposes of housing disaster victims may be sold directly to the individual or household who is occupying the unit if the individual or household needs permanent housing.

“(ii) SALES PRICE.—Sales of temporary housing units under clause (i) shall be accomplished at prices that are fair and equitable.

“(iii) DEPOSIT OF PROCEEDS.—Notwithstanding any other provision of law, the proceeds of a sale under clause (i) shall be deposited into the appropriate Disaster Relief Fund account.

“(iv) USE OF GSA SERVICES.—The President may use the services of the General Services Administration to accomplish a sale under clause (i).

“(B) OTHER METHODS OF DISPOSAL.—

“(i) SALE.—If not disposed of under subparagraph (A), a temporary housing unit purchased by the President for the purposes of housing disaster victims may be resold.

“(ii) DISPOSAL TO GOVERNMENTS AND VOLUNTARY ORGANIZATIONS.—A temporary housing unit described in clause (i) may also be sold, transferred, donated, or otherwise made available directly to a State or other governmental entity or to a voluntary organization for the sole purpose of providing temporary housing to disaster victims in major disasters and emergencies if, as a condition of such sale, transfer, or donation, the State, other governmental agency, or voluntary organization agrees to comply with the nondiscrimination provisions of section 308 and to obtain and maintain hazard and flood insurance on the housing unit.

“(e) FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.—

“(1) MEDICAL, DENTAL, AND FUNERAL EXPENSES.—The President, in consultation with the Governor of the affected State, may provide financial assistance under this section to an individual or household adversely affected by a major disaster to meet disaster-related medical, dental, and funeral expenses.

“(2) PERSONAL PROPERTY, TRANSPORTATION, AND OTHER EXPENSES.—The President, in consultation with the Governor of the affected State, may provide financial assistance under this section to an individual or household described in paragraph (1) to address personal property, transportation, and other necessary expenses or serious needs resulting from the major disaster.

“(f) STATE ROLE.—The President shall provide for the substantial and ongoing involvement of the affected State in administering the assistance under this section.

“(g) MAXIMUM AMOUNT OF ASSISTANCE.—No individual or household shall receive financial assistance greater than \$25,000 under this section with respect to a single major disaster. Such limit shall be adjusted annually to reflect changes in the Consumer Price Index for all Urban Consumers published by the Department of Labor.

“(h) ISSUANCE OF REGULATIONS.—The President shall issue rules and regulations to carry out the program, including criteria, standards, and procedures for determining eligibility for assistance.”

(b) CONFORMING AMENDMENT.—Section 502(a)(6) (42 U.S.C. 5192(a)(6)) is amended by striking “temporary housing”.

(c) ELIMINATION OF INDIVIDUAL AND FAMILY GRANT PROGRAMS.—Title IV (42 U.S.C. 5170–5189a) is amended by striking section 411 (42 U.S.C. 5178).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the 545th day following the date of enactment of this Act.

SEC. 204. REPEALS.

(a) COMMUNITY DISASTER LOANS.—Section 417 (42 U.S.C. 5184) is repealed.

(b) SIMPLIFIED PROCEDURE.—Section 422 (42 U.S.C. 5189) is repealed.

SEC. 205. STATE ADMINISTRATION OF HAZARD MITIGATION PROGRAM.

Section 404 (42 U.S.C. 5170c) is amended by adding at the end the following:

“(c) PROGRAM ADMINISTRATION BY STATES.—

“(1) IN GENERAL.—A State desiring to administer the hazard mitigation assistance program established by this section with respect to hazard mitigation assistance in the State may submit to the President an application for the delegation of such authority.

“(2) CRITERIA.—The President, in consultation with States and local governments, shall establish criteria for the approval of applications submitted under paragraph (1). The criteria shall include, at a minimum, the following:

“(A) The demonstrated ability of the State to manage the grant program under this section.

“(B) Submission of the plan required under section 201(c).

“(C) A demonstrated commitment to mitigation activities.

“(3) APPROVAL.—The President shall approve an application submitted under paragraph (1) that meets the criteria established under paragraph (2).

“(4) WITHDRAWAL OF APPROVAL.—If, after approving an application of a State submitted under paragraph (1), the President determines that the State is not administering the hazard mitigation assistance program established by this section in a manner satisfactory to the President, the President shall withdraw such approval.

“(5) AUDITS.—The President shall provide for periodic audits of the hazard mitigation assistance programs administered by States under this subsection.”

SEC. 206. STATE ADMINISTRATION OF DAMAGED FACILITIES PROGRAM.

(a) PILOT PROGRAM.—In cooperation with States and local governments and in coordination with efforts to streamline the delivery of disaster relief assistance, the President shall conduct a pilot program for the purpose of determining the desirability of State administration of parts of the assistance program established by section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172).

(b) STATE PARTICIPATION.—

(1) CRITERIA.—The President may establish criteria in order to ensure the appropriate implementation of the pilot program under subsection (a).

(2) MINIMUM NUMBER OF STATES.—The President shall conduct the pilot program under subsection (a) in at least 2 States.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the President shall transmit to Congress a report describing the results of the pilot program conducted under subsection (a), including identifying any administrative or financial benefits. Such report shall also include recommendations on the conditions, if any, under which States should be allowed the option to administer parts of the assistance program under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172).

SEC. 207. STUDY REGARDING COST REDUCTION.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study to estimate the reduction in Federal disaster assistance that has resulted and is likely to result from the enactment of this Act.

SEC. 208. REPORT ON ASSISTANCE TO RURAL COMMUNITIES.

Not later than 180 days after the date of enactment of this Act, the Director of the Federal Emergency Management Agency shall prepare and transmit to Congress a report on methods and procedures that the Director recommends to accelerate the provision of Federal disaster assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) to rural communities.

SEC. 209. STUDY REGARDING INSURANCE FOR PUBLIC INFRASTRUCTURE.

The Comptroller General of the United States shall conduct a study to determine the current and future expected availability of disaster insurance for public infrastructure eligible for assistance under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

TITLE III—MISCELLANEOUS**SEC. 301. TECHNICAL CORRECTION OF SHORT TITLE.**

The first section (42 U.S.C. 5121 note) is amended to read as follows:

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Robert T. Stafford Disaster Relief and Emergency Assistance Act'."

SEC. 302. DEFINITION OF STATE.

Section 102 (42 U.S.C. 5122) is amended in each of paragraphs (3) and (4) by striking "the Northern" and all that follows through "Pacific Islands" and inserting "and the Commonwealth of the Northern Mariana Islands".

SEC. 303. FIRE SUPPRESSION GRANTS.

Section 420 (42 U.S.C. 5187) is amended by inserting "and local government" after "State".

AMENDMENT OFFERED BY MRS. FOWLER

Mrs. FOWLER. Mr. Chairman, I offer an amendment, and I ask unanimous consent that it be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

The text of the amendment is as follows:

Amendment offered by Mrs. FOWLER:

Page 15, after line 12, insert the following: "(B) AREAS WITH UNSTABLE SOIL.—In any case in which a State or local government determines that the public welfare would not be best served by repairing, restoring, reconstructing, or replacing any public facility owned or controlled by such State or local government because soil instability in the disaster area makes such repair, restoration, reconstruction, or replacement infeasible, the State or local government may elect to receive, in lieu of a contribution under subsection (a)(1)(A), a contribution of 90 percent of the Federal share of the Federal estimate of the cost of repairing, restoring, reconstructing, or replacing such facility and of management expenses.

Page 15, line 13, strike "(B)" and insert "(C)".

Page 21, at the end of line 16, insert the following:

Under the preceding sentence, a victim shall not be denied assistance under subsections (c)(1), (c)(3), or (c)(4), solely on the basis that the victim has not applied for or received any loan or other financial assistance from the Small Business Administration or any other Federal agency.

Page 33, after line 2, insert the following:

SEC. 210. PUBLIC COMMENT REQUIREMENT.

Title III (42 U.S.C. 5141-5164) (as amended by section 201 of this Act) is amended by adding at the end the following:

"SEC. 323. PUBLIC COMMENT REQUIREMENT.

"(a) IN GENERAL.—The Director of the Federal Emergency Management Agency shall provide an opportunity for public comment before adopting any new or modified policy that would have a meaningful impact on the amount of disaster assistance that may be provided to a State or local government by the President under this Act.

"(b) RETROACTIVE APPLICATION OF POLICIES.—The Director may not adopt any new or modified policy that would retroactively

reduce the amount of assistance provided to a State or local government under this Act."

Mrs. FOWLER. Mr. Chairman, my amendment encompasses three separate changes to title II of the bill. These changes reflect our desire to cut costs in the disaster program in a fair and compassionate way. First, the amendment recognizes that in some very limited circumstances, the reduced so-called in-lieu contribution proposed in section 202 of the bill will cause undue hardship to some communities. This occurs in areas where mud slides make the prospect of rebuilding any facility on a site unwise. In such situations, taking an in-lieu contribution is the only option really available. The amendment would continue to use the previous 90 percent level of funding for these special situations.

Second, it has been brought to our attention that the provision in the bill conditioning housing assistance on applying to the Small Business Administration for a loan does very little to cut disaster assistance cost but may well pose a difficult burden on disaster victims. The amendment, therefore, would remove the SBA loan requirement as a condition of housing assistance. I am all for saving money, but in this case we would be saving very little while placing a relatively high burden on disaster victims.

Finally, my amendment would require FEMA to provide public comment on new or modified policies that may result in a meaningful change in the amount of assistance a State or local community may receive. Changes in the conditions of assistance are extremely important to local communities. It seems only fair that such changes be made with the opportunity for adequate public involvement.

I would like to recognize the diligent efforts of the bipartisan group of Members, particularly those from California, that brought this amendment to our attention. In conclusion, this amendment puts the final touches on an excellent bill. The amendment does not significantly reduce the substantial cost savings provided by the bill but recognizes that in reducing the burden on the taxpayer, we need also remember the critical needs of disaster victims.

I urge support for this amendment.

Mr. TRAFICANT. Mr. Chairman, I rise in support of the amendment. I want to again compliment the gentlewoman for her excellent work.

I would just like to go over a few issues that I think are important. The first thing I think is very important, the amendment would maintain the Federal in-lieu contributions for alternate projects at 90 percent where soil instability in a disaster area makes the repair, restoration, reconstruction or replacement of public facilities infeasible. The bill before us would have reduced that Federal contribution to 75 percent. I believe that the gentlewoman should again be commended,

because this is an important issue and that she took into consideration the concern of the gentleman from Washington (Mr. BAIRD), who happens to be a Democrat from the State of Washington, and I think that speaks for the bipartisanism, and I thank her.

Second of all, the amendment would exclude disaster victims needing FEMA assistance for temporary housing, replacement of their homes, and construction of houses from the requirement of first obtaining an SBA loan. As the gentlewoman from Florida had stated, that speaks for itself in its importance in the amendment there as well. But I want to state on the record that I am opposed to placing any additional burden on victims who are made homeless by a disaster by requiring them to jump through hoops, in some cases obtain an SBA loan first, before they can obtain financial or direct housing assistance from FEMA in the aftermath of a disaster that almost destroyed their family, in some cases has.

Finally, the amendment requires FEMA to provide an opportunity for public comment before adopting or modifying an agency policy that would have a meaningful impact on the amount of disaster assistance to State or local governments. This is wise. The gentlewoman is to be commended for it. We on this side support this amendment 100 percent.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Mrs. FOWLER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:
At the end of the bill, add the following:

SEC. 304. BUY AMERICAN.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds authorized to be appropriated pursuant to this Act or any amendment made by this Act may be expended by an entity unless the entity, in expending the funds, complies with the Buy American Act (41 U.S.C. 10a et seq.).

(b) DEBARMENT OF PERSONS CONVICTED OF FRAUDULENT USE OF "MADE IN AMERICA" LABELS.—

(1) IN GENERAL.—If the Director of the Federal Emergency Management Agency determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Director shall determine, not later than 90 days after determining that the person has been so convicted, whether the person should be debarred from contracting under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

(2) DEBAR DEFINED.—In this section, the term "debar" has the meaning given that term by section 2393(c) of title 10, United States Code.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this has been language that I have offered to many bills. It deals with the aspect of where Federal dollars are spent, to incorporate into that logic the Buy American laws that exist. I have talked about Buy American here for years, but I was not really the first to do it and one of the strong leaders of Buy American is the ranking Democrat on this committee the gentleman from Minnesota (Mr. OBERSTAR) who was responsible for most of the Buy American language in our surface transportation program which is a multibillion-dollar procurement program.

I think it is very important where we expend any dollars that we comport and conform to within the law to the Buy American law and its policies. In addition, my amendment states, do not participate in any of our programs under this bill by providing a product that is purported to be made in America but has on it affixed a fraudulent "made in America" label.

I think these small but little commonsense initiatives serve more maybe as a reminder to keep people's eyes on the prize of wherever possible shop for and buy an American product but under Buy American law to conform to that law and do not violate it.

Mrs. FOWLER. Mr. Chairman, we support this amendment and have no objection to it.

Mr. OBERSTAR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Ohio who has throughout his service in the Congress made a point of reminding us on every piece of legislation that comes to the House floor wherever there is procurement that this procurement should be cloaked in the Buy America label. American dollars are being used, taxpayer dollars are being used on Federal projects, on Federal programs, and he is right to remind this body time and again that those dollars must be used to purchase American products in the service of this country. Other countries do that. Other countries realize that charity begins at home, that a strong economy begins at home, and we must do the same.

The gentleman is right, I was successful in 1982 in the Surface Transportation Assistance Act in getting a very strong Buy America provision on steel used in our Federal highway program. In the next 6 years under TEA 21, that will mean that 18 million tons of American steel will go into our Federal aid highway and bridge program. We have Buy America provisions that apply to the Corps of Engineers, that apply to the Federal transit system.

Years ago when I chaired the subcommittee that has jurisdiction over this legislation now, we held extensive hearings, Mr. Gingrich and I, the ranking member on the Republican side at the time, we found widespread abuses in the Federal transit program on the

Buy America program. We worked vigorously to assure that the law would be carried out.

Here in the disaster assistance program, there is a wide array of products used to help victims of disaster become whole again, communities as well as individuals, grand facilities, dams, levees, roads, bridges as well as individual homes and small businesses.

□ 1145

Mr. Chairman, there is a wide array of product used to make those communities, make those structures, whole again. They ought to be American goods.

The gentleman from Ohio (Mr. TRAFICANT) is right to offer this amendment, but now that we have reestablished our Subcommittee on Oversight in the Committee on Transportation and Infrastructure, I appeal to the gentleman from Florida (Mrs. FOWLER) to maintain vigilance. Once this legislation is enacted, let us take a careful look at how it is applied in future disasters where the Federal Government comes in to help out local communities. Look over their shoulder. Make sure they are carrying out this law. It is all too easy to avoid.

But, Mr. Chairman, avoidance will be difficult if this committee maintains vigilance, as I am sure it will, under the gentlewoman's leadership.

The CHAIRMAN pro tempore (Mr. HEFLEY). The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments?

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

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. NETHERCUTT) having assumed the chair, Mr. HEFLEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 707) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes, pursuant to House Resolution 91, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mrs. FOWLER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 415, nays 2, not voting 16, as follows:

[Roll No. 33]

YEAS—415

Abercrombie	Clay	Frost
Ackerman	Clayton	Galleghy
Aderholt	Clement	Ganske
Allen	Clyburn	Gejdenson
Andrews	Coble	Gephardt
Archer	Coburn	Gibbons
Armey	Collins	Gillmor
Bachus	Combest	Gilman
Baird	Condit	Gonzalez
Baker	Conyers	Goode
Baldacci	Cook	Goodlatte
Baldwin	Cooksey	Goodling
Ballenger	Costello	Gordon
Barcia	Cox	Goss
Barr	Coyne	Graham
Barrett (NE)	Cramer	Green (TX)
Barrett (WI)	Crane	Green (WI)
Bartlett	Crowley	Greenwood
Barton	Cubin	Gutierrez
Bass	Cummings	Gutknecht
Bateman	Cunningham	Hall (OH)
Becerra	Danner	Hall (TX)
Bentsen	Davis (FL)	Hansen
Bereuter	Davis (IL)	Hastings (FL)
Berkley	Davis (VA)	Hastings (WA)
Berman	Deal	Hayes
Berry	DeFazio	Hayworth
Biggart	DeGette	Hefley
Bilbray	DeLauro	Heger
Bilirakis	DeLay	Hill (IN)
Bishop	DeMint	Hill (MT)
Blagojevich	Deutsch	Hilleary
Bliley	Diaz-Balart	Hilliard
Blumenauer	Dickey	Hinchey
Blunt	Dicks	Hinojosa
Boehlert	Dingell	Hobson
Boehner	Dixon	Hoefel
Bonilla	Doggett	Hoekstra
Bonior	Dooley	Holden
Bono	Doolittle	Hooley
Borski	Doyle	Horn
Boswell	Dreier	Hostettler
Boucher	Duncan	Houghton
Boyd	Dunn	Hoyer
Brady (PA)	Edwards	Hulshof
Brady (TX)	Ehlers	Hunter
Brown (CA)	Ehrlich	Hutchinson
Brown (FL)	Emerson	Hyde
Brown (OH)	English	Insole
Bryant	Eshoo	Isakson
Burr	Etheridge	Istook
Burton	Ewing	Jackson (IL)
Buyer	Farr	Jackson-Lee
Callahan	Fattah	(TX)
Calvert	Filner	Jefferson
Camp	Fletcher	Jenkins
Campbell	Foley	John
Canady	Forbes	Johnson (CT)
Cannon	Ford	Johnson (E. B.)
Capuano	Fossella	Johnson, Sam
Cardin	Fowler	Jones (NC)
Carson	Frank (MA)	Jones (OH)
Castle	Franks (NJ)	Kanjorski
Chabot	Frelinghuysen	Kaptur
Chambliss		Kasich

Kelly	Nadler	Sherwood
Kildee	Napolitano	Shimkus
Kilpatrick	Neal	Shows
Kind (WI)	Nethercutt	Shuster
King (NY)	Ney	Simpson
Kingston	Northup	Sisisky
Klecza	Norwood	Skeen
Klink	Nussle	Skelton
Knollenberg	Oberstar	Slaughter
Kolbe	Obey	Smith (MI)
Kucinich	Olver	Smith (NJ)
Kuykendall	Ortiz	Smith (TX)
LaFalce	Ose	Smith (WA)
LaHood	Owens	Snyder
Lampson	Oxley	Souder
Lantos	Packard	Spence
Largent	Pallone	Spratt
Larson	Pascrell	Stabenow
Latham	Pastor	Stearns
LaTourette	Payne	Stenholm
Lazio	Pease	Strickland
Leach	Pelosi	Stupak
Lee	Peterson (MN)	Sununu
Levin	Peterson (PA)	Sweeney
Lewis (CA)	Petri	Talent
Lewis (GA)	Phelps	Tancredo
Lewis (KY)	Pickering	Tanner
Linder	Pickett	Tauscher
Lipinski	Pitts	Tauzin
LoBiondo	Pombo	Taylor (MS)
Loftgren	Pomeroy	Taylor (NC)
Lowe	Porter	Terry
Lucas (KY)	Portman	Thomas
Lucas (OK)	Price (NC)	Thompson (CA)
Luther	Pryce (OH)	Thompson (MS)
Maloney (CT)	Quinn	Thornberry
Maloney (NY)	Radanovich	Thune
Manzullo	Rahall	Thurman
Markey	Ramstad	Tiahrt
Martinez	Regula	Tierney
Mascara	Reyes	Toomey
Matsui	Reynolds	Towns
McCarthy (MO)	Riley	Traficant
McCarthy (NY)	Rivers	Turner
McCrary	Rodriguez	Udall (CO)
McDermott	Roemer	Udall (NM)
McGovern	Rogan	Upton
McHugh	Rogers	Velazquez
McInnis	Rohrabacher	Vento
McIntosh	Ros-Lehtinen	Visclosky
McIntyre	Rothman	Walden
McKeon	Roukema	Walsh
McKinney	Roybal-Allard	Wamp
McNulty	Royce	Waters
Meehan	Rush	Watkins
Meek (FL)	Ryan (WI)	Watt (NC)
Meeks (NY)	Ryun (KS)	Watts (OK)
Menendez	Sabo	Waxman
Metcalf	Salmon	Weiner
Mica	Sanders	Weldon (FL)
Millender-	Sandin	Weldon (PA)
McDonald	Sanford	Weller
Miller (FL)	Sawyer	Wexler
Miller, Gary	Saxton	Weygand
Miller, George	Schaffer	Whitfield
Minge	Schakowsky	Wicker
Mink	Scott	Wilson
Moakley	Sensenbrenner	Wise
Moore	Serrano	Wolf
Moran (KS)	Sessions	Woolsey
Moran (VA)	Shadegg	Wu
Morella	Shaw	Wynn
Murtha	Shays	Young (AK)
Myrick	Sherman	Young (FL)

NAYS—2

Paul Stump

NOT VOTING—16

Capps	Gilchrest	Rangel
Chenoweth	Granger	Sanchez
Engel	Holt	Scarborough
Evans	Kennedy	Stark
Everett	McColum	
Gekas	Mollohan	

□ 1210

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GEKAS. Mr. Speaker, earlier today, March 4, 1999, I was unavoidably detained while chairing a hearing on privacy in the

hands of Federal regulators in the Subcommittee on Commercial and Administrative Law in the House Judiciary Committee and missed a recorded vote on H.R. 707, the Disaster Mitigation and Cost Reduction Act of 1999. Had I been present, I would have voted "aye" on rollcall No. 33, to agree to H.R. 707.

Ms. SANCHEZ. Mr. Speaker, during rollcall vote No. 33 on March 4, 1999, I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. SCARBOROUGH. Mr. Speaker, on rollcall No. 33, I was unavoidably detained. Had I been present, I would have voted "yes."

GENERAL LEAVE

Mrs. FOWLER. 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. 707, the bill just passed.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentlewoman from Florida?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 863

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 863.

While I strongly support taking social security off-budget once and for all, I believe the Republican leadership is exploiting the bill to pursue a hidden agenda of tax cuts for the wealthiest Americans.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. MENENDEZ. Mr. Speaker, I rise to inquire of the distinguished majority leader at this time regarding the schedule.

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

Mr. MENENDEZ. I yield to the gentleman from Texas.

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

Mr. Speaker, I am pleased to note that we have had our last vote for this week. The House will next meet on Monday, March 8, at 2 o'clock p.m. for a pro forma session. Of course, there will be no legislative business and no votes on that day.

On Tuesday, March 9, the House will meet at 10:30 a.m. for Morning Hour, and 12 o'clock noon for legislative business. Votes are expected after 12 o'clock noon on Tuesday, March 9th.

On Tuesday, we will consider a number of bills under suspension of the

rules, a list of which will be distributed to Members' offices.

On Wednesday, March 10, and the balance of the week the House will meet at 10 o'clock a.m. to consider the following legislative business:

H.R. 800, the Education Flexibility Partnership Act;

H.R. 4, a bill declaring the United States policy to deploy a national missile defense.

It is possible, Mr. Speaker, that we may also take under consideration a resolution relating to the deployment of troops in Kosovo.

Mr. Speaker, we expect to conclude legislative business next week on Friday, March 12, by 2 o'clock p.m.

Mr. MENENDEZ. Mr. Speaker, I would ask the majority leader if he might answer one or two questions.

Mr. Speaker, would the gentleman believe that, beyond that which he has told the House, that anything specifically will be added to the schedule other than the resolutions that will be considered on Tuesday on the consent agenda?

□ 1215

Mr. ARMEY. Mr. Speaker, I thank the gentleman for the input. Other than things that we may clear through both sides to add to the suspension calendar, I would see us taking under consideration nothing other than what has been stipulated here.

Mr. MENENDEZ. Mr. Speaker, I think many Members have serious concerns and want to be able to be sure that they will be present on the potential resolution on Kosovo. Does the gentleman have a sense on what day of next week the Kosovo resolution will be coming to the floor?

Mr. ARMEY. Mr. Speaker, again, I thank the gentleman for his inquiry, and I think it is important that we stress, in response to the question, that it is clear that we will be taking up the Kosovo resolution next week, and we expect that that will be on Thursday and Friday.

So the answer to the gentleman's question is that the Kosovo resolution will be taken up on Thursday. We expect to have a generous portion of time for debate, so we could expect that we would work on it Thursday and Friday of next week.

Mr. MENENDEZ. Mr. Speaker, my last question, so therefore, by that statement, it looks rather certain that we will be here voting on Friday?

Mr. ARMEY. Mr. Speaker, if the gentleman would continue to yield, yes, there should be no doubt about that. As I indicated, we do have a getaway time by 2 o'clock. However we arrange the schedule, that will be, of course, honored for all the Members who want to make their arrangements for their travel.

Mr. MENENDEZ. Mr. Speaker, I thank the gentleman for his answers.

ANNOUNCEMENT BY CHAIRMAN OF COMMITTEE ON RULES REGARDING CONSIDERATION OF AMENDMENTS TO H.R. 800, THE EDUCATION FLEXIBILITY PARTNERSHIP ACT

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

Mr. DREIER. Mr. Speaker, the Committee on Rules is planning to meet on Tuesday, March 9, to grant a rule which may limit the amendment process on H.R. 800, the Education Flexibility Partnership Act.

The rule may, at the request of the Committee on Education and the Workforce, include a provision requiring amendments to be preprinted in the amendments section of the CONGRESSIONAL RECORD. Amendments to be preprinted should be signed by the Member and submitted to the Speaker's table. Amendments should be drafted to the text of the bill as ordered reported by the Committee on Education and the Workforce. Copies of the text of the bill as reported can be obtained from the Committee on Education and the Workforce.

Members should use the Office of Legislative Counsel to make sure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be sure their amendments comply with the rules of the House.

HONORING MORRIS KING UDALL, FORMER UNITED STATES REPRESENTATIVE FROM ARIZONA

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the concurrent resolution (H. Con. Res. 40) honoring Morris King Udall, former United States Representative from Arizona, and extending the condolences of the Congress on his death, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 40

Whereas Morris King Udall served his Nation and his State of Arizona with honor and distinction in his 30 years as a Member of the United States House of Representatives;

Whereas Morris King Udall became an internationally recognized leader in the field of conservation, personally sponsoring legislation that more than doubled the National Park and National Wildlife Refuge systems, and added thousands of acres to America's National Wilderness Preservation System;

Whereas Morris King Udall was also instrumental in reorganizing the United States Postal Service, in helping enact legislation to restore lands left in the wake of surface mining, enhancing and protecting the civil service, and fighting long and consistently to

safeguard the rights and legacies of Native Americans;

Whereas in his lifetime, Morris King Udall became known as a model Member of Congress and was among the most effective and admired legislators of his generation;

Whereas this very decent and good man from Arizona also left us with one of the most precious gifts of all—a special brand of wonderful and endearing humor that was distinctly his;

Whereas Morris King Udall set a standard for all facing adversity as he struggled against the onslaught of Parkinson's disease with the same optimism and humor that were the hallmarks of his life; and

Whereas Morris King Udall in so many ways will continue to stand as a symbol of all that is best about public service, for all that is civil in political discourse, for all that is kind and gentle, and will remain an inspiration to others; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) has learned with profound sorrow of the death of the Honorable Morris King Udall on December 12, 1998, and extends condolences to the Udall family, and especially to his wife Norma;

(2) expresses its profound gratitude to the Honorable Morris King Udall and his family for the service that he rendered to his country; and

(3) recognizes with appreciation and respect the Honorable Morris K. Udall's commitment to and example of bipartisanship and collegial interaction in the legislative process.

SECTION. 2. TRANSMISSION OF ENROLLED RESOLUTION.

The Clerk of the House of Representatives shall transmit an enrolled copy of this Concurrent Resolution to the family of the Honorable Morris King Udall.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Arizona (Mr. KOLBE) is recognized for 1 hour.

Mr. KOLBE. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Arizona (Mr. PASTOR), pending which I yield myself such time as I may consume.

Mr. Speaker, I am honored to be here today to introduce and to call up this resolution honoring a great American and certainly a great Arizonan. There really could be no better homage to Mo Udall than if I could stand up here for a few minutes and take the time to simply lampoon myself.

But the risk of that kind of self-exploration would probably be too much. I might actually learn the truth about myself, for example, and turn to something more noble like perhaps running numbers or selling ocean-front parcels in Tucson. That was the kind of thing that Mo would say.

Mr. Speaker, Mo was a mentor and a close friend of many of us. Certainly, he was a friend of mine and a political idol as well. I have tried hard to follow in Mo's footsteps in southern Arizona's congressional district. Much of what he represented, I now represent. I certainly have learned extensive lessons in what it means to be second-best, because no one could ever best Mo Udall. So now I know what it is like to be taken off the bench to replace Mark McGwire, to sing backup to Pavarotti, to be Mike Tyson's sparring partner.

It is one of the humble honors of my career that I have the opportunity to

offer this resolution that will help affix Morris King Udall's name to our memories and to those of generations to come.

Mr. Speaker, if I could have a vote in my district for every time that he made one of us smile or laugh, I would be winning all of my elections unanimously. Mo was loved by the public. He was loved by the press, by his colleagues, and by his family, many of whom are here today.

There was a reason for that. It was because Mo Udall was true to Mo. He could stand for hours and he could tell one-liners. And by making himself the brunt of his own humor, he could reach those MBA arms of his right into our consciences and wrest away any pretensions that we might have, or self-righteousness.

Mo made us see our foibles, not by moralizing or yelling at us. He did not say "Change those wretched ways." Rather, he made us laugh at ourselves, even against our will, and he forced, and I do mean forced, us to see the smallness of ourselves. He forced us to see our blindness, our pettiness, the vanity we sometimes have, our ego-mania.

Coming from a conservative State like Arizona, Mo Udall defied easy or politically opportune choices. He voted his conscience. He voted it whether the topic was racial equality back in the 1960s, the dire need for government to assume better stewardship of its public lands, or the sacrifice of American lives in Vietnam. He spoke out on those issues.

But no one in our country, Johnny Carson, Bob Hope, Jack Benny included, could keep a straight face like Mo could. With that humor, he carried a very serious and a profound message and that humor helped to enlighten the ignorant, satirize the comforted, and make us take inventory at every moment of the beauty and fragility of our lives.

Even as his health waned, Mo was passing on a message of hope to us: Help those of us whose bodies are imprisoned by Parkinson's and other such illnesses to recover. Even when he was unable to speak to us, Mo and his loyal and extraordinary family brought about policy changes in the health field that few might have imagined possible.

For those in this body who have had the opportunity to be touched by Mo, today is an appropriate occasion to remember a man who brought civility through humor into the political process.

For those who were not fortunate enough to have known this man, they have missed an icon. But they should seek solace in knowing two things. The political process in the United States of America has been deeply enriched by the contributions of Mo Udall, and because of the contributions of Mo Udall, there is a secure place in public service for those willing to take a step back and look at their own shortcomings.

Mr. Speaker, today, along with many members of the delegation and members of the family who now serve in this body, we will be introducing a bill which would rename the Coronado National Forest, which lies in southern Arizona and which encompasses eight wilderness areas. I can think of no more fitting tribute to this great towering man who was so instrumental in establishing those wilderness areas, and so many other wilderness areas, than to call that beautiful National Forest the Udall National Forest. I welcome the support of my colleagues in this effort.

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

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

Mr. Speaker, first of all, I want to thank the distinguished gentleman from Arizona (Mr. KOLBE) for introducing this resolution and allowing us time to pay tribute to a great American.

Mr. Speaker, it is a great honor for me to be here today and to manage this resolution that pays tribute to Morris K. Udall, who many of us here knew and remember fondly as "Mo."

Mo's retirement from the House of Representatives in 1991, following 30 years of distinguished service in this body, was a great loss for the State of Arizona, for the environmental and Native American issues he championed, and for the cause of civility and humor in public life. His death last December after a long struggle with Parkinson's disease was a great personal loss for the Udall family, to whom I offer my deep-felt condolences.

Mo earned an uncommon respect and loyalty among his colleagues here in the House and those who knew him across this great Nation. He was able to distinguish between political opponents and enemies and maintain friendships across the ideological spectrum. He built bridges of goodwill that allowed him not only to pass prolific wilderness and historic preservation agendas but to resist the partisan animosity that erodes public faith in Congress.

He was a source of pride to the Arizonans he represented and a source of pride to many Americans. Mo had the courage to lose and yet was never defeated. He challenged the status quo, even within this institution, encouraging a debate that brought vitality and progress to our public discourse. He was willing to keep standing up after being knocked down, and to be and to champion the underdog, and yet to maintain a courageous optimism.

Mr. Speaker, he faced personal adversity in his struggle with Parkinson's disease with the uncommon grace we had come to expect of Mo.

Mo's legacy will live in the retelling of his famous anecdotes, in the CAP water that my granddaughter drinks in Arizona, in the wilderness lands preserved for generations of Americans yet to come. Perhaps it will live in the

work of his son and his nephew drawn to public service and newly elected to this body.

In remembering and learning from Mo's example, be it perseverance or bipartisanship, we can all contribute to a legacy of decency, optimism, and honorable public service that Mo Udall has left to this country and to this House.

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

□ 1230

Mr. KOLBE. Mr. Speaker, I yield as much time as he may consume to the gentleman from Arizona (Mr. HAYWORTH) from the 6th Congressional District. In doing so, I would note that he is one of those Members who did not serve with Mo Udall. But none of us who come from Arizona have not been touched by his great works.

Mr. HAYWORTH. Mr. Speaker I thank the gentleman from Arizona for yielding to me.

Mr. Speaker, while it is true I did not have the opportunity to serve concurrently with Mo Udall, the fact is, evidence of his service in this institution abounds, not only in family members who have joined us in the 106th Congress and family members who are here to celebrate Mo's memory, but also in constituents from my district.

I had the privilege, Mr. Speaker, of coming to this Chamber this afternoon with young people from the Navaho nation, from Pinon, Shonto, who are here to learn more about Washington. Their presence here and the comments of a colleague from this floor just the other day in an informal setting really, I think, served to provide a tribute to Mo Udall, because a congressional colleague said, "You folks from Arizona really stick together."

Indeed, as we look at the rich legislative legacy offered by Mo Udall, it is worth noting that members of my party, John Rhodes, Barry Goldwater, others got together to ask, "What is good for Arizona and good for America?" Now lest my colleagues think that we sing from the same page of the hymnal on every occasion, of course not. But we champion those differences.

That is what Morris K. Udall embodied, an ability to clearly and candidly express differences, unafraid. He was able to use the gift of humor to make those observations all the more eloquent, although, even today, I might take issue with some of those observations. We champion that freedom when we remember Mo Udall.

Many Americans remember that, in the wake of his quest for the White House in 1976, he authored a book entitled, "Too Funny To Be President." It was that typical self-deprecating wit even inherent in that title.

But if he might have been too funny to be president in his own words, he was not too humorous to not be an effective legislator and to offer the people of Arizona and the people of America a clear, consistent philosophy,

though not one of unanimity on all points, one that he had the right to champion, and he championed so very well.

I made mention of the fact that two kinfolks of the Udall clan are now here in the Congress of the United States. I have a staffer back home who is part of the Udall family. The joke is that Mo and Stu took a left turn out of Saint John's, and some of my folks took a right turn out of the Round Valley, and that was the beginning of some of the political differences as reflected on these sides of the aisle.

But, Mr. Speaker, it is worth noting, and I thank the two senior members of my delegation, the gentleman from Arizona (Mr. KOLBE) and the gentleman from Arizona (Mr. PASTOR), for taking this time to remember Morris K. Udall, his life, his legacy, and the challenges he would confront even as we confront today.

Mr. PASTOR. Mr. Speaker, it is an honor for me to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from Arizona for his kindness and also for his eloquent remarks.

Mr. Speaker, I grew up with Congressman Mo Udall. In growing up with him, I was fully comfortable with the fact that the environment was well protected and the integrity of this body was well protected.

Congressman Udall was a man who always managed to rise above the limitations that were placed upon him and succeeded triumphantly. As a child at age 7, he lost his right eye in an accident, but he still managed to excel in athletics. In high school, he was co-captain of the basketball team. I must say, Mr. Speaker, I saw him as the tall, tall, I was going to say Texan, but I will give that name to Arizonian, because I looked to him as a tall Member of this body.

He also played quarterback, the position that requires the most vision on the football team. Academically, he was a model student. He was a valedictorian and student body president.

As we all know, his all-around excellence continued well after high school. In 1942, he entered the U.S. Army Corps, despite his limited vision. He played professional basketball for the Denver Nuggets and passed the Arizona bar exam with the highest score in the State.

He was elected to Congress in 1961, replacing his brother, Stewart, who had taken a position as the Secretary of Department of Interior offered to him by President Kennedy. His love for this country, the public lands ran in the family. He had a passion, a sense of humor, and civility.

Just as when he was younger, Congressman Morris Udall proved he could achieve despite politics and pass important and much-needed legislation.

The Congressman was a floor whip supporting the passage of the 1964 Civil Rights Act and would begin to craft the history of this country. Particularly for those who were least empowered, the Civil Rights Act of 1964 comes to mind. Let me personally thank him on behalf of my community.

Serving as chair on the Committee on Interior and Insular Affairs, he was an earlier champion of environmental causes, fighting early to protect our natural lands in areas as diverse as the canyons of Arizona and the forests of Alaska.

He stood up for the rights of American Indians, our Native Americans, and advocated for laws that would help them rather than further hurt them. As a civil servant, Congressman Udall always managed to keep the focus on what is best for the public. Along with President Carter, he enacted civil service reforms, and he was a chief sponsor of Campaign Finance Reform Act. He was ahead of his time.

Morris Udall was a strong family man. He was a good son and brother and uncle and father. Many would tell me that I have no way of knowing that, but I tell my colleagues, we have proof in it in this House today.

Let me say that I am delighted that his son, the gentleman from Colorado (Mr. MARK UDALL), and his nephew, the gentleman from New Mexico (Mr. TOM UDALL), came in as a double-whammy, being elected this time to the 106th Congress. If there ever would have been someone who had a humorous statement to make of that, it would have been Mo Udall. He liked double-whammies. He would have called that a slam dunk.

As I conclude, Mr. Speaker, let me simply say I hope this testimony today, his tribute, will compel us to support finding a cure for Parkinson's Disease, and I wholeheartedly support this resolution to acknowledge the loss of a dear friend, a great colleague, and great American. God bless him and God bless his family.

Thank you, Mr. Speaker. I rise today to speak on behalf of H. Con. Res. 40, which honors the life of former Congressman Morris K. Udall.

Congressman Udall was a man who always managed to rise above the limitations that placed upon him, and succeed triumphantly.

As a child, at age seven, he lost his right eye in an accident, but he still managed to excel in athletics. I high school, he was co-captain of the basketball team, and he played quarterback—the position that requires the most vision—on the football team. Academically, he was a modest student—he was valedictorian and student body president.

And as we all know, his all-around excellence continued well after high school. In 1942, he entered the U.S. Army Air Corps despite his limited vision. He played professional basketball for the Denver Nuggets, and passed the Arizona bar exam with the highest score in the State.

When he was elected to Congress in 1961, replacing his brother, Stewart, who had taken a position as Secretary of the Department of

the Interior offered to him by President Kennedy, he immediately became known for his passion, humor, and civility.

Just as when he was younger, Congressman Morris Udall proved that he could achieve despite politics, and pass important and much-needed legislation.

Congressman Udall was a floor whip supporting the passage of the Civil Rights Act of 1964—something I would like to personally thank him for. Serving as Chair of the Committee on Interior and Insular Affairs, he was an early champion of environmental causes, fighting early on to protect our natural lands in areas as diverse as the canyons of Arizona and the forests of Alaska.

Representative Udall stood up for the rights of American Indians, and advocated for laws that would help them rather than further hurt them.

As a civil servant, Congressman Udall always managed to keep the focus on what is best for the public. Along with President Carter, he spearheaded efforts to enact civil service reforms, and he was the chief sponsor of the first-ever Campaign Finance Reform Act.

Most of all, Morris Udall was a strong family man. He was a good son, a good brother, a good uncle, and a good father. Many would tell me that I have no way of knowing that—but I tell you—we have proof of it here in the House. Congressmen MARK and TOM UDALL have already proven themselves as more-than-capable Members of Congress, and look forward to working with both of them in the future.

We lost a good friend on December 12th of last year. Yet I am glad to see his spirit live on. I hope that we can pass this resolution and work in this Congress with the manner of Morris K. Udall—above the limitations of partisanship and politics, and with a keen sense of what is best for the people we serve.

Mr. KOLBE. Mr. Speaker, I yield as much time as he may consume to the distinguished gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations, which was one of Mo Udall's other great loves.

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

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding to me. I thank the gentleman from Arizona (Mr. KOLBE) for introducing this resolution, giving us the opportunity to pay tribute to a great leader.

Mr. Speaker, Morris "Mo" K. Udall was an outstanding Member of this body and an even greater man. His untimely death last year was a tremendous loss to this Nation. He is one of the most loved, most respected and most accomplished Members of Congress in this generation.

When Mo Udall was diagnosed with Parkinson's Disease in 1980, many had never heard of that devastating illness. Mo's 18-year struggle with Parkinson's Disease illustrated his courage and his serenity which inspired his many co-workers, friends and family.

During Mo's 30 years of service in this body, Mo will be most remembered for his achievements on behalf of the

environmental community. I had the distinct honor and privilege of working with Mo, not only as a member of our Committee on International Relations, but as a member of the Subcommittee on Postal Services and the Subcommittee on Civil Service, as we tried to reform both the Postal Service and the Civil Service.

Many of us admired Mo's willingness and the quality in which he took part in the Presidential campaign in 1976. Yes, even many of my Republican constituents were pleased to support Mo Udall in that campaign.

It is fitting that the 105th Congress passed the Morris K. Udall Parkinson's Research Act of 1997 and that this Congress is committed to working towards finding the cause and cure for Parkinson's Disease, motivated primarily by Mo Udall.

As a member of the congressional working group on Parkinson's Disease, my colleagues and I will continue to do the work that was inspired by Mo in finding an eventual cure for that disease.

I am pleased to join my colleague, the gentleman from Arizona (Mr. KOLBE), in proposing that the Coronado Forest in Arizona now be renamed the Mo Udall Forest. What an appropriate monument to an outstanding public servant.

Mr. PASTOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for yielding me this time. I am perhaps one of the few Members of this Congress that had the wonderful opportunity of serving with Mo Udall.

I came to the Congress in 1965, and Mo was already here. I had the opportunity to serve with him on the Committee on Interior and Insular Affairs. After several years, I became the chair of the Subcommittee on Mines and Mining. I had a 5-year ordeal in trying to fashion the surface mining legislation.

Mo was always there, constantly working to help us develop a consensus within the subcommittee in a very, very controversial area. I remember coming to the floor with the legislation and spending weeks in the debate during the discourse of perhaps 50 or 60 amendments.

Mo Udall's legacy to this country is enormous, not only in the fields in which he labored in the Committee on Foreign Affairs and in the Committee on the Postal Service and in the Committee on the Interior, but he left a legacy of tremendous honesty, integrity and dedication to the basic principles of this country; and that is fairness, that is a love of the natural resources, a sense of pride and a conscious obligation to preserve and protect that which we have here within our boundaries.

Mo Udall was always on the floor fighting for equity, asking this body to be fair in its deliberations, making

sure that both sides had an even chance to express their views on legislation. He was an inspiration. I have always looked to Mo.

Even though he is gone, Mo will always remain, in my view, as one of the greatest legislators to come to serve in the Congress, whose history, whose legacy will always remain here, not just in the books of the Congress, but in the service, in the legislation and in the manner in which he represented the constituents of the great State of Arizona.

It was an honor to serve with him. I want to pay tribute to the gentleman from Colorado (Mr. MARK UDALL) and the gentleman from New Mexico (Mr. TOM UDALL), who will be taking his place, and express my deepest condolences to the family on the great loss that this Nation has suffered by his untimely death.

Mr. KOLBE. Mr. Speaker, I yield such time as he may consume to gentleman from the Arizona (Mr. SALMON), a very distinguished Member of the Arizona delegation, but also I know he knew Mo Udall personally and has profited from that knowledge of knowing him.

Mr. SALMON. Mr. Speaker, Mo Udall used to call himself the one-eyed Mormon Democrat, and I guess I would be the wide-eyed Mormon Republican. I think that is one of the things that we had in common.

□ 1245

Let me first of all say that Mo Udall came from good stock. It is no surprise that Mo Udall always won his elections with a very, very large margin. But then Mo Udall was related to over half of Arizona, so I do not think he really ever had too much of a challenge.

In fact, I think if I tried to one-up the gentleman from Arizona (Mr. KOLBE), I would change that resolution and say, why should we stop there, let us just change the name of Arizona to Udall Country and we will all be Udallians. That would probably be a better suggestion. Then I got to thinking about it. A few months ago I made probably an avant-garde proposal to put Ronald Reagan's face on Mt. Rushmore. Maybe I should swap that and put Mo Udall's face on Mt. Rushmore. I think a lot of people would probably get behind that right here and now, because Mo Udall was the kind of guy that inspired us to become better.

I look at the things we go through in life. Sometimes they are hard to bear. This last year it has not been a pleasant time being in the Congress. We have been through some very, very tough times. America has been through some very, very tough times. And I thought to myself over and over during the process, "Where are you, Mo Udall? I wish you were here right now. We could use your humor, we could use your love, we could use your patriotism."

Because one of the things that Mo Udall recognized, and I think all of us

really need to stand back and remember, is that before we were Republicans, before we were Democrats, we were Americans first. Mo Udall understood that, and he understood that regardless of who gets the credit for it, we are going to do the right thing.

I got to know very intimately Mo's sister, Inez Turley. She was my history teacher, and she had the most profound impact upon my life of any teacher I have ever had. She truly loved the subject of world history that she taught. She cared about her students and she oozed love and concern. I know there are family members here today, and I want them to know that their sister, their aunt, their cousin, whoever she might be to them, I loved her and she had a profound impact upon my life and I will never forget her. In her later years she also taught Sunday school, and my mom and dad and I were all members of her class, and she inspired us and made us want to be better people.

The Udall legacy is one that, not just Mo Udall, but the entire Udall clan is something that I think has benefitted all of Arizona. I am proud to call them my friends, my neighbors, my brothers and my sisters, and God bless Mo Udall. We thank him for all he meant, not only to Arizona but to America.

I hope, Mo, as we go forward, you will smile down on us with your wit and help us to remember not to take ourselves too seriously, but to remember that, above all, the most important thing that we can do is to serve.

Mr. PASTOR. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I met Mo Udall in Malden Square, my hometown, in January of 1976. I was a State representative, and I endorsed him for President out of a collection of people whom I did not know, but I felt that Mo Udall had the instincts and the grace and the intelligence to be a great President.

He came to my hometown and I met him at an event, and he shuffled me into the back seat of his car and I drove around with him for a day listening to him talk and watching him influence every single person who he met, whether he was just shaking their hand or giving a speech. But the effect was uniform and permanent, and I was one of the people who was affected by him.

My predecessor in Congress announced the next month that he was not going to run for reelection, and I ran and I won. Much to my surprise, within the year I was a member of the Interior Committee with Mo Udall, this man whom I held in awe as the chairman of the committee, even though I sat at the very bottom rung of all of the committee seats.

And over the years the experience has become too numerous to mention, but we always encouraged Mo, in 1980 and 1984, to please run for President.

And he would say that he was considering it because the only known cure for Presidentialitis was embalming fluid. And so he was always considering it, and we were encouraging him to consider it because he was someone who would have been a great President.

I remember in 1979, I think that the gentleman from California (Mr. GEORGE MILLER) and the gentleman from Minnesota (Mr. BRUCE VENTO) were with us, and we went up to Three Mile Island in a bus to check out the accident. And we pulled in with a bus, up within 10 feet of those looming, eerie cooling towers, with radioactivity permeating every inch, and we were going to go inside. And Mo, deadpanned, as we were sitting there looking at this facility, looked at each of us and said, "Men, I hope you each wore your lead-lined jock strap today. This could be serious." And so we went in laughing, even with our apprehension, because this was Mo's way of taking even the most serious moment and ensuring that he had found the light-hearted way of looking at it.

As my colleagues know, we each vote with a card, and the card is something that registers our vote. We put it in a machine and then, in this accommodation between the Daughters of the American Revolution and technology that was cut in this chamber in the early 1960s, our names all flash up on the side of the wall. And 15 minutes after the vote begins, they all disappear and the chamber goes back to how it was in 1858. And when each of us vote, our vote is recorded up there, yea or nay.

Well, every time I walked in the door for 15 years I looked up to see how Mo Udall had voted, because I knew that Mo Udall would cast the correct vote, the right vote, and I could measure myself by whether or not I had the political courage or wisdom to vote the way he did at that time. But I was not the only one who did that, Mr. Speaker. Scores of other people came in the chamber each time, during all the time I was in Congress, and looked up at that wall to find out how he had voted.

In those final years, when he had Parkinson's, this terrible disease which traps the mind inside a body that will not function the way it wants, that mind, that sense of humor, that insight was still inside of him and still speaking, still talking to us, even though it was hampered by this physical ailment that ultimately took him. And I think one of the things that we can do for Mo over the next year is to make sure that for the Parkinson's patients, for the Alzheimer's families that saw this huge cut in home health care in the 1997 balanced budget amendment, that cut by 20, 30 or 40 percent the amount of home visits that these spouses can have as relief from this disease as they try to care for their families, is that we can make sure that we restore all that money; that we give to these families what they need in order to give the dignity to their family member that they

love so much. And in Mo Udall's memory, I think that that would be a worthy objective for us to try to achieve this year.

Mo, without question, was one of my idols. I revered him and I loved him and I am going to miss him dearly, and I thank my colleagues so much for holding this special order.

Mr. KOLBE. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. VENTO), who did serve on the Interior Committee with him and knows very well the legacy of Mo Udall.

Mr. VENTO. Mr. Speaker, I thank the gentleman from Arizona (Mr. KOLBE), a good friend, for yielding me this time in true bipartisan spirit here. Mo would be proud of us today in terms of our working together on many tough topics. And certainly I want to rise in strong support of this concurrent resolution that my colleagues, the gentleman from Arizona (Mr. PASTOR) and the gentleman from Arizona (Mr. KOLBE), have joined together on with other members of the Arizona delegation.

Frankly, Mo Udall did not just belong to Arizona, he was one of our great treasures and one of our great mentors as a national legislator in this Congress. And, clearly, his long illness and his final passing this December is something that I think haunts all of us when we think about the terrible disease that wracked his body. But I suspect he suffered on through all of that just to make certain there were two Udalls that were elected to Congress to take his place and to pass the torch along to. Indeed, I am sure they, in their own way, will be making their mark in this institution, and I congratulate them on their victories and look forward to working with them, as I did with their uncle and father, Mo Udall.

If it were not for Mo Udall, many of us would not be able to get up and give very many speeches, because in much of the content of our speeches we could be accused of using and reusing his stories. One of the great ones, that I always thought came across pretty well, was when he referred to two types of Members of Congress: "Those that don't know; and those that don't know they don't know."

I think he probably put us in our place as it relates to the size of our ego, which does not necessarily grow with the size of what we know. One tends to exceed the other. But I think it reminds us of the fact of what the real process is that we work on around here. I often lately have been quoting and saying that our job in Congress is not so difficult, all we have to do is take new knowledge and new information and translate it into public policy. Of course, the fact is most of us do not hold still long enough to stop and listen to what is being said sometimes to properly process it.

I am glad that plagiarism does not apply to political statements or we

would all be guilty of the same. But in imitating and following in the footsteps of Mo Udall, in a modest way, myself and my other colleagues working on environmental issues on a non-partisan basis, I think we really reach for the highest ideal in terms of public service. I am very proud of that, and the lessons I have learned from him and the quotations that I have borrowed from him and the progress that we have made.

Almost every issue that came before this Congress during his service in the Congress, serving on what we call two minor committees on the Democratic side, Post Office and Civil Service and Interior and Insular Affairs, serving on these two minor committees, he made a major impact in terms of the friendships that he made and in terms of the work that he did and the legislation that he wrote. Today is the foundation. We stand on those shoulders.

Our goal today is to, of course, look ahead further, to do a better job, to build on that record of progress. And certainly in this resolution I want to state my respect, my affection and my love for this great American from Arizona who we all benefitted from and who is our great mentor. I am glad to give him the credit and the recognition that is provided in this resolution, and again ask everyone to support it, and thank my colleagues for offering it.

Mr. PASTOR. Mr. Speaker, I yield myself such time as I may consume to thank my colleague, the gentleman from Minnesota (Mr. VENTO), for informing me of which category I fall in. It is the latter rather than the former. So I want to thank him.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. GEORGE MILLER), the ranking member of the committee on which Mo served as chairman for many years.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman from Arizona (Mr. KOLBE) for bringing this special order to the floor, as well as the gentleman from Arizona (Mr. PASTOR).

We obviously are paying tribute to a great American and a legend in terms of his membership of this House, Mo Udall. He was one of the few Members of Congress that ever was able to enjoy a national constituency because of the issues that he struggled with and the leadership that he provided. He was able to change the face of his home State, Arizona; to change the economics of that State because of his interest in western water policy and his involvement there.

We sit in a Nation today where the eastern most point is named Point Udall and the western most point is named Point Udall. And in between Mo Udall fought titanic struggles, titanic struggles over the public lands of the United States, in the lower 48, in Alas-

ka, to make sure that, in fact, the great environmental assets of this Nation were protected and preserved for future generations.

He took lands that were going to be subjected to dynamiting and desecration and he fought to save those lands. These were not easy battles when he fought them. These were titanic struggles against powerful mining companies and powerful oil companies and powerful timber companies, and he was there in the forefront. He did not fight for 1 year, he fought for many years. He fought until he had succeeded. And, now, many areas of this country enjoy a better economy, they enjoy protection of their rivers, their forests, their public lands because of Mo Udall.

Native Americans enjoy much greater involvement in the government of this Nation, in their ability to govern themselves, to have much more say over how this government treats them and involvement in the policies accorded them.

□ 1300

Those are the gifts that he gave this Nation. But he also gave this body and gave the political system in this country the gift of his humor and his wit. He would treat his enemies and his friends alike. He would answer them with gentle humor very often, subtly pointing out the failure of their arguments and the failure of their point of view, but he did it in such a fashion that he took to heart the idea that in politics, you ought to try to disagree without being disagreeable, clearly a change from what we experience today. But that was the gift that he gave us and that is why so many of us enjoyed being around him.

I was fortunate enough to succeed Mo as chairman of the House Interior Committee and when I did, we named the hearing room for him. We thought it was fitting when you look back on his environmental legacy, his legislative legacy that clearly it was a tribute that he deserved, somewhat modest compared to his legacy, but I think it is one that is quite properly deserved.

I also think that it must have been enormously satisfying prior to Mo's passing away to know that his son MARK would be serving in Congress and his nephew TOM would be here with him. I only wish that he would have known that they had been selected on the Interior Committee, the Interior Committee that he gave so much standing and dignity to.

Finally, you cannot end a discussion of Mo Udall without a Mo Udall story. Of course the one he told most often on himself was the business of when he was campaigning in New Hampshire, he went into a barber shop and he announced, "I'm Mo Udall, I'm running for President," only to be greeted by the response, "Yeah, we were just laughing about that this morning." That is exactly how he so disarmed audiences all over this country, who came sometimes with preconceived notions

but they left the room loving him. He fought a titanic struggle in Alaska, a huge struggle over the preservation of public lands. He was not well-liked in Alaska. They told him never to come back, that he was not welcome there. I had the opportunity to travel with him on his last trip to Alaska and the reporters asked him at the end of the trip, after we had visited the State and many of the areas that were in controversy, and a reporter asked him, "How did the people of Alaska treat you, Congressman Udall, this trip, compared to when you were here before?"

He says, "Oh, it's much better now. They're waving good-bye with all five fingers. It's much better now." That was from a man that it was a true pleasure to serve under in the Committee on Resources that clearly was a member of this House.

Mr. KOLBE. Mr. Chairman, I yield such time as he may consume 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 personally want to thank the gentleman from Arizona for allowing me such time to share my thoughts with my colleagues and certainly with the American people concerning this great American.

Mr. Speaker, I first met Congressman Udall in 1975 when I became a staffer for the House Committee on Interior and Insular Affairs. He became chairman of the committee in 1977 and used this position very effectively in support of our Nation's environmental needs. During his 30-year career in the House, he was known for his considerable legislative accomplishments, his unflinching grace, and was respected by all those who knew him.

Mr. Speaker, known as one of the more liberal Members of the House, his ideas were opposed by many but have since come to be recognized as part of our national evolution. His legislative accomplishments were noteworthy: Strip mine control legislation, protection of millions of acres of Federal lands as wilderness, revision of Federal pay system, establishment of the Postal Service as a semiprivate organization, reform of the Civil Service to promote merit pay, more flexibility for Federal managers, and the enactment of the first meaningful laws governing the financing of Federal campaigns.

Mr. Speaker, earlier in his career he was a professional basketball player, lawyer, county attorney, lecturer and cofounder of even a bank. He ran for the Democratic presidential nomination in 1976.

Mr. Speaker, Mo Udall ran for the Speaker of this institution against Representative John McCormick in 1969. Like another of my heroes, the late Congressman Phil Burton, Mo Udall lost his race for a leadership position and then devoted his efforts to

legislative work. As a Nation we continue to benefit from Congressman Udall's work on broad environmental issues and Congressman Burton's work for our national parks.

I am honored, Mr. Speaker, to have considered Mo Udall a true friend and am further honored to make this tribute to him. This resolution recognizes his achievements and he will live on in the memories of those who knew him for decades to come.

Mr. Speaker, Mo Udall's legacy will be remembered by Members of this institution and for the past years, for now and even for future generations to come, millions of Americans will come to enjoy the beauty of our national parks, our rivers, our national refuges and wildernesses all because one man made a difference, struggling very hard in very difficult times to pass national legislation to preserve these national treasures. Mo Udall's name will never be forgotten.

Mr. Speaker, one of the things that I admired most about this great man, this great American, is that he truly had a love and affection for the Native American people. I recall, Mr. Speaker, in the movie "Dances with Wolves," if you remember that one incident where Kevin Costner was walking along the riverside or the meadows with this Indian chief and this Indian chief turned to Kevin Costner and said, "You know, my most, if there is anything that I want to be in my life, was to become a true human being."

I would like to say on behalf of all the Samoans living here in the United States, I pay a special tribute to Mo Udall. He was truly a human being.

Mr. PASTOR. Mr. Speaker, I yield 4 minutes to the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Mr. Speaker, I thank the gentleman from Arizona for yielding me this time and certainly to stand in strong support for H.Con.Res. 40, honoring former Congressman Morris Udall.

It is an honor for me to appear here today and to support and commemorate the accomplishment of Congressman Udall, especially as a representative from one of the U.S. territories. As my colleagues have so eloquently stated already numerous times, Mr. Udall, Mo Udall, was instrumental in improving the political process of this body and indeed of the entire Nation. We have also heard many stories about how he was a proponent and a champion for preserving the environment and that not only do we enjoy that today but future generations will enjoy that as well.

His influence, though, extends way beyond the coast, the East Coast and the West Coast of the United States. Sometimes Members of Congress come here and basically they try to simply represent the constituencies that brought them here. Other times some Members of Congress come here and they try to represent broader national values, an effort on their part to speak

to broader values which speak to the essence of what we are as a Nation. Very rarely do we get a person like Mo Udall who not only spoke to the broader national values but he spoke to them by taking on the cause of constituencies not his own, constituencies that could not possibly benefit him politically in any way.

And so it is in that spirit that I as a representative of a territory, a nonvoting delegate, stand here today to bring some recognition to his work with the territories. I want to pay special honor to his work in bringing about the Compacts of Free Association between the United States and the Republic of Palau, a time when the political environment in Palau was very hazardous, very unstable. Congressman Udall tempered the emotions and helped generate House support for the Compacts of Free Association in Palau, and as a result of that, he shepherded that compact to its final fruition.

Congressman Udall was also instrumental in getting the Puerto Rico Self-Determination Act passed by the House on a voice vote. In Guam's case, he was very instrumental in bringing about a meeting in 1983 with House leadership and administration officials to discuss Guam's political status. Based on that meeting there was a later meeting in Albuquerque, and this led to what is known in Guam as the Spirit of Albuquerque, in which a commonwealth draft act was presented. Although that draft act has not come to pass this House in all these years, Mo Udall was there in the beginning.

In an ironic way, Mo Udall fell to the disease of Parkinson's disease, a constellation of diseases which occur on Guam at 17 times the national rate, most often known in Guam as litiku bodek. In his honor and in his memory, we should make sure that this funding for research on this disease as a way to prevent it from occurring in future generations and dealing with those who are afflicted by it today should be passed and should be dealt with in a very supportive way by this body.

I also want to draw attention to something that the gentleman from California (Mr. GEORGE MILLER) mentioned earlier. The easternmost part of the United States is in the Virgin Islands and that is named after Stewart Udall. The westernmost part of the United States is in Guam and there is a tiny rock out there that the people of Guam have decided to honor Mo Udall by naming it after him. So from the easternmost to the westernmost, the Udall name is there forever.

Mr. KOLBE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding me this time. I thank the gentleman from Arizona (Mr. KOLBE) and

the gentleman from Arizona (Mr. PASTOR) for organizing this resolution in honor of Mo Udall.

I never met Mo Udall. The only way I knew him was by reading about the issues that he stood for, the actions that he took in Congress, and as a leader. I always admired him. In 1976, long before I was ever elected to city, State or Federal Government, as a public citizen I endorsed him and even sent him a check when he ran for President, because I liked what he was doing on a national level, and I wanted his leadership to be felt even more in our country. I never served with him as many of my colleagues are sharing their stories and memories, but when I joined this body, it was hard to go to a caucus meeting or a large meeting where his name was not referred to, where my colleagues quoted him or referred to the actions that he achieved or the goals that he stood for. He was greatly admired by those who worked and served with him.

I consider it a great honor, and I am sure he would, too, that his son and nephew have joined this body and will be working along the same principles and goals that he did. Today there are a number of important tributes to Mo Udall. There is a memorial service at 2, there is a dinner tonight honoring him, and there is probably no greater way to honor him and his work than by a living tribute. This morning, in a bipartisan spirit, as we are today on this floor, the gentleman from Michigan (Mr. UPTON) and myself and many others have started a Parkinson's task force in honor of Mo Udall and others who have suffered from this terrible disease. We hope to achieve a cure within 10 years. The current director of the National Institutes of Health says that it is achievable. Last year, \$100 million was authorized for Parkinson's disease research. We need to work together to make sure this money is appropriated so that we can find a cure for Parkinson's so that others will not suffer in their final days as he did.

Mr. PASTOR. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. Udall), a new Member and also Mo's son.

Mr. UDALL of Colorado. Mr. Speaker, I thank the gentleman from Arizona for yielding me this time. I want to begin by acknowledging that a number of my family members are in the gallery up here and on behalf of them and all of our family around the country, I want to extend our deep appreciation to a number of people.

First let me begin by thanking the entire Arizona delegation, starting with Mr. KOLBE and Mr. PASTOR, and including Mr. SALMON, Mr. HAYWORTH, Mr. STUMP and Mr. SHADEGG for their cosponsorship of this resolution today. I also want to thank all my father's colleagues and now my colleagues who have come out and taken the time today to speak during this resolution. We are very grateful for that and for the memories and the stories and, of

course, the humor that you have shared with us today.

□ 1315

I also want to thank my colleague, the gentleman from Arizona (Mr. KOLBE), for bringing this piece of legislation forward that would rename this magnificent national forest in Arizona after my father. I cannot think of anything that would make him more proud and more happy.

Those of my colleagues who spent time with my father know that when he was out of doors and he was breathing that sweet air and looking at those faraway vistas, that he was never happier and never felt more alive than he did in those kinds of situations. So, this is truly an important and great symbol of what my father stood for.

Mr. Speaker, I feel a little awkward talking at great length about my father. I think that is in some ways an important job that my colleagues here and his friends and my family can undertake. But I did want to share a couple of thoughts, not only as a Member of this body as an elected official but as my father's son.

I spent the last year running for office in Colorado, and I was asked, as we all are, why would I want to do this, why would I want to undertake such a challenge involving the fund-raising stresses and the separation from your family and the lost sleep and the epithets that are hurled our way as somebody who is campaigning for office, and I had three answers:

The first is that I care deeply about some of the issues facing our country, as I think do all the Members of Congress, whether it be education or the environment or health care, and those are important to me, but they were not the most important thing.

The second thing was that I had a deep commitment to public service, and I was mindful of my father's thoughts that we do not inherit the earth from our parents, but in fact we borrow the earth from our children. And, in addition, he loved to say:

"Hey, America ain't perfect, but we're not done yet."

Those sentiments also drove me. That was the second reason I ran.

But, ultimately, when I thought about it, it was something more personal than that. What it was was that my father inspired me, and he inspired me by what he did and by how he carried himself, but he also inspired me because he went out every day with the idea that he was going to inspire other people, and that commitment on his part inspired me to want to emulate the kinds of commitments and the kinds of things that he achieved in his life.

So, Mr. Speaker, I would ask all of us in this body to remember that as we move ahead, and I think in the end we honor my father's memory and we honor his achievements by continuing to try to inspire others around us and, finally, by carrying that torch of civil-

ity as high and as brightly as we possibly can. We heard a lot about my father's great belief in civility today.

Again, I thank all of my colleagues on behalf of my family.

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

Mr. Speaker, those of us from Arizona have known of the contribution of public service, beginning with the Udalls as they came into Arizona, were at the forefront of providing leadership in St. Johns and other parts of Arizona and when they came into the valley.

The district was first represented by Stewart Udall very ably. He became the Secretary of Interior, was succeeded by Morris K. Udall, and my colleagues heard of the great contributions they gave, not only to Arizona, to District 2, but to all America.

Mr. Speaker, Mo Udall was an inspiration not only to his son and to his nephew and to his family, but he was an inspiration to all of us, because we knew that if there was a wrong that needed to be corrected, that Mo was there, and he inspired us to continue that effort. If there was a need to preserve a piece of land, a forest, he inspired us to continue that effort, not only for ourselves, but for future generations. I know that Mo, his legacy will continue in the future because of what he did, and that was to make this country a better place to live for not only our generation but for future generations.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SESSIONS). The Chair will remind all Members not to refer to occupants of the gallery.

Mr. KOLBE. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, I thank my friend for yielding this time to me, and I apologize for not being here in a more timely manner.

I just want to thank the gentleman from Arizona and my dear colleague, the chief deputy whip, the gentleman from Arizona (Mr. PASTOR), for his bringing this issue of importance to us on the floor today. It is important because Mo Udall was a very special person, loved by virtually everybody that I knew that served with him in this institution.

Mr. Speaker, I had the great honor of working with him on the Alaska lands bill. It was one of the first things that I involved myself in when I came to the Congress on the Merchant Marine Committee. He, of course, was a giant, one of the giants together with his brother, Stewart, in the environmental movement in this country, chairman of the Interior Committee, and it was a magnificent effort on Alaska that will live in the memory of this country for centuries.

Mr. Speaker, he was just a joy to work with.

The other bill I worked with him on was the Civil Service bill in which he showed great leadership, great patience

with a very young Member of Congress at that time, and his kindness, his humor, will always be remembered.

I just want to say to MARK, his son, and to TOM, his nephew, and to the family how much I have been enriched by his presence and his life.

I will tell my colleagues one quick story, if I might, on his popularity. Nobody knew him from Adam in my congressional district. In 1976, he ran for President, came to Michigan, was a big underdog to Jimmy Carter. The unions, heads of the unions, the head of the auto companies, front page of the Detroit papers had endorsed Carter. He came into that State and taught a message that responded to the common individual and did very, very well. I think, if he did not win, he lost by a half a percent. I think he may actually have won Michigan that year. But he won my district with 62 percent, and that is significant, because 4 years earlier George Wallace won my district by the exact same amount. It shows, as my colleagues know, he had a way of reaching people in a very special way with his humor, with his passion, with his commitment, and he will always be remembered in my mind as certainly one of the giants that ever walked into this well.

Mr. Speaker, I thank both of my colleagues from Arizona, and I thank my friend from Colorado for bringing this today.

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

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding this time to me and our colleague, the gentleman from Arizona (Mr. KOLBE).

Mr. Speaker, as a representative of San Francisco in the Congress, I wanted to speak because many of the people in our region, even though we were not represented officially by Mo Udall in the Congress, certainly have considered him a leader on many of the issues of concern to our area. He had political alliances with the Burton family in San Francisco, and now that I represent San Francisco I wanted to speak for my constituents in honoring Mo Udall.

I think that any of us who served with Mo would say that one of the great privileges of our political lives was to be able to call him a colleague. He served with such great intellect and, of course, humor, as we have all heard. He was a teacher to us in many ways, as a colleague; and he was a teacher, of course, in his later years with the dignity with which he faced his challenge.

We are very fortunate. I know that Mo was very pleased with the gentleman from Arizona (Mr. PASTOR) coming to Congress to serve the great State of Arizona; and I also know, we all know, what a thrill and what a joy it was to Mo to have his son, MARK, and his nephew, TOM, serve in this Congress. What a perfect way for his life to end, to see the tradition of greatness

and dignity live on in this body, and Lord knows where the tradition will go from here.

I wanted to make one point about the environment, however, because, as we all know, Mo was born in desert country, but he fell in love with the snow-capped Alaska wilderness and its vast beauty that was so unlike his roots. After a trip there, Mo spent a good portion of his service in Congress dedicated to the protection of the great Alaskan wilderness.

He was responsible for the Alaska Native Claims Settlement Act, which transferred 55 million acres of land to the Alaska natives; and he was successful in imposing a prohibition on energy development in the Arctic National Wildlife Refuge. I bring this up because my constituent, Dr. Edgar Wayburn, worked with him on that.

I know my time has expired. I will submit the rest of my statement for the RECORD, but I say of Mo it was not only that he represented his area so well, he was a leader for our entire great country.

Morris K. Udall—Mo to everyone—was a giant in this Congress and in all aspects of his life. After dedicating a lifetime to protecting our national treasures, he became one.

Born in the desert country, he fell in love with the snow-capped Alaska wilderness and its vast beauty that was so unlike his roots. After a trip there, Mo Udall spent a good portion of his service in Congress dedicated to the protection of Alaska's great wilderness.

He was responsible for the Alaska Native Claims Settlement Act which transferred 55 million acres of land to Alaska's natives and he was successful in imposing a prohibition on energy development in the Arctic National Wildlife Refuge.

I am pleased to note that one of my constituents, 92-year-old Dr. Edgar Wayburn of the Sierra Club, worked tirelessly with Chairman Udall to protest these lands. Mo Udall's contributions to protecting our environment and preserving the American landscape reached far beyond Arizona, and his work has touched all our lives and the lives of our children.

In Congress, we will continue to work to honor Mo's memory and seek passage of the Morris K. Udall Wilderness Act to provide permanent protection to the Arctic National Wildlife Refuge. In the last Congress, this legislation had 150 cosponsors. It is the most appropriate means to honor this great Congressman and environmentalist.

You might think a person would lose their sense of humor after suffering defeat—not so for Mo Udall. Success eluded him in his run in the Presidential primaries of 1976 and in his two runs at election for House Speaker.

Mo never abandoned His humor—if you're running for leadership, "you've got to know the difference between a cactus and a caucus."

We are particularly fortunate to have Mo's son, MARK, serving in Congress to carry on the Udall tradition with his cousin, TOM. MARK has stated about his father, "He taught me that humor is essential to the workings of a strong democracy. He taught me to take your work seriously, but not yourself too seriously." I am pleased to serve with the new "Udall Team" in Congress.

Mo Udall imparted great lessons to all of us. On Vietnam, "I am unhappy because we are involved in this war at all. As far as I am concerned, it is the wrong war in the wrong place at the wrong time." On environmental stewardship, "We hear a lot of talk about our American heritage and what we'll leave our children and grandchildren. The ancient Athenians had an oath that read in part: 'We will transmit this city not only not less, but greater and more beautiful than it was transmitted to us.'"

Mo Udall may have lost many battles, and his greatest last battle against Parkinson's Disease, but he was a winner for our nation and leaves a legacy of outstanding leadership, a model for all of us serving in Congress. Before his death, Mo was honored with the Presidential Medal of Freedom in 1996.

Our country is blessed by his life, from 1922 to 1998, and from his work on behalf of the environment, civil service reform, campaign finance and myriad other initiatives to improve people's lives. Mo Udall was a captivating individual who is remembered by his engaging wit, his humility, his perseverance and incomparable accomplishment.

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

In closing this, and "debate" is not the right word for it, closing these discussions, these eulogies, these wonderful statements that have been made here today and before yielding back the balancing of my time, let me just say to my colleagues that I think the words that have been spoken here on the floor give only a very partial sketch of this wonderful person who we all knew as Mo Udall because he was such a giant there really are not enough colors in the palette to paint this wonderful person.

It is hard to think what about Mo Udall I would want most to remember, whether it is his legacy of the environment, the courage that he had of speaking out on Vietnam back in the 1960s, what he did for Native Americans. But I think I would choose to think of the civility that he brought to this body, Mo Udall's sense of humor, his self-deprecation. He was an individual who never took himself so seriously that he lost sight of where he came from or where he was going, and I think that really is the legacy that all of us in this body would do well each day and each week and each year to remember. If we do, we will not only be better as human beings, but this will be a better body, and this will be a better country.

Mr. Speaker, I would like to remind my colleagues and all others who either knew Mo Udall or did not know him but loved him and know of what he has done that this afternoon, in just 30 minutes, at 2 o'clock in the Cannon Caucus Room, there will be a memorial service to honor him.

Mr. STUMP. Mr. Speaker, in the history of those who have served in the House, relatively few names will appear to date as Members from the State of Arizona. Those who have served may be few in numbers, but they have made a difference in this House and on behalf of our State.

Such was certainly the case of Arizona's Mo Udall. The demeanor with which we conduct

our business in this House will forever be influenced by Mo. We can disagree, but Mo demonstrated time and again that humor will insure that we do not have to be disagreeable.

It is no secret that politically, Mo and I were on opposite sides of the political spectrum, but when it came to Arizona, we could work together as well as any two Members. His legacy in Arizona is really twofold. We both came from a generation that saw Arizona boom from a State of small communities in rural environment to aggressive growth in full-fledged urban areas. What made Arizona attractive to so many from around the country, the lifestyle and the uniqueness and beauty of the environment, were the focus of Mo's work in Arizona. While he worked tirelessly to protect Arizona's grandeur and protect it for future generations, he was also instrumental in insuring that Arizona had the resources she needed to support a growing population and economy. Protection through wilderness areas, and water through the Central Arizona Project. Such were the dichotomies of Mo Udall.

Mo earned people's respect through listening, hard work, humor, and compromise. He certainly earned mine.

Mr. RAHALL. Mr. Speaker, I join my colleagues today in paying tribute to Mo Udall, and would note that two Udalls, MARK and TOM, are Members of the 106th Congress and are carrying on the legacy set by Mo and his brother Stewart.

There are those today who will speak about Mo Udall, the gentleman from Arizona. Mo Udall, the Presidential candidate. Mo Udall, the powerful chairman of the Committee on Interior and Insular Affairs and his vast legislative accomplishments. Mo Udall, the man.

I share the sentiments of my colleagues in these matters. As a freshman Member of Congress I began serving on the Interior Committee in 1977, the year Mo became its chairman. Under Mo's leadership, the years that followed were extremely productive for the committee. Many of Mo's legislative initiatives were enacted into law, such as the Alaskan Lands Act. Under Mo Udall's guidance the committee produced a legendary amount of wilderness and park legislation that will stand as testimony to the will and foresight of this great man.

Others will speak to those issues. I will speak to but one of Mo Udall's legislative achievements; one that left its mark on the lives of every citizen of this Nation's coalfields: The landmark Surface Mining Control and Reclamation Act of 1977.

Mr. Speaker, for many years leading up to the enactment of this law, the gentleman from Arizona saw what was occurring in the Appalachian coalfields of this Nation due to unregulated surface coal mining. By the 1970's, it became increasingly clear that the proliferation of acidified streams, highwalls, refuse piles, open mine shafts, and other hazards associated with past coal mining practices could not be ignored.

It was on February 26, 1972, that a coal waste dam located on Buffalo Creek in Logan County, WV, collapsed causing a flood of truly horrible proportions in loss of life, injuries, property damage, and people left homeless.

This disaster, coupled with mounting concerns over the failure of several States to properly regulate mining, ensure reclamation and the development of surface coal mining in the semiarid West for the first time raised the

level of public attention to the plight of coal-field citizens adversely affected by certain coal mining practices from a local, to a truly national, level.

The Congressional debates of the mid-1970's, and bills passed only to be vetoed, set the stage for Mo Udall's introduction of H.R. 2 on the opening day of the 95th Congress in 1977.

As a newly elected Representative from West Virginia, I was honored to serve on the Interior Committee at this time, at the very time when Mo Udall took the leadership reins of the Committee, at the very time when after years of struggle it looked likely that a federal strip mining act would pass muster. I was given a great compliment when Mo Udall chose this freshman Member from West Virginia to serve on the House-Senate Conference Committee on H.R. 2, and stood in the Rose Garden with President Carter and Mo Udall when the bill was signed into law as the Surface Mining Control and Reclamation Act of 1977.

This law has served the people of the Appalachian coalfields well. It has made the coalfields of this Nation a much better place in which to live. The vast majority of the coal industry is in compliance with the law, and countless acres of old abandoned coal mine lands have been reclaimed under the special fund established by the act.

Mo Udall's original insight and foresight have proven correct and we are very much indebted to him. When God made the mountains of my home State of West Virginia, he made a special breed of people to preside over them. We are born of the mountains and hollows of our rugged terrain. Our State motto is "montani semper liberi"—mountaineers are always free. Although Mo Udall is from the southwest, from Arizona, he understood us. He understood the true beauty of our hills and hollows. He is, in my mind, an honorary West Virginian. And his years of diligence in not only gaining the enactment of the 1977 law, but in pursuing its implementation, will be long remembered by all West Virginians.

Now, if Mo was here, I can imagine what he would say. He would tell the story about a young man at a banquet. This young man was getting an award and he was flustered and he said, "I sure don't appreciate it, but I really do deserve it."

Mo turned over responsibility on the committee for the surface mining act to this gentleman from West Virginia, his chairman of the Subcommittee on Mining and Natural Resources. As I undertake my duties in this regard, the words Mo spoke on the 10-year anniversary of the enactment of the 1977 law ring in my ears: "The act was, and is, more than a piece of legislation. It is a vehicle of hope for those who live and who will live in America's coalfields." Mo left some big shoes to fill.

Mr. Speaker, I cannot conclude without making note of one other mining initiative. Mo understood what was occurring in the coalfields. But he also understood the abuses that took place in the West, in hardrock mining for copper, gold, silver and other such minerals under the Mining Law of 1872.

It was also in 1977 that the effort to reform the Mining Law of 1872 came to a head. Mo Udall, a reform supporter, however, found that the press of Committee business and other considerations would cause this particular initiative to be shelved for the time being.

Ten years later, in 1987, as his Mining Subcommittee chairman I resurrected the issue and today, mining law reform legislation is being actively considered by the Congress. Mo, I will do my best to use the same judgment, same humor, you would bring to the debate. Mo Udall, this one piece of unfinished business, once completed, is for you.

God bless you, Mo Udall.

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

The previous question was ordered. The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 40, the concurrent resolution just adopted.

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

There was no objection.

ADJOURNMENT TO MONDAY, MARCH 8, 1999

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next.

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

There was no objection.

HOUR OF MEETING ON TUESDAY, MARCH 9, 1999

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, March 8, 1999, it adjourn to meet at 10:30 a.m. on Tuesday, March 9, for morning hour debates.

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

There was no objection.

□ 1330

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON THE JUDICIARY

The Speaker pro tempore laid before the House the following resignation as

member of the Committee on the Judiciary:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATIONAL SECURITY,
Washington, DC, February 25, 1999.

Hon. DENNIS J. HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I hereby request a rescission of my waiver to serve on three standing committees of the House and submit my withdrawal from the Judiciary Committee effective immediately.

Sincerely,

STEVE BUYER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

WE NEED AN EFFECTIVE, GLOBAL SOLUTION TO ADDRESS THE STEEL CRISIS

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

Mr. QUINN. Mr. Speaker, I rise today as chairman of the Executive Committee of the Congressional Steel Caucus to ask the House to direct our attention at the ongoing steel crisis in the United States. Because the U.S. remains the world's steel dumping ground, we need an effective global solution now to address the serious injury being done to America's steel companies, our employees, and our communities.

Unfortunately, the administration's recent announcements of tentative steel agreements with Russia go in exactly the opposite direction of what is required. These agreements deny the

petitioners the relief they are entitled to under law, and U.S. steel companies and employees strongly oppose the agreements.

I agree with what the petitioners said in their February 22nd statement, that the way to help Russia is not by sacrificing the jobs and property of private sector industries and our modern world-class steel industry.

Mr. Speaker, I include for the RECORD American Iron and Steel's February 19th Import Release, and the February 22nd reaction.

The material referred to is as follows:

[News Release]

1998 STEEL IMPORTS OF 41.5 MILLION TONS HIGHEST EVER—ANNUAL TOTAL EXCEEDS 1997 RECORD BY ONE-THIRD 4TH QUARTER IMPORTS UP 55 PERCENT FROM SAME PERIOD LAST YEAR

WASHINGTON, D.C.—In 1998, the United States had the highest import tonnage ever, 41,519,000 net tons of steel mill products, up 33.3 percent from the previous record of 31,156,000 net tons imported in 1997, the American Iron and Steel Institute (AISI) reported today, based on a compilation of U.S. Department of Commerce data. The 1998 import tonnage was 77 percent higher than the annual average for imports over the previous eight years. Total imports in 1998 accounted for 30 percent of apparent consumption, up from 24 percent in the same period of 1997. Fourth quarter imports in 1998, at 11,002,000 net tons, were 55 percent greater than the 7,080,000 net tons imported in the fourth quarter of 1997.

The U.S. imported 2,861,000 net tons in December 1998, up 35.6 percent from the 2,110,000 net tons imported in December 1997. December 1998 imports accounted for 29.0 percent of apparent consumption, up from 20.6 percent a year earlier.

With respect to finished steel imports, 1998 was also a record. The total for the year was 34,744,000 net tons. Of the total December

1998 imports, finished products were 2,443,000 net tons, up 41 percent from the 1,733,000 net tons imported in December 1997. Excluding semifinished, imports in 1998 were 26 percent of U.S. apparent consumption.

As the chart on page 3 shows, steel imports in 1998 surged from many countries. Comparing fourth quarter 1998 with same period 1997, imports were up 141 percent from Japan; up 162 percent from Russia; up 102 percent from Korea; up 65 percent from Brazil; and up substantially from many other countries, e.g., Indonesia (up 553 percent), India (up 365 percent), China (up 131 percent), South Africa (up 73 percent) and Australia (up 38 percent).

Comparing fourth quarter 1998 product totals with same period 1997: the 2,708,000 net tons for hot rolled sheet were up 112 percent, the 1,222,000 net tons for cold rolled sheet were up 42 percent; the 871,000 net tons for plate in coil were up 181 percent; the 706,000 net tons for structural shapes were up 130 percent; the 575,000 net tons for cut-to-length plate were up 180 percent; and the 523,000 net tons for galvanized HD sheet and strip were up 24 percent.

In response to the December and full-year 1998 import data, Andrew G. Sharkey, III, AISI President and CEO, said this: "In 1998, the U.S. had a steel crisis caused by unprecedented levels of unfairly traded and injurious steel imports. The factors that caused this crisis remain. The December level itself is too high to avoid sustained injury to U.S. steel companies, employees and communities. Any December decline can be directly tied to the pending trade litigation on a single product category; hot rolled carbon steel, from three countries—Japan, Russia and Brazil. America's current steel import problem is global. The U.S. steel import crisis continues."

Total 1998 exports of 5,519,000 net tons were 9 percent lower than the 6,036,000 net tons exported in 1997. The U.S. exported 386,000 net tons of steel mill products in December 1998, down 29 percent from the 512,000 net tons exported in December 1997.

U.S. IMPORTS OF STEEL MILL PRODUCTS—BY COUNTRY OF ORIGIN
(Thousands of net tons)

	Dec 1998	Nov 1998	Dec 1997	12/98 vs 12/97 % change	12 Mos 1998	12 Mos 1997	Ytd % change
European Union	540	656	481	12	7214	7,482	-4
Japan	436	828	199	119	6728	2,554	163
Canada	341	381	380	-10	4914	4,775	3
Brazil	252	297	185	36	2729	2,851	-4
Mexico	250	207	133	88	3167	3,312	-4
Korea	239	327	136	76	3430	1,638	109
Russia	167	738	133	26	5274	3,319	59
China	66	61	41	61	632	477	32
Australia	54	58	80	-33	951	439	117
South Africa	43	54	19	126	649	315	106
Indonesia	42	37	19	121	542	91	496
Turkey	40	53	57	-30	527	614	-14
India	31	2	3	933	377	194	94
Ukraine	24	68	70	-66	882	581	52
Others	336	264	174	93	3504	2515	39
Total	2861	4031	2110	36	41,520	31,157	33

	4th Qtr. 1998	4th Qtr. 1997	4Q 1998 vs 4Q 1997 % change
Japan	2146	890	141
European Union	1883	1,752	7
Russia	1508	576	162
Canada	1132	1,156	-2
Korea	859	426	102
Brazil	738	447	65
Mexico	626	646	-3
Australia	247	179	38
China	210	91	131
Indonesia	196	30	553
South Africa	157	91	73
Africa			
Ukraine	155	164	-5
Turkey	110	178	-38
India	79	17	365
Others	956	437	119

	4th Qtr. 1998	4th Qtr. 1997	4Q 1998 vs 4Q 1997 % change
Total	11002	7,080	55

RUSSIAN AGREEMENTS ON STEEL EXPORTS TO U.S.

Washington, D.C., February 22, 1999. Bethlehem Steel Corporation, U.S. Steel Group, a unit of USX Corporation, LTV Steel Company, Ispat/Inland Inc., National Steel Corp., Weirton Steel, Gulf States Steel, Inc., Ipsco Steel Inc., Gallatin Steel, Steel Dynamics, and the Independent Steel Workers Union made the following statement in response to the announcement that the Administration has reached agreements with the Russian government to settle the hot-rolled steel

dumping case and to limit other steel exports to the U.S.

Suspension agreement

We continue to oppose a suspension agreement. It is contrary to applicable laws and is inconsistent with the Administration's own recent critical circumstances finding. Further, it is contrary to the plan to respond to steel imports which the President submitted to the Congress in January.

While we welcome the extremely high preliminary margins ranging from 71 to 218% found by the Department in its investigation, we deeply regret that the Department does not want to allow this prescribed remedy to go into effect.

Imports of Russian hot-rolled have increased 700% from 508,000 metric tons in 1995

to 3,468,000 metric tons in 1998, and they have been sold at dumped prices substantially below the cost to produce them. This has caused serious injury to the American steel industry and the loss of thousands of steel-worker jobs.

The suspension agreement will authorize Russia to continue to dump steel in America, which will continue to cause serious injury to our industry. The tons of unfairly traded steel that the Administration is going to allow Russia, at 750,000 metric tons per year, will still allow Russia to be the largest single supplier to the U.S. market. The pricing level given to the Russians of \$255 per metric ton will both allow continued dumping and allow inefficient Russian producers to undercut and damage efficient U.S. producers.

We have consistently requested the Administration to permit our laws to be enforced as Congress intended, but by entering this Agreement our rights have been taken away from us.

We regret this development and will work to convince the Administration that the proposed agreement is not in the best interest of the nation or our industry. We are also requesting Congress to have a prompt hearing about this matter. If the Administration proceeds with this agreement, we will take appropriate legal action.

Comprehensive steel agreement with Russia

We also oppose the comprehensive steel agreement negotiated with the Russians. We would support such an agreement only if it is a part of a global solution to the serious injury being caused by unfairly traded steel. Any agreement with Russia must be a part of an Administration initiated and supported \$201 action on all steel products which will result in global quantitative restrictions, minimum prices, an adequate enforcement mechanism, and a moratorium on further shipments until the inventory of dumped steel has been cleared.

While all the details of the Russian agreement are not available, we are disappointed that they will be permitted to ship at a rate well above the 1996 precrisis level.

We do have concern over the serious economic problems facing Russia, but to the extent the United States provides financial and other aid, surely we should do this in behalf of the United States from the Federal Treasury and not by sacrificing the jobs and property of a specific private industry sector such as our modern and world class American steel industry.

We will continue to work closely with the Administration and the Congress to stop the serious injury being caused to our industry and to restore fair trade in steel.

For Media Contact: Bethlehem Steel Corporation, Bette Kovach (610) 694-6308; U.S. Steel Group, USX Corporation, Tom Ferrall (412) 433-6899; Ispat/Inland Inc., John Nielsen (219) 399-6631; LTV Steel Company, Mark Tomasz (216) 622-4635; National Steel Corporation, Clarence Ehlers (219) 273-7327; Independent Steel Workers Union, Mark Glyptis (304) 748-8080; Weirton Steel, Greg Warren (304) 797-2828; Gulf States Steel, Inc., John Duncan (256) 543-6100; Ipsco Steel, Inc., Anne Parker (306) 924-7390; and Gallatin Steel, Ed Puisis (606) 567-3103.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, 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 gentle-

woman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

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

INTRODUCTION OF THE RURAL ECONOMIC DEVELOPMENT AND OPPORTUNITIES ACT OF 1999

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. HAYES) is recognized for 5 minutes.

Mr. HAYES. Mr. Speaker, I rise today to announce that I will introduce legislation to address a problem that is hurting much of rural America, a stagnant economy and the declining number of job opportunities.

Mr. Speaker, if we read the newspapers inside the Beltway, we will think that all Americans are experiencing the best economic times of their lives. While our economy is indeed strong, we have to realize that there is a significant number of Americans, rural Americans, who are struggling economically because the job base in their hometown is drying up.

According to a study by the Aspen Institute, many of our rural economies are suffering because of declining sales in their natural resources market and intense international competition in the manufacturing sector.

Just like many industries across the Nation, businesses in our small towns are being forced to downsize operations while demanding more from fewer employees. The growth in metropolitan areas is quickly absorbing displaced workers there, but workers in smaller, remote communities are at a great disadvantage because economic development is virtually stagnant. In fact, a growing number of rural workers are forced to commute long distances or actually relocate their families in order to find work in these metropolitan areas.

In the region around my home district, the Eighth District of North Carolina, the Charlotte area has more jobs than workers. Each day more than 100,000 commuters, 25 percent of the area's work force, leave their local economy to go to work in Charlotte. Obviously, this trend hurts our rural communities, and it adds to the many problems our metropolitan areas suffer with traffic congestion and excessive growth.

In the Charlotte area, the unemployment rate is a meager 2.3 percent. Just two counties to the east, however, Anson County has an unemployment rate of 8 percent, Scotland County 8 percent, and Richmond County over 8 percent. We can either address this problem, or we can sit idly by while it gets worse.

That is why, Mr. Speaker, I am introducing the Rural Economic Development and Opportunities Act of 1999. What I am proposing is not a complex package of government programs and

new spending. Instead, I am advocating that we adopt a commonsense proposal that will level the playing field for our rural communities by offering a basic tax credit for a new or existing rural business when it creates a job for rural workers.

It is that simple. No mountains of paperwork to fill out, no layer upon layer of government bureaucracy to work through. Local governments and development authorities will have all the flexibility they need to develop a local or regional strategy. In fact, this is not a giveaway program that will allow rural communities to relax. That is a basic tax credit that gives our rural communities a better opportunity to increase local economic development and job opportunities.

When we measure our nation's economic health, we have to look just as closely at Main Street as we do at Wall Street. Mr. Speaker, I am proud to offer the Rural Economic Development and Opportunities Act of 1999. I hope that my colleagues on both sides of the aisle will join me in supporting this bill.

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 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. WOLF) is recognized for 5 minutes.

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

INCREASED FUNDS FOR PELL GRANTS IN THE NATIONAL INTEREST

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

Mr. MCGOVERN. Mr. Speaker, I rise today to speak about a critical national issue, one that affects our national security, our future economic prosperity, and the position of the United States as a world leader. I speak, of course, about the education of our children and their ability to afford a college education.

Since the late 1970s, Federal grant assistance to students pursuing their education after high school has declined dramatically. One of the most significant measures of this decline is what has happened to the value of the Federal Pell Grant.

The Pell Grant program is the largest need-related Federal grant program for students pursuing a higher education. It is considered the foundation program for Federal student aid. It helps students from families of modest

income who would not otherwise be financially able to handle the costs of a college education or special career or technical training program.

Created in 1972, the Pell Grant originally provided significant financial support to students. In the 1976-1977 school year, the maximum Pell Grant award covered 35 percent of the average annual cost of attending a 4-year private institution, and 72 percent of the average cost of a 4-year public institution.

Today, Mr. Speaker, in spite of President Clinton's efforts over the past 3 years to boost the purchasing power of the Pell Grant, and the President deserves much credit for these efforts, but in spite of all of this, the maximum Pell Grant now pays for only one-third of the average cost of a public 4-year college, and barely one-seventh of the cost of a private college.

This sad state of affairs came about from cutbacks in Federal funding during a period of escalating college costs and tuition increases among most of the Nation's public and private colleges. I firmly believe that higher education institutions must rein in the cost of college tuition, but I am equally as firm in my belief that the Federal Government must and has to restore the value of the Federal Pell grant.

That is why I am proud to join with my colleagues, the gentleman from Vermont (Mr. SANDERS) and the gentleman from Georgia (Mr. LEWIS) to introduce H.R. 959, the Affordable Education through Pell Grants Act of 1999.

This bill does one thing and one thing only: It raises the maximum Pell Grant award level to \$6,500 for the academic year 2000 to 2001. This simple action would restore the value of the Pell Grant as originally conceived. It is twice the amount of the maximum Pell Grant award proposed by President Clinton, and it is the level of funding where the Pell Grant is meant to be.

By raising the maximum award level to \$6,500, we restore the purchasing power of every Pell Grant awarded to financially needy students, and we increase the eligibility pool for Pell Grants. This has an important impact on middle-income families who face the financial burden of having more than one child in college at the same time.

Over the past 2 years, I have met many students from the Third Congressional District of Massachusetts who would not have gone to college, who would not have gone to the college of their choice, without the Federal Pell Grant program.

Bethany English, who has now graduated from Assumption College in Worcester, Massachusetts, has stood alongside me on presentations on the importance of Pell Grants. Jamie Hoag, from a working class family in Fall River, Massachusetts, was able to graduate from Holy Cross College in Worcester because he received a Pell Grant. It is for these young people, and all the students like them, that I urge my colleagues to restore the value of the Pell Grant.

I know many of my colleagues will say that we are asking for too much, that this is too expensive a proposition. Indeed, it will require about \$11 billion more than what is currently in the President's budget for Pell Grants.

But I would say to my colleagues that education must be the Nation's number one priority. The future of our economy rests on the higher education of our children, the future of our national security rests on the higher education of our children, and the future of our communities rests on the higher education of our children, all of our children.

If we can find money in the budget to build Star Wars, then we can find the money to make stars out of our children, and to make sure that everyone with the ability to go to college can afford to go to college. If we can give billion dollar corporations special tax breaks, then we can certainly make sure that every student who has the ability to go to college gets a financial break to pay for college. If we can spend billions of dollars each year to design new nuclear weapons and new ways to make nuclear war, then we can find the money we need to increase the funding for Pell Grants.

I say to my colleagues, this is an issue of national priorities and of national interest. I urge my colleagues to join the gentleman from Vermont (Mr. SANDERS) and the gentleman from Georgia (Mr. LEWIS) and I and cosponsor H.R. 959, and restore the power of the Pell Grant program.

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

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

IN SUPPORT OF AN INCREASE IN THE FEDERAL PELL GRANT PROGRAM

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

Mr. LEWIS of Georgia. Mr. Speaker, we are a rich and powerful Nation in the midst of strong economic growth. As we approach the 21st century, we must ask ourselves, what is our next greatest challenge? How will we target our investments to become stronger as a Nation and as a people?

I have always said, and I will continue to say, Mr. Speaker, that there is no greater challenge and nothing that is more important than the education of our next generation. We do not have a person to waste. Every student in this Nation who wants to go to college, no matter how rich or poor, should have the opportunity to go. Education is a great equalizer. A good education can shine the light of hope and opportunity in every corner of our Nation,

no matter how poor, how hopeless, or how downtrodden.

For nearly 30 years Pell Grants have been the key that have unlocked the American dream. For millions of American students who had the talent, had the desire, but lacked the funds, the Pell Grant made the difference between college and a dead end job.

In the last decade, the cost for college has increased at rates of 5 to 8 percent, outpacing inflation and putting a college education further out of reach for those who can least afford it. Until recently, the size of the maximum Pell Grant stayed the same.

Two years ago, many of my colleagues and I, along with the President, fought for and won the largest increase in the Pell Grant in 20 years. That brought the maximum Pell Grant up from \$2,700 to \$3,000.

Mr. Speaker, we can even do better. Today's Pell Grant provides only 35 percent of the average cost of a 4-year State college. Too few families today can afford to write a check for \$10,000 to cover tuition for State schools, and for so many families, private education is out of the question.

Mr. Speaker, I remember growing up in rural Alabama in the forties and fifties. My family could never have afforded the college tuition at Harvard, Yale, or even the University of Georgia. For so many of us, college was a distant dream, a pipe dream. Without the help of financial aid or work study, we could never have afforded to go to college.

We have come a long way in opening the doors of college for all Americans, but we can do better. We can do more. For this reason, I am joining my colleague, the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Vermont (Mr. SANDERS) in sponsoring legislation that will raise the maximum authorized Pell Grant to a level that reflects the rising cost of college.

I ask all of my colleagues to join me and my colleagues, the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Vermont (Mr. SANDERS), in making education a priority, and to ensure that in the days of economic prosperity, no one but no one is left out or left behind.

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

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

□ 1345

CONGRESS MUST DOUBLE PELL GRANT FUNDING

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

Mr. SANDERS. Mr. Speaker, I am very happy to join with the gentleman

from Massachusetts (Mr. MCGOVERN) and the gentleman from Georgia (Mr. LEWIS) on this extremely important piece of legislation.

In my State of Vermont, and I believe all over this country, one of the great concerns that the middle class has is the high cost of college education. Everybody knows that in order for our young people to earn a decent living, it is increasingly imperative that they have a college degree. And, at the same time, everybody also knows that the cost of a college education is soaring. It is soaring in the State of Vermont. It is soaring all over the United States of America.

So we have folks in the middle class who are working longer and longer hours to keep their heads above water, and then they look at what the local college or the good colleges in this country are asking and they say, "How am I, who makes \$20,000 to \$25,000, or \$30,000 a year, or \$40,000 a year, going to be able to afford to send my kid to college, when the best schools in this country now cost over \$30,000 a year and many cost \$15,000, \$20,000 or \$25,000?"

And what happens if they have two kids or three kids? How can they afford to send their kids to college?

The answer is, it is increasingly difficult for those families. So we have the outrage that all over this country millions of young people are unable to go to college, or are unable to go to the college of their choice, because they cannot afford it.

Mr. Speaker, this is absurd. It is not only unfair to the young person. It is unfair to the family. It is unfair to this Nation.

What an absurd policy it is that we waste the human intellectual potential of millions and millions of people who want a higher education. How absurd it is that in the global economy we throw in the towel to competitive nations and say we are not going to have the most competitive, best-educated workforce in the world.

What kind of stupidity is that? What kind of an absurd sense of national priorities is it that says that we can afford to spend huge sums of money on B-2 bombers, that we can give tax breaks to billionaires, but we are not going to help the working families and the middle class of this country be able to afford to send their kids to college?

Now, I know that many of the people in the Congress understand that in countries throughout the world, in Great Britain, in Scandinavia, in Germany, in France, the cost of a college education is not \$30,000 a year, it is not \$20,000 a year, it is not \$10,000 a year. In many cases, it is zero, because those countries understand that it is a very wise investment to make sure that as many of their young people as possible can get a college education. We should learn something from that.

Mr. Speaker, what the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Georgia (Mr.

LEWIS) and I would like to do is to double the amount of money we are spending on Pell Grants.

Some people may say doubling that is a lot of money, \$7.5 billion a year more. That is three B-2 bombers. There are people in both the Democratic and Republican parties who want to increase military spending by well over \$100 billion in the next 6 years. We give, as a Nation, \$125 billion a year in corporate welfare to large corporations who do not need that money. There are people on the floor of this House now who are saying Bill Gates needs a tax break. Billionaires need a tax break.

Mr. Speaker, if we can spend billions on corporate welfare, billions on wasteful military spending, billions on tax breaks for those who do not need it, we can certainly afford \$7.5 billion a year more for the working families of this country so that we can move toward that day when every person in this country, young, middle-aged, old, will be able to get the higher education they need.

This is a smart investment for America. I congratulate the gentleman from Massachusetts and the gentleman from Georgia for their work on this, and I will do my best to see that it passes.

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

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

SUPPORT THE READY CREDIT

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

Mr. NETHERCUTT. Mr. Speaker, I rise today to address the needs of small businesses who employ America's dedicated Air and Army National Guard Reservists. Mounting numbers of contingency operations have pulled ever greater numbers of reservists out of the private sector and into full-time military service. I have introduced legislation, which is numbered H.R. 803, to cushion the blow of these reserve call-ups on small businesses.

The end strength of our Armed Forces has fallen by more than 1 million personnel since 1988, even as military contingency operations have increased to historically high levels. We have only been able to sustain this operations tempo because of an increasingly heavy reliance on reservists.

Total so-called "man days" contributed by reservists have nearly tripled since 1992, to over 13 million days. Without the services of these citizen soldiers, we would need an additional force of nearly 50,000 soldiers to maintain overseas commitments.

Mr. Speaker, reservists are willing to do their duty and serve when they are

called, but increasingly frequent deployments have placed a new strain on reserve-employer relations. Most businesses are fully supportive of the military obligations of their employees, but even the most enthusiastic civilian employers are hard hit when their staff is sent overseas for months at a time, only to have the person return home and be called up again.

Evidence from the National Committee for Employer Support of the Guard and Reserve suggests that the strain is increasing, resulting in a greater number of inquiries on the rights and responsibilities of employers.

Research by the Air Force Reserve has also demonstrated that the problem is growing. While only 3.5 percent of Air Force reservists indicated "serious" employer support problems, another 31 percent reported some degree of problems with employers. Of these reservists, 10 percent are considering leaving because of employer support problems. But the true magnitude of the problem is likely greatly understated as there is no comprehensive survey that is used to consistently evaluate reserve-employer relationships.

Now, the expense to small businesses of doing without a valued employee, or hiring and training a temporary replacement, is significant and the loss of productivity is equally difficult.

Mr. Speaker, this legislation, H.R. 803, would provide employers with a tax credit to compensate for employee participation in the individual ready reserves. Specifically, the legislation provides a credit equal to 50 percent of the amount of compensation that would have been paid to an employee during the time that that employee participates in contingency operations supporting missions in Bosnia and Southwest Asia.

The total allowable credit for each individual employee may not exceed \$2,000, or a maximum of \$7,500 for all employees. The legislation also extends the credit for self-employed individuals. The credit would offset at least some of the expense that reserve employers face and reduce tensions with employees.

Now, this legislation is only one step towards resolving a complex problem. It does not address the serious needs of public sector employees who can be impacted by contingencies as much as businesses. More important, it does not address the high operations tempo that is exacerbating reserve-employer relations and driving personnel out of the reserves. But I do think this bill is timely for it addresses two of the most pressing issues of the 106th Congress: taxes and military readiness.

Mr. Speaker, as Congress discusses proposals to reduce the tax burden on Americans, we must give serious thought to small businesses who have lost valued employees to overseas military operations. As we discuss pay and benefit packages for the active duty military, we must not forget the citizen soldiers who are the backbone of

our Armed Forces and whose service is increasingly putting pressure on their full-time civilian employer.

Mr. Speaker, I encourage my colleagues to join me in making the Ready Credit, which is the name on this bill, a reality by cosponsoring H.R. 803.

WHO GETS THE CREDIT FOR THE BUDGET SURPLUS?

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

Mr. SCHAFFER. Mr. Speaker, last year, the Treasury Department announced that the Federal budget was in surplus for the first time since 1969. Only 3 short years ago, the President had submitted a budget with \$200 billion deficits as far as the eye could see, as many will recall.

What happened?

There are a lot of Americans who do not care much who gets the credit for the current fine state of our economy and then tend to take the President at his word when he takes the credit for the budget surplus we have at last achieved. But it is important to understand how we got here so that we may continue to a path of sound economic policy in the future.

When the country was faced with large, chronic deficits in the beginning of the 1990s, Congress faced a choice. To cut the deficit, lawmakers essentially had two choices: cut spending or raise taxes. President Clinton and his liberal allies in the Congress naturally chose to raise taxes. Congress at the time was still under the control of the Democrats, and so President Clinton was able to pass the largest tax increase in our history.

Republicans, on the other hand, wanted to reduce the deficit by cutting spending. Republicans believed government is too big, way too big, and they believe Washington wastes too much of our money. One would think this is an obvious point. After all, even the President himself declared in his 1996 State of the Union address that "the era of Big Government is over." Oh, if that were only true.

Mr. Speaker, we can see now that this declaration was nothing more than hollow words. Big Government is alive and well and bigger than ever. In fact, the Democrats have come back with still more ways to increase the size and power of government every year since, including this year.

And while we can say that government is slightly smaller now than it would be had Republicans not taken control of the Congress in 1995, the truth is that government continues to grow. Any attempts to cut government, no matter how wasteful or counterproductive the program, the liberals immediately attack them as extreme and "mean-spirited."

It has never occurred to them that it is perhaps mean-spirited on the part of

the politicians to have so little respect for the working man's labor that Washington takes between one-fourth and one-third out of the middle-class family's paycheck just to pay Uncle Sam.

So, Mr. Speaker, that still leaves us with the question, how did we go from \$200 billion deficits as far as the eye can see 2½ years ago to the budget surplus that we now enjoy?

It is true that there have been some reductions in spending, but almost all of them have come out of the one place it should not have come: from the Pentagon. Defense spending is dangerously low, and our military forces are not what they should be. But liberals, in their boundless faith in human nature, ignore history and simply do not believe in the fundamental precept of "peace through strength."

As for other spending, Republicans did manage to limit the number of new spending initiatives of President Clinton and the Democrats over the past few years. But the primary reason that the budget is in surplus today is that revenues are way, way up.

Liberals will point to the President's 1993 tax increase as to the reason why revenues are up, hoping that we will not examine the budget tables to see if, in fact, it is true. Revenues are up primarily from the number of people who are taking advantage of low tax rates on capital gains, the part of the economy that is the lifeblood of our dynamic and growing economy.

President Reagan cut the tax on capital gains, and the Republicans cut it again last year. Savers, investors, entrepreneurs and other job creators are taking advantage of such liberty. The economy is benefitting from that, jobs are being created, and revenues have soared. That is the primary reason the budget is now in surplus, when it was deep in the red just a few years ago.

I would invite any of my Democratic colleagues who dispute these findings to come forward and show me otherwise. Perhaps the liberals have access to another set of government documents with different statistics. But if they use the same Treasury figures that I do, they will have to admit that the Reagan tax cuts and the Republican tax cuts are the most significant reason behind our current economic boom.

With all due credit to Alan Greenspan, chairman of the Federal Reserve, for his outstanding stewardship of monetary policy, we should mostly thank President Reagan for turning around an economy that was in the ditch. We are still benefitting from his decision to make the United States a low-tax, low-regulation economy and thus able to compete in the world better than any other.

The Republicans forced President Clinton to renounce his own budget with \$200 billion deficits as far as the eye can see. We are grateful that he has at last accepted the need for government to balance the budget and put its financial house in order. We would

like to encourage him to continue on this path, especially if he accepts the view that Washington can still afford to cut spending, cut taxes, and make good on his promise that the "end of Big Government is over."

□ 1400

RULES OF THE COMMITTEE ON INTERNATIONAL RELATIONS FOR THE 106TH CONGRESS

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

Mr. GILMAN. Mr. Speaker, in accordance with clause 2(a) of Rule XI of the Rules of the House of Representatives, I submit for printing in the CONGRESSIONAL RECORD the Rules of the Committee on International Relations for the 106th Congress.

RULES OF THE COMMITTEE ON INTERNATIONAL RELATIONS, 106TH CONGRESS (Adopted January 19, 1999)

RULE 1. GENERAL PROVISIONS

The Rules of the House of Representatives, and in particular, the committee rules enumerated in clause 2 of Rule XI, are the rules of the Committee on International Relations (hereafter referred to as the "Committee"), to the extent applicable. A motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, is a privileged non-debatable motion in Committee.

The Chairman of the Committee on International Relations (hereinafter referred to as the "Chairman") shall consult the Ranking Minority Member to the extent possible with respect to the business of the Committee. Each subcommittee of the Committee is a part of the Committee and is subject to the authority and direction of the Committee, and to its rules to the extent applicable.

RULE 2. DATE OF MEETING

The regular meeting date of the Committee shall be the first Tuesday of every month when the House of Representatives is in session pursuant to clause 2(b) of Rule XI of the House of Representatives. Additional meetings may be called by the Chairman as he may deem necessary or at the request of a majority of the Members of the Committee in accordance with clause 2(c) of Rule XI of the House of Representatives.

The determination of the business to be considered at each meeting shall be made by the Chairman subject to clause 2(c) of Rule XI of the House of Representatives.

A regularly scheduled meeting need not be held if, in the judgment of the Chairman, there is no business to be considered.

RULE 3. QUORUM

For purposes of taking testimony and receiving evidence, two Members shall constitute a quorum.

One-third of the Members of the Committee shall constitute a quorum for taking any action, except: (1) reporting a measure or recommendation, (2) closing Committee meetings and hearings to the public, (3) authorizing the issuance of subpoenas, and (4) any other action for which an actual majority quorum is required by any rule of the House of Representatives or by law.

No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee is actually present.

A record vote may be demanded by one-fifth of the Members present or, in the apparent absence of a quorum, by any one Member.

RULE 4. MEETINGS AND HEARINGS OPEN TO THE PUBLIC

(a) *Meetings*

Each meeting for the transaction of business, including the markup of legislation, of the Committee or a subcommittee shall be open to the public except when the Committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be closed to the public, because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise violate any law or rule of the House of Representatives. No person other than Members of the Committee and such congressional staff and departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public. This subsection does not apply to open Committee hearings which are provided for by subsection (b) of this rule.

(b) *Hearings*

(1) Each hearing conducted by the Committee or a subcommittee shall be open to the public except when the Committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of that hearing on that day should be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or otherwise would violate any law or rule of the House of Representatives. Notwithstanding the preceding sentence, a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony—

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or violate paragraph (2) of this subsection; or

(B) may vote to close the hearing, as provided in paragraph (2) of this subsection.

(2) Whenever it is asserted that the evidence or testimony at an investigatory hearing may tend to defame, degrade, or incriminate any person

(A) such testimony or evidence shall be presented in executive session, notwithstanding the provisions of paragraph (1) of this subsection, if by a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony, the Committee or subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the Committee or subcommittee shall proceed to receive such testimony in open session only if the Committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

(3) No Member of the House of Representatives may be excluded from nonparticipatory attendance at any hearing of the Committee or a subcommittee unless the House of Representatives has by majority vote authorized the Committee or subcommittee, for purposes of a particular series of hearings, on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the Same procedures designated in this subsection for closing hearings to the public.

(4) The Committee or a subcommittee may be the procedure designated in this subsection vote to close 1 subsequent day of hearing.

(5) No congressional staff shall be present at any meeting or hearing of the Committee or a subcommittee that has been closed to the public, and at which classified information will be involved, unless such person is authorized access to such classified information in accordance with Rule 20.

RULE 5. ANNOUNCEMENT OF HEARINGS AND MARKUPS

Public announcement shall be made of the date, place, and subject matter of any hearing or markup to be conducted by the Committee or a subcommittee at the earliest possible date, and in any event at least 1 week before the commencement of that hearing or markup unless the Committee or subcommittee determines that there is good cause to begin that meeting at an earlier date. Such determination may be made with respect to any markup by the Chairman or subcommittee chairman, as appropriate. Such determination may be made with respect to any hearing of the Committee or of a subcommittee by its Chairman, with the concurrence of its Ranking Minority Member, or by the Committee or subcommittee by majority vote, a quorum being present for the transaction of business.

Public announcement of all hearings and markups shall be published in the Daily Digest portion of the Congressional Record, and promptly entered into the committee scheduling service of House Information Resources. Members shall be notified by the Chief of Staff of all meeting (including markups and hearings) and briefings of subcommittees and of the full Committee.

The agenda for each Committee and subcommittee meeting, setting out all items of business to be considered, including a copy of any bill or other document scheduled for markup, shall be furnished to each Committee or subcommittee Member by delivery to the Member's office at least 2 full calendar days (excluding Saturdays, Sundays, and legal holidays) before the meeting, whenever possible.

RULE 6. WITNESSES

(a) *Interrogation of witnesses*

(1) Insofar as practicable, witnesses shall be permitted to present their oral statements without interruption subject to reasonable time constraints imposed by the Chairman, with questioning by the Committee Members taking place afterward. Members should refrain from questions until such statements are completed.

(2) In recognizing Members, the Chairman shall, to the extent practicable, give preference to the Members on the basis of their arrival at the hearing, taking into consideration the majority and minority ratio of the Members actually present. A Member desiring to speak or ask a question shall address the Chairman and not the witness.

(3) Subject to paragraph (4), each Member may interrogate the witness for 5 minutes, the reply of the witness being included in the 5-minute period. After all Members have had an opportunity to ask questions, the round shall begin again under the 5-minute rule.

(4) Notwithstanding paragraph (3), the Chairman, with the concurrence of the Ranking Minority Member, may permit one or more majority members of the Committee designated by the Chairman to question a witness for a specified period of not longer than 30 minutes. On such occasions, an equal number of minority Members of the Committee designated by the Ranking Minority Member shall be permitted to question the same witness for the same period of time.

Committee staff may be permitted to question a witness for equal specified periods either with the concurrence of the Chairman and Ranking Minority Member or by motion. However, in no case may questioning by Committee staff proceed before each Member of the Committee who wishes to speak under the 5-minute rule has had one opportunity to do so.

(b) *Statements of witnesses*

Each witness who is to appear before the Committee or a subcommittee is required to file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the Chairman of the Committee or subcommittee, of his or her proposed testimony to provide to Members and staff of the Committee or subcommittee, the news media, and the general public. The witness shall limit his or her oral presentation to a brief summary of his or her testimony. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall, to the extent practicable, include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness, to the extent that such information is relevant to the subject matter of, and the witness' representational capacity at, the hearing.

To the extent practicable, each witness should provide the text of his or her proposed testimony in machine-readable form.

The Committee or subcommittee shall notify Members at least two working days in advance of a hearing of the availability of testimony submitted by witnesses.

The requirements of this subsection or any part thereof may be waived by the Chairman or Ranking Minority Member of the Committee or subcommittee, or the presiding Member, provided that the witness or the Chairman or Ranking Minority member has submitted, prior to the witness's appearance, a written explanation as to the reasons testimony has not been made available to the Committee or subcommittee. In the event a witness submits neither his or her testimony at least two working days in advance of his or her appearance nor has a written explanation been submitted as to prior availability, the witness shall be released from testifying unless a majority of the committee or subcommittee votes to accept his or her testimony.

(c) *Oaths*

The Chairman, or any Member of the Committee designated by the Chairman, may administer oaths to witnesses before the Committee.

RULE 7. PREPARATION AND MAINTENANCE OF COMMITTEE RECORDS

An accurate stenographic record shall be made of all hearings and markup sessions. Members of the Committee and any witness may examine the transcript of his or her own remarks and may make any grammatical or technical changes that do not substantively alter the record. Any such Member or witness shall return the transcript to the Committee offices within 5 calendar days (not including Saturdays, Sundays, and legal holidays) after receipt of the transcript, or as soon thereafter as it practicable.

Any information supplied for the record at the request of a Member of the Committee shall be provided to the Member when received by the Committee.

Transcripts for hearings and markup sessions (except for the record of a meeting or

hearing which is closed to the public) shall be printed as soon as is practicable after receipt of the corrected versions, except that the Chairman may order the transcript of a hearing to be printed without the corrections of a Member or witness if the Chairman determines that such Member or witness has been afforded a reasonable time to correct such transcript and such transcript has not been returned within such time.

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee.

The Committee shall, to the maximum extent feasible, make its publications available in electronic form.

RULE 8. EXTRANEOUS MATERIAL IN COMMITTEE HEARINGS

No extraneous material shall be printed in either the body or appendixes of any Committee or subcommittee hearing, except matter which has been accepted for inclusion in the record during the hearing. Copies of bills and other legislation under consideration and responses to written questions submitted by Members shall not be considered extraneous material.

Extraneous material in either the body or appendixes of any hearing to be printed which would be in excess of eight printed pages (for any one submission) shall be accompanied by a written request to the Chairman, such written request to contain an estimate in writing from the Public Printer of the probable cost of publishing such material.

RULE 9. PUBLIC AVAILABILITY OF COMMITTEE VOTES

The result of each record vote in any meeting of the Committee shall be made available for inspection by the public at reasonable times at the Committee offices. Such result shall include a description of the amendment, motion, order, or other proposition, the name of each Member voting for and against, and the Members present but not voting.

RULE 10. PROXIES

Proxy voting is not permitted in the Committee or in subcommittees.

RULE 11. REPORTS

(a) Reports on bills and resolutions

To the extent practicable, not later than 24 hours before a report is to be filed with the Clerk of the House on a measure that has been ordered reported by the Committee, the Chairman shall make available for inspection by all Members of the Committee a copy of the draft committee report in order to afford Members adequate information and the opportunity to draft and file any supplemental, minority or additional views which they may deem appropriate.

With respect to each record vote on a motion to report any measure or matter of public charter, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in any Committee report on the measure or matter.

(b) Prior approval of certain reports

No Committee, subcommittee, or staff report, study, or the document which purports to express publicly the views, findings, conclusions, or recommendations of the Com-

mittee or a subcommittee may be released to the public or filed with the Clerk of the House unless approved by a majority of the Members of the Committee or subcommittee, as appropriate. A proposed investigative or oversight report shall be considered as read if it has been available to members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day). In any case in which clause 2(l) of Rule XI and clause 3(a)(1) of Rule XIII of the House of Representatives does not apply, each Member of the Committee or subcommittee shall be given an opportunity to have views or a disclaimer included as part of the material filed or released, as the case may be.

(c) Foreign travel reports

At the same time that the report required by clause 8(b)(5) of Rule X of the House of Representatives, regarding foreign travel reports, is submitted to the Chairman, Members and employees of the committee shall provide a report to the Chairman listing all official meetings, interviews, inspection tours and other official functions in which the individual participated, by country and date. Under extraordinary circumstances, the Chairman may waive the listing in such report of an official meeting, interview, inspection tour, or other official function. The report shall be maintained in the full committee offices and shall be available for public inspection during normal business hours.

RULE 12. REPORTING BILLS AND RESOLUTIONS

Except in unusual circumstances, bills and resolutions will not be considered by the Committee unless and until the appropriate subcommittee has recommended the bill or resolution for Committee action, and will not be taken to the House of Representatives for action unless and until the Committee has ordered reported such bill or resolution, a quorum being present. Unusual circumstances will be determined by the Chairman, after consultation with the Ranking Minority Member and such other Members of the Committee as the Chairman deems appropriate.

RULE 13. STAFF SERVICES

(a) The Committee staff shall be selected and organized so that it can provide a comprehensive range of professional services in the field of foreign affairs to the Committee, the subcommittees, and all its Members. The staff shall include persons with training and experience in international relations, making available to the Committee individuals with knowledge of major countries, areas, and U.S. overseas programs and operations.

(b) Subject to clause 9 of Rule X of the House of Representatives, the staff of the Committee, except as provided in paragraph (c), shall be appointed, and may be removed, by the Chairman with the approval of the majority of the majority Members of the Committee. Their remuneration shall be fixed by the Chairman and they shall work under the general supervision and direction of the Chairman. Staff assignments are to be authorized by the Chairman or by the Chief of Staff under the direction of the Chairman.

(c) Subject to clause 9 of Rule X of the House of Representatives, the staff of the Committee assigned to the minority shall be appointed, their remuneration determined, and may be removed, by the Ranking Minority Member with the approval of the majority of the minority party Members of the Committee. No minority staff person shall be compensated at a rate which exceeds that paid his or her majority staff counterpart. Such staff shall work under the general supervision and direction of the Ranking Minority Member with the approval or consultation of the minority Members of the committee.

(d) The Chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee. The Chairman shall ensure that the minority party is fairly treated in the appointment of such staff.

RULE 14. NUMBER AND JURISDICTION OF SUBCOMMITTEES

(a) Full committee

The full committee will be responsible for oversight and legislation relating to foreign assistance (including development assistance, security assistance, and Public Law 480 programs abroad) or relating to the Peace Corps; national security developments affecting foreign policy; strategic planning and agreements; war powers, executive agreements, and the deployment and use of United States Armed Forces; peacekeeping, peace enforcement, and enforcement of United Nations or other international sanctions; arms control, disarmament and other proliferation issues; the Agency for International Development; oversight of State and Defense Department activities involving arms transfers and sales, and arms export licenses; international law; promotion of democracy; international law enforcement issues, including terrorism and narcotics control programs and activities; and all other matters not specifically assigned to a subcommittee. The full Committee may conduct oversight with respect to any matter within the jurisdiction of the Committee as defined in the Rules of the House of Representatives.

(b) Subcommittees

There shall be five standing subcommittees. The names and jurisdiction of those subcommittees shall be as follows:

1. Functional subcommittees

There shall be two subcommittees with functional jurisdiction:

Subcommittee on International Economic Policy and Trade—To deal with measures relating to international economic and trade policy; measures to foster commercial intercourse with foreign countries; export administration, international investment policy; trade and economic aspects of nuclear technology and materials, of nonproliferation policy, and of international communication and information policy; licenses and licensing policy for the export of dual use equipment and technology; legislation pertaining to and oversight of the Overseas Private Investment Corporation and the Trade and Development Agency; scientific developments affecting foreign policy; commodity agreements; international environmental policy and oversight of international fishing agreements; and special oversight of international financial and monetary institutions, the Export-Import Bank, and customs.

Subcommittee on International Operations and Human Rights—To deal with Department of State, United States Information Agency, and related agency operations and legislation; the diplomatic service; international education and cultural affairs; foreign buildings; programs, activities and the operating budget of the Arms Control and Disarmament Agency; oversight of, and legislation pertaining to, the United Nations, its affiliated agencies, and other international organizations, including assessed and voluntary contributions to such agencies and organizations; parliamentary conferences and exchanges; protection of American citizens abroad; international broadcasting; international communication and information policy; the American Red Cross; implementation of the Universal Declaration of Human Rights and other matters relating to internationally recognized human rights; and oversight of international population planning and child survival activities.

2. Regional subcommittees

There shall be three subcommittees with regional jurisdiction: the Subcommittee on the Western Hemisphere; the Subcommittee on Africa; and the Subcommittee on Asia and the Pacific; with responsibility for Europe and the Middle East reserved to the full Committee.

The regional subcommittees shall have jurisdiction over the following within their respective regions:

(1) Matters affecting the political relations between the United States and other countries and regions, including resolutions or other legislative measures directed so such relations.

(2) Legislation with respect to disaster assistance outside the Foreign Assistance Act, boundary issues, and international claims.

(3) Legislation with respect to region- or country-specific loans or other financial relations outside the Foreign Assistance Act.

(4) Resolutions of disapproval under section 36(b) of the Arms Export Control Act, with respect to foreign military sales.

(5) Legislation and oversight regarding human rights practices in particular countries.

(6) Oversight of regional lending institutions.

(7) Oversight of matters related to the regional activities of the United Nations, of its affiliated agencies, and of other multilateral institutions.

(8) Identification and development of options for meeting future problems and issues relating to U.S. interests in the region.

(9) Base rights and other facilities access agreements and regional security pacts.

(10) Oversight of matters relating to parliamentary conferences and exchanges involving the region.

(11) Concurrent oversight jurisdiction with respect to matters assigned to the functional subcommittees insofar as they may affect the region.

(12) Oversight of all foreign assistance activities affecting the region.

(13) Such other matters as the Chairman of the full Committee may determine.

RULE 15. POWERS AND DUTIES OF SUBCOMMITTEES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairman shall set meeting dates after consultation with the Chairman, other subcommittee chairmen, and other appropriate Members, with a view towards minimizing scheduling conflicts. It shall be the practice of the Committee of the full Committee.

In order to ensure orderly administration and fair assignment of hearing and meeting rooms, the subject, time, and location of hearings and meetings shall be arranged in advance with the Chairman through the Chief of Staff of the Committee.

The Chairman of the full Committee shall designate a Member of the majority party on each subcommittee as its vice chairman.

The Chairman and the Ranking Minority Member may attend the meetings and participate in the activities of all subcommittees of which they are not members, except that they may not vote or be counted for a quorum in such subcommittees.

RULE 16. REFERRAL OF BILLS BY CHAIRMAN

In accordance with Rule 14 of the Committee and to the extent practicable, all legislation and other matters referred to the Committee shall be referred by the Chairman to a subcommittee of primary jurisdiction within 2 weeks. In accordance with Rule 14 of the Committee, legislation may also be concurrently referred to additional subcommittees

for consideration in sequence. Unless otherwise directed by the Chairman, such subcommittees shall act on or be discharged from consideration of legislation that has been approved by the subcommittee of primary jurisdiction within 2 weeks of such action. In referring any legislation to a subcommittee, the Chairman may specify a date by which the subcommittee shall report thereon to the full Committee.

Subcommittees with regional jurisdiction shall have primary jurisdiction over legislation regarding human rights practices in particular countries. The Subcommittees on International Operations and Human Rights shall have sequential jurisdiction over such legislation.

The Chairman may designate a subcommittee chairman or other Member to take responsibility as manager of a bill or resolution during its consideration in the House of Representatives.

RULE 17. PARTY RATIOS ON SUBCOMMITTEES AND CONFERENCE COMMITTEES

The majority party caucus of the Committee shall determine an appropriate ratio of majority party Members for each subcommittee. Party representation on each subcommittee or conference committee shall be no less favorable to the majority party than the ratio for the full Committee. The Chairman and the Ranking Minority Member are authorized to negotiate matters affecting such ratios including the size of subcommittees and conference committees.

RULE 18. SUBCOMMITTEE FUNDING AND RECORDS

(a) Each subcommittee shall have adequate funds to discharge its responsibility for legislation and oversight.

(b) In order to facilitate Committee compliance with clause 2(e)(1) of Rule XI of the House of Representatives, each subcommittee shall keep a complete record of all subcommittee actions which shall include a record of the votes on any question on which a record vote is demanded. The result of each record vote shall be promptly made available to the full Committee for inspection by the public in accordance with Rule 9 of the Committee.

(c) All subcommittee hearings, records, data, charts, and files shall be kept distinct from the congressional office records of the Member serving as chairman of the subcommittee. Subcommittee records shall be coordinated with the records of the full Committee, shall be the property of the House, and all Members of the House shall have access thereto.

RULE 19. MEETINGS OF SUBCOMMITTEE CHAIRMEN

The Chairman shall call a meeting of the subcommittee chairmen on a regular basis not less frequently than once a month. Such a meeting need not be held if there is no business to conduct. It shall be the practice at such meetings to review the current agenda and activities of each of the subcommittees.

RULE 20. ACCESS TO CLASSIFIED INFORMATION

Authorized persons.—In accordance with the stipulations of the Rules of the House of Representatives, all Members of the House who have executed the oath required by clause 13 of Rule XXIV of the House of Representatives shall be authorized to have access to classified information within the possession of the Committee.

Members of the Committee staff shall be considered authorized to have access to classified information within the possession of the Committee when they have the proper security clearances, when they have executed the oath required by clause 13 of Rule XXIV of the House of Representatives, and when they have a demonstrable need to

know. The decision on whether a given staff member has a need to know will be made on the following basis:

(a) In the case of the full Committee majority staff, by the Chairman, acting through the Chief of Staff;

(b) In the case of the full Committee minority staff, by the Ranking Minority Member of the committee, acting through the Minority Chief of Staff;

(c) In the case of subcommittee majority staff, by the Chairman of the subcommittee;

(d) In the case of the subcommittee minority staff, by the Ranking Minority Member of the subcommittee.

No other individuals shall be considered authorized persons, unless so designated by the Chairman.

Designated persons.—Each Committee Member is permitted to designate one member of his or her staff as having the right of access to information classified confidential. Such designated persons must have the proper security clearance, have executed the oath required by clause 13 of Rule XLIII of the House of Representatives, and have a need to know as determined by his or her principal. Upon request of a Committee Member in specific instances, a designated person also shall be permitted access to information classified secret which has been furnished to the Committee pursuant to section 36 of the Arms Export Control Act, as amended. Designation of a staff person shall be by letter from the Committee Member to the Chairman.

Location.—Classified information will be stored in secure files in the Committee rooms. All materials classified top secret must be stored in a Secure Compartmentalized Information Facility (SCIF).

Handling.—Materials classified confidential or secret may be taken from Committee offices to other Committee offices and hearing rooms by Members of the Committee and authorized Committee staff in connection with hearings and briefings of the Committee or its Subcommittees for which such information is deemed to be essential. Removal of such information from the Committee offices shall be only with the permission of the Chairman under procedures designed to ensure the safe handling and storage of such information at all times. Except as provided in this paragraph, top secret materials may not be taken from the SCIF for any purpose, except that such materials may be taken to hearings and other meetings that are being conducted at the top secret level when necessary. Top secret materials may otherwise be used under conditions approved by the Chairman.

Notice.—Appropriate notice of the receipt of classified documents received by the Committee from the executive branch will be sent promptly to Committee Members through the Survey of Activities or by other means.

Access.—Except as provided for above, access to materials classified top secret or otherwise restricted held by the Committee will be in the SCIF. The following procedures will be observed:

(a) Authorized or designated persons will be admitted to the SCIF after inquiring of the Chief of Staff or an assigned staff member. The SCIF will be open during regular Committee hours.

(b) Authorized or designated persons will be required to identify themselves, to identify the documents or information they wish to view, and to sign the Classified Materials Log, which is kept with the classified information.

(c) The assigned staff member will be responsible for maintaining a log which identifies (1) authorized and designated persons seeking access, (2) the classified information

requested, and (3) the time of arrival and departure of such persons. The assigned staff member will also assure that the classified materials are returned to the proper location.

(d) The Classified Materials log will contain a statement acknowledged by the signature of the authorized or designated person that he or she has read the Committee rules and will abide by them.

Divulgence.—Classified information provided to the Committee by the executive branch shall be handled in accordance with the procedures that apply within the executive branch for the protection of such information. Any classified information to which access has been gained through the Committee may not be divulged to any unauthorized person. Classified material shall not be photocopied or otherwise reproduced without the authorization of the Chief of Staff. In no event shall classified information be discussed over a non-secure telephone. Apparent violations of this rule should be reported as promptly as possible to the Chairman for appropriate action.

Other regulations.—The Chairman may establish such additional regulations and procedures as in his judgment may be necessary to safeguard classified information under the control of the Committee. Members of the Committee will be given notice of any such regulations and procedures promptly. They may be modified or waived in any or all particulars by a majority vote of the full Committee.

RULE 21. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

All Committee and subcommittee meetings or hearings which are open to the public may be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any such methods of coverage in accordance with the provisions of clause 3 of House rule XI.

The Chairman or subcommittee chairman shall determine, in his or her discretion, the number of television and still cameras permitted in a hearing or meeting room, but shall not limit the number of television or still cameras to fewer than two representatives from each medium.

Such coverage shall be in accordance with the following requirements contained in Section 116(b) of the Legislative Reorganization Act of 1970, and clause 4 of Rule XI of the Rules of the House of Representatives:

(a) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(b) No witness served with a subpoena by the Committee shall be required against his will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off. This subparagraph is supplementary to clause 2(k)(5) of Rule XI of the Rules of the House of Representatives relating to the protection of the rights of witnesses.

(c) The allocation among cameras permitted by the Chairman or subcommittee chairman in a hearing room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(d) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and Member of the Committee or its sub-

committees or the visibility of that witness and that Member to each other.

(e) Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(f) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the Committee or subcommittee is in session.

(g) Floodlights, spotlights, strobe lights, and flashgun shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing room, without cost to the Government, in order to raise the ambient lighting level in the hearing room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the current state of the art of television coverage.

(h) In the allocation of the number of still photographers permitted by the Chairman or subcommittee chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos, United Press International News pictures, and Reuters. If requests are made by more of the media than will be permitted by the Chairman or subcommittee chairman for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(i) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the Members of the Committee or its subcommittees.

(j) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(k) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(l) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery Committee of press Photographers.

(m) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

RULE 22. SUBPOENA POWERS

A subpoena may be authorized and issued by the Chairman, in accordance with clause 2(m) of Rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee, following consultation with the Ranking Minority Member.

In addition, a subpoena may be authorized and issued by the Committee or its subcommittees in accordance with clause 2(m) of Rule XI of the House of the Representatives, in the conduct of any investigation or activity or series of investigations or activities, when authorized by a majority of the Members voting, a majority of the committee or subcommittee being present.

Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

RULE 23. RECOMMENDATION FOR APPOINTMENT OF CONFEREES

Whenever the Speaker is to appoint a conference committee, the Chairman shall recommend to the Speaker as conferees those Members of the Committee who are primarily responsible for the legislation (including to the full extent practicable the

principal proponents of the major provisions of the bill as it passed the House), who have actively participated in the Committee or subcommittee consideration of the legislation, and who agree to attend the meetings of the conference. With regard to the appointment of minority Members, the Chairman shall consult with the Ranking Minority Member.

RULE 24. GENERAL OVERSIGHT

Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Oversight and the Committee on Government Reform and Oversight, in accordance with the provisions of clause 2(d) of Rule X of the House of Representatives.

RULE 25. OTHER PROCEDURES AND REGULATIONS

The Chairman may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee. Any additional procedures or regulations may be modified or rescinded in any or all particulars by a majority vote of the full Committee.

2000 CENSUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Texas (Mr. RODRIGUEZ) is recognized for 60 minutes as the designee of the minority leader.

Mr. RODRIGUEZ. Mr. Speaker, every 10 years, we take a national census to count the number of people in this country. The 1990 census was the most expensive in the history of the United States. It was also the worst. The 1990 census missed an estimated 4.7 million people, 1.58 percent of the total population.

Some undercount is expected. What makes it wrong is the undercount of minorities and the inner city population is way out of proportion to the national average.

For minorities, the undercount was nearly tripled. The census missed 4.4 percent of the African-American population and 4.9 percent of the Hispanic population. Those individuals that were missed were also poor. We need to have a more accurate census, one that does not leave minorities and poor and inner city populations behind.

The census data is used to draw, not only electoral districts, but also to determine distribution of local and Federal program dollars and to plan public works projects. Without accurate census information, minorities and the poor do not receive equal political representation or distribution of government resources. State and local governments with missed populations lose millions of dollars in Federal aid.

The Supreme Court has allowed for the Census Bureau to use sampling data for redistricting and Federal funds distribution. The Census Bureau has found such a solution to be appropriate. Yet, we find that, on the other side, the Republicans in Congress are trying to block this process.

Sampling is a simple way of being able to get a more accurate census

from available information that exists. Everyone says that they want a more accurate count. But as we can see, what we really need to look at is to make sure that everyone gets counted but, at the same time, look at the disparities that exist within that and go with it, with the scientific recommendations, and that is to provide some degree of sampling.

We must let the Census Bureau do its job and use the method that is most accurate and that avoids unfair undercount in this country.

I want to take this opportunity to just mention to you some specific statistics on the study that was done in Texas. Texas lost almost \$1 billion in Federal aid because of the 1990 census.

I will continue to mention some additional data for my colleagues as I go on, but I want to take this opportunity to yield to the gentleman from Illinois (Mr. BLAGOJEVICH).

Mr. BLAGOJEVICH. Mr. Speaker, I thank the gentleman from Texas (Mr. RODRIGUEZ) for yielding to me. (The gentleman from Illinois spoke in Spanish).

What I said there, Mr. Speaker, is my name is hard to pronounce, but I hope it is easy to remember. Am I right?

Mr. RODRIGUEZ. Mr. Speaker, the gentleman is right.

Mr. BLAGOJEVICH. Mr. Speaker, first of all, let me thank my colleague, the gentlewoman from New York (Mrs. MALONEY) for coordinating this very important discussion on the 2000 census.

I think we can all admit that the census issue is not one of the most exciting issues that is out there. Most Americans are unaware of it. It is very technical. To the extent that people even think about it, they do not think that the census has any real impact on their lives.

Yet, the reality is that that is not at all the case. How the census is conducted is in a very real sense, something that has a real impact on ordinary Americans.

In a larger sense, this issue is really about basic fairness. It is about the fundamental concepts that we here in America take for granted, one person, one vote, as well as the issue of how we equitably distribute Federal resources. Both of these concepts are predicated upon a fair and accurate census.

Each year, more than \$100 billion in Federal money is allocated to States and localities. That money is distributed based upon census data. Census data determines how much funding States and municipalities receive for schools and for roads and for health care and for a host of other important programs that we here at the Federal level fund.

Census data is also used by private industry in determining where to locate factories and stores. Even McDonald restaurant franchises are based upon the use of census data. We also use census data to determine political representation, in fact, that represen-

tation including also the representation that we here enjoy in Congress.

So the facts are undisputable. It is very clear, I think, to say that, if one is not counted in the census accurately, one does not count. One does not count when it comes to Federal dollars for public schools. One does not count when it comes to Federal dollars for fighting juvenile crime. One does not count when it comes to Federal dollars for road repair and mass transit.

If one is not counted, one does not count when it comes to getting Federal funding for things like Meals on Wheels for senior citizens and Head Start for our children.

According to the Census Bureau, despite its \$2.6 billion price tag, the 1990 census, the last census that was conducted was the first United States census to be less accurate than the one before it.

In 1990, one in 10 African-American males were not counted. In 1990, one in 10 Asian males were not counted. In 1990, one in 15 Latino men were also not counted. Overall, 10 million Americans were not counted in the 1990 census.

For many of us, it hits close to home. That undercount included more than 110,000 people in my home State of Illinois and 68,000 people in my hometown, the city of Chicago.

Let me put that in perspective. Sixty-eight thousand people is the equivalent of a standing-room-only crowd at a Bears game in Chicago's Soldier Field.

Officials in my city, the city of Chicago, estimate further that the census undercount was even higher than the 68,000 that the Federal Census Bureau declared as undercounted. The city of Chicago's figures have it as much as a quarter of a million people were not counted in the last census of Chicago, which means four Soldier Fields would be filled with undercounted people.

Let me illustrate my point. This undercount meant that, between 1990 and 1996, the city of Chicago lost approximately \$200 million in Federal aid. Just to give my colleagues a couple of examples, that means that, in 1997, Chicago should have received \$3.9 million more in Federal Community Development Block Grants than it received.

Chicago should have received \$1.7 million that year for the Head Start education program. The city should have received \$300,000 more for programs under the Older Americans Act to ensure that senior citizens in Chicago have nutritious meals.

The problem is not just limited to Chicago. States and municipalities across the country have suffered the same consequences because of the 1990 undercount.

We can avoid a repeat of this undercount, and we can ensure a fair distribution of Federal resources if we find other methodology to count people. Just as we do when we determine

unemployment statistics in the Gross Domestic Product, we need to find and use the most modern scientific methods available.

We are on the eve of the 21st Century, and, yet, the majority here in Congress wants us to count people in the next census in the same way that we counted them back in 1790. The reality is obvious, we do not count the same way in 1990 as we did in 1790.

The National Academy of Sciences, the American Statistical Association, and the National Association of Business Economists have all endorsed the use of modern scientific methodology as a way of counting.

Our crime statistics, our economic statistics, our labor statistics, all of these figures are determined using modern scientific methodology. Incorporating these statistical methods into the 2000 census will help us avoid the kind of census undercount we had in 1990.

So in closing, let me say that, let us, all of us, let Republicans and Democrats alike, join together and put politics aside, and let the professionals at the Census Bureau do their job.

April 1, 2000, just about a year from now, is census day for the 2000 census. Let us take politics out of the census and ensure that every American is counted.

Mr. RODRIGUEZ. Mr. Speaker, I yield to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding to me. I especially appreciate the leadership of the gentleman in bringing this matter forward at this time.

The census controversy continues unabated. We are about to precipitate a constitutional crisis because we have got to have an accurate count. The reason we do not have one is because we are so late in getting our act together and we are keeping Census from doing what it is supposed to be doing because we cannot agree among ourselves on what that should be. One of the reasons we cannot agree is we do not know what that should be as a technical matter.

We asked the court to decide the apportionment issue. It decided the apportionment issue. Census has said we abide by the apportionment issue when it comes to apportionment for this House. Census continues to have the same interest that every Member of this body, I would hope, has in an accurate census.

If the way to get the most accurate census for the distribution of Federal funds and for offering the States data is to use sampling, then it seems to me that there is no further question about what should be done.

With the apportionment issue settled, we are now at a point where, because sampling cannot be used, there will be the need for thousands and thousands more census takers than would otherwise have been the case.

So we are deeply into having to spend money, which, according to all the experts, one might have spent if this were

the turn of the last century, but not the turn of this century given what we know about sampling.

This is a stalemate that must be broken. Offering an adjusted census after the traditional census has been taken, offering the States census figures adjusted by sampling is consistent with the Supreme Court decision. It is up to the States to decide how they do their own redistricting.

The court has spoken as to our apportionment. The vested interest of us all in sampling techniques, to make sure that the maximum in Federal dollars becomes available, should need no elucidation. There is not a Member who has minorities or pockets of poor in his or her State or city which will not want the maximum feasible count. If that is by sampling, we would find it acceptable.

The court has settled the toughest issue. Let us come together to make sure that we do not have another extended fight on how we are to count ourselves.

Mr. RODRIGUEZ. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Texas for bringing this special order, along with the gentlewoman from New York (Mrs. MALONEY).

Mr. Speaker, we have worked long and hard to define accurately the question regarding the census. I am certainly disappointed that it is now broken down along the lines, seemingly, of Democrats and Republicans.

I serve on the Census Task Force. I did so in the 105th Congress. Likewise, I was a plaintiff or a part of the litigation that argued for articulating how we could interpret fairly the census statute and how we could avoid the undercount that we saw in 1990.

In my community alone, there were 67,000 undercounted in the city of Houston, some 400,000, almost a Congressional District, in the State of Texas.

It is imperative on the census that we come together in a manner that this Congress stands up for, not denying any single person the right to be counted. Let me make it as clear as I can. We count every one.

This is not a question of citizenship as much as it is a question of determining how many people are within our boundaries. I think that should be made very clear. There is no doubt that, despite the Supreme Court ruling, I believe the Supreme Court has given us some latitude of which we will continue to discuss, debate, and argue about.

I hope the administration makes it very clear on their position that some statistical methods can be used. But I think the point that should be made is none of us should stand up on the floor of the House and deny that anyone within the boundaries of this country be left out and not counted.

□ 1415

And it is well documented by the National Science Foundation that that

statistical methodology is the most accurate of ensuring that all individuals are counted.

I am fearful that we will see an impact in Social Security, an impact in the AFDC payments needed for our children to survive, that we will find an impact on educational dollars. And whenever I go home, there is not one single citizen that would concede the point that they are gleefully looking forward to not being counted.

Now, I will say to my colleagues, Mr. Speaker, that our citizens are looking not to be intruded upon. They are also looking to make sure that we do not have a set of circumstances in which their privacy is invaded. And I clearly would like to say that we need to look at those issues. We need to refine those census forms. But I want to argue for the enumeration, the counting, rather, of every single one that can be done best by statistical methods.

I want to applaud the work of the gentlewoman from New York (Mrs. MALONEY), both in her ranking member position but as well as the head of the Census Task Force that must be ongoing. And I want to commit all of us to reckoning that if there are those in the House that would distract away from the full counting, then we must address their concerns, but we will not give up the fight for empowering all people within these boundaries to be acknowledged.

I want to add an additional point, Mr. Speaker. We must have diverse members of this process. All of those census-takers, whether used in the statistical methodology or otherwise, must come from all backgrounds. It is imperative. They must be bilingual. They must reach out.

Most of all, we cannot be intimidated. I am ranking member on the Subcommittee on Immigration and Claims of the Committee on the Judiciary, and for too long we have not recognized the value of ensuring that we have the right information, that we do not characterize by a negative something that is positive.

I will not characterize immigration as a negative, because we are a country of immigrants, but we are a country of laws. I will not characterize census taking as a negative because it may intrude upon someone's privacy, but I will balance the privacy with the need to count people, the need to be accurate, the need to use statistical methodology, the need to be diverse, and to ensure that I do not unempower those in the State of Texas and in this Nation.

With that, Mr. Speaker, let me thank the gentleman from Texas (Mr. RODRIGUEZ) for his kindness and for his leadership and the gentlewoman from New York (Mrs. MALONEY), as well I see my good colleague, the gentleman from Texas (Mr. GONZALEZ), who is here. And it seems Texas is on the rise. We know we need to be counted, and I know we are going to work together in Texas and get every single person counted.

Mr. RODRIGUEZ. Mr. Speaker, I thank the gentlewoman from Texas (Ms. SHEILA JACKSON-LEE), and I now want to yield to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for his yielding to me and for his leadership.

Mr. Speaker, it was not long after the Republicans took over Congress that they reached the conclusion that they did not like the use of modern scientific methods in the counting on the census. I am not sure how they reached that decision, having abolished the committee and subcommittee with jurisdiction over the census. I am fairly certain that that conclusion did not come through oversight. In fact, they gave jurisdiction over the census to the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Government Reform, where it languished.

The full committee did hold a couple of hearings on the census, but they were halfhearted events. There certainly is no record to support their conclusions. In fact, the only report issued by the Committee on Government Reform stated that sampling and the use of scientific counting methods was unscientific, a conclusion they were later forced to repudiate.

Given the lack of evidence to support their position, one might question their motives. However, there is no need to do that. We only have to look at their tactics to understand where they are coming from. At every turn they have come and tried to use some back-room maneuver to push their agenda.

Two years ago, House Republicans added language to the Flood Relief Bill to make the census less accurate. They thought the President would not dare veto the Flood Relief Bill. But, to their surprise, not only did he veto it, but he won overwhelming editorial support clear across this country. Faced with this opposition, they backed down.

The next effort to force a less accurate census on the American public came as part of the 1998 appropriations bill. Not only did the Republicans add language to the Commerce, Justice, State appropriations bill that would have prohibited the use of statistical methods in the census, but they also rejected a genuine compromise offered by the gentleman from West Virginia (Mr. MOLLOHAN). They even added language requiring a two-number census.

And I would like to add to the record the language from the 1998 appropriations bill which the Republicans put in the budget requiring the two-number census.

To hear them talk today, one would think a two-number census was on the same order as high crimes and misdemeanors. But I learned long ago not to expect the opponents of a fair and accurate census to be consistent.

Last September, the chairman of the Subcommittee on Census of the Committee on Government Reform called

the Census Bureau's plan for a one-number census irresponsible. This week, in a hearing, he called a two-number census irresponsible. Perhaps the chairman believes that all numbers are irresponsible.

It was not until February of 1998, a little more than 2 years before the 2000 census, that the majority created the Subcommittee on Census of the Committee on Government Reform and 2 years after the plan for the 2000 census was announced. For 3 years they ignored their oversight responsibility and tried to bludgeon the Census Bureau through the appropriations process. Having repeatedly failed at those attempts, they decided to harass the Census Bureau into submission.

With a staff of 12 and a million dollar budget, the majority was able to field six hearings over the first 11 months of the subcommittee's existence, but they peppered the Census Bureau with requests for meetings, documents and data. One day recently, the Census Bureau director got eight, and I repeat, eight separate letters requesting documents.

Despite receiving boxes and boxes of documents, the subcommittee complains that the Census Bureau is operating in secret. Despite being briefed and briefed and briefed, they complain that the Census Bureau will not tell them what they are doing. Despite the lack of evidence, they continue to claim that the Census Bureau plans to manipulate the census, and they have come forward with many attacks on the career professionals at the Census Bureau.

There are 394 days until April 1, 2000. Census day. It has been 3 years since the Census Bureau released its plan for the 2000 census and over 8 years since the planning for the 2000 census began. In fact, the plan for this census was shaped during the Bush administration under the direction of Dr. Barbara Bryant. With a little more than a year to go, the Republicans have just come up with a legislative agenda for changes they want to make to the census plan.

We marked up one of these bills today in the subcommittee. It was a bill that the gentlewoman from Florida (Mrs. CARRIE MEEK) introduced in 1996, and I am pleased that the subcommittee chairman is joining her, and I hope that this bill will pass.

However, there may be something very much more sinister afoot. Having failed repeatedly to legislate the census plan through the appropriations process, they are now trying to pass legislation that on the surface looks benign, but it is designed to throw a monkey wrench into the census process.

Earlier this week, the Census Bureau director warned Congress that legislating major changes in the census at this late date will jeopardize the accuracy of the census. He offered to work with Congress to achieve its goal within the context of the operational plan but

warned that procedures created by Congress that require reworking and an operational change would result in major disruption.

The time for legislation has passed. The opponents of a fair and accurate census spent their time trying to bully the Census Bureau with threats and busy work instead of helping them with a comprehensive plan.

The opponents of a fair and accurate census seem to be getting desperate; and the more desperate they get, the louder they yell. But all of the yelling in the world will not change the facts. They provided taxpayer dollars to finance a partisan Republican suit against the Census Bureau. The Supreme Court ruled that the use of statistical methods was prohibited for apportionment but required, I repeat, required for all other purposes, if feasible.

Democrats accept the court's judgment. But the opponents of a fair and accurate census continue to yell, and each yell is more desperate than the last. Why? Because they believe that a fair and accurate census is a threat to their majority.

I would remind my colleagues of one other fact. The last time the Republicans controlled Congress during a census was in 1920. That was the only time in the history of this country that Congress has refused to reapportion the seats in Congress. Why? Because they did not like the facts that were revealed in the census counts. The population had shifted from the rural south to urban areas, and they simply refused to acknowledge the census numbers. It was 10 years later that Congress was finally able to apportion the seats. I hope we are not on the way to another failed census, as we were in 1920.

The 1990 census missed 8.4 million people and counted 4.4 million people twice. Most of those missed were the urban and rural poor and minorities. The opponents of a fair and accurate census want to make sure that those 8.4 million poor and minorities are left out of the census forever. They want to make sure that those 4.4 million people who were counted twice, who are mostly suburbanites, are forever left in. In fact, now they want to force the Census Bureau to do a second mailing, because it has been shown in their dress rehearsals and in their research that it will create more duplicates that are difficult to remove.

Now, I ask my colleagues, who is trying to cook the books? Is it the professionals at the Census Bureau and the experts brought together by the National Academy of Sciences, who want to use modern scientific methods to correct the errors in the census; or is it those fighting to keep the census full of mistakes?

The 1990 census missed 1 in 10 adult black males, 1 in 20 Hispanics and 1 in 8 American Indians living on reservations. But the 1990 census only missed 1 in over 142 nonHispanic whites. Now, I ask my colleagues, why does the

Grand Old Party want to make sure that these errors are not corrected? Is it because they believe that modern scientific methods are not scientific? I do not think so. Is it because they believe that the professionals in the Census Bureau will manipulate the numbers? I do not think so. Is it because they believe that the director of the Census Bureau is a statistical skill? I do not think so. I do not believe they believe their own rhetoric. But I do know that they can count, and they like the odds of suburbanites being counted and minorities being missed.

The fight over a fair and accurate census is the civil rights fight of the 1990s, and it is a fight that we must win.

□ 1430

Mr. RODRIGUEZ. Mr. Speaker, we all know that Texas lost an estimated \$934 million since 1990, or about \$1,922 in federal aid for each of the persons who was not counted. In my particular district, the 28th Congressional District, we lost approximately \$40 million from an estimated 20,714 people that were not counted.

I take pleasure now in recognizing the gentleman from the city of San Antonio, Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, the issue that we address today will affect every constituent in every congressional district throughout the Nation. You will hear us repeat numbers, facts and figures but truly what we are trying to emphasize, that these are just not facts and figures but real people. The 2000 census is just around the corner and if we do not stop the partisan rhetoric which has clouded this issue for far too long, we will once again keep millions of Americans from having a voice. As Chair of the Census and Civil Rights Task Force for the Hispanic Caucus and Co-Chair of the Census Task Force for the Democratic Caucus, I am committed to achieving a fair and accurate census. The impact of a fair and accurate census will be felt across the Nation in every community and in the lives of every American. The information gathered in the census is utilized in many ways. It is used by States and local governments to plan schools and highways, by the Federal Government to distribute funds for health care and countless other programs. It is used by businesses in creating their own economic plans.

Our last census, in 1990, was the first time in history that the count was less accurate than the one before. In 1990, more than 8 million Americans were not counted and more than 4 million were counted twice. In Texas, as already indicated, over 500,000 were not counted. In my own home city of San Antonio, as referred to earlier, 40,000 were not counted.

In a report released by the General Accounting Office this past week, it is reported that 22 of the 25 large formula grant programs use census data as part of their allocation formula. Those 25

formula grant programs distribute approximately \$166 billion in Federal funds to the States. The 22 formula grant programs that utilize census data account for 97 percent of the total. That is \$161 billion. These are Federal tax dollars that citizens across the Nation have paid, Federal dollars that should come back to the community in the form of improved infrastructure, better neighborhood schools, health care for the poor and the elderly, local economic development and much more.

In my State of Texas, where over 500,000 were not counted, it is estimated that we lost close to \$1 billion in Federal funding over the past 10 years. We were second only to California in the harm caused by an inaccurate count. This astronomical loss of funding breaks down to \$1,992 per missed person. It is estimated that if we utilize the same inaccurate enumeration methods for the 2000 census, Texas will stand to lose \$2.18 billion in Federal funds.

We must realize that this is not a political issue. This is an economic issue. It is an education issue. It is an infrastructure issue. And most importantly, it is about fairness. It is about time that we stop the partisan rhetoric and choose people over party politics. Every person in this Nation counts and every American deserves to be counted.

It is important to point out exactly who was missed in the 1990 census. It is really no surprise, because the very people who were not counted in the last census are those communities who are typically overlooked. Of the 8 million Americans not counted, minorities, children and the poor were disproportionately represented. Nationally, 5 percent of Hispanics, 4.4 percent of African Americans, 2.3 percent of Asian and Pacific Islanders, and over 12 percent of Native Americans living on reservations were undercounted. In Texas, the net undercount from the 1990 census was 2.8 percent, almost twice as high than the national average of 1.6 percent. The percentage of Hispanics and children missed in Texas were all greater than the national average. Of the 500,000 Texans missed, over half were of Hispanic origin. Statewide, 3.9 percent of African Americans, 2.6 percent of Asian and Pacific Islanders, and 2.8 percent of Native Americans were undercounted.

While missing or miscounting people is a problem for the census, the fact that particular groups, children, the poor, people of color, city dwellers and renters were missed more often than others produced census data that underrepresented these particular groups. Each of us should be outraged by these types of inaccuracies. The Census Bureau and other experts have told us that the most accurate census can be obtained by utilizing modern and proven scientific statistical methods. These are proven methods, proven to be the most accurate system to obtain the census.

Now, we know that the Constitution calls for an enumeration. I agree. We should try to count as many people as we possibly can. I also realize the obstacles that face us if we rely on this head count alone. Today society is highly mobile. Most households are two-income families. There are language barriers. And there are people who have a distrust of government. These are just some of the obstacles facing us if we choose to continue to employ a head count system alone. Proven scientific statistical methods can overcome these obstacles and will give us the more accurate count. Over and above the accuracy, we know that this system is cheaper than the actual head count.

The Supreme Court recently ruled that these scientific methods can only be used for redistricting and distribution of Federal funds and that a head count must be done for the purpose of apportionment. If we know we can get the most accurate census through these methods and that they will save us money, we must utilize them. The gentlewoman from New York (Mrs. MALONEY) who just preceded me has introduced legislation that will amend the census act so that scientifically proven statistical methods can be used for every purpose of the census, apportionment, redistricting and distribution of Federal dollars. I believe in this bill and urge all of my colleagues to support it so that every American will be counted and have a voice. We must stop the partisan bickering over the census. We must put people first. We must put people over party politics. We must and should be dedicated to obtaining a fair and accurate census in 2000.

Mr. RODRIGUEZ. Mr. Speaker, I thank the gentleman from Texas (Mr. GONZALEZ) for his remarks. I know Texas has been hard hit and we all recognize the loss in Texas. We have been shortchanged. With the 2000 census upon us, we recognize the importance of assuring that we get a good, accurate count. Let me recognize my fellow Congressman also from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. I thank the gentleman from Texas (Mr. RODRIGUEZ) for yielding.

Mr. Speaker, I have an important point I would like to make today. Our Nation must have a fair and accurate census in the year 2000. In my State of Texas, the 1990 census resulted in the second highest undercount of any State. Not only in 1990 but for a full 10 years after that, almost half a million Texans have been inadequately represented in their government and received only a fraction of the Federal funds that they were due. The undercount meant that the State of Texas alone was deprived of over \$1 billion in Federal funds. As the gentleman from Texas (Mr. GONZALEZ) said earlier, an equally inaccurate census in the year 2000 could result in the loss of over \$2 billion to our State. Nation-

wide, the Commerce Department estimates that several million people were overlooked. While these figures represent the disempowerment of a shocking 1.6 percent of the total American population, the figures for minorities are significantly worse. A full 5 percent of Hispanic Americans were simply overlooked, 4.4 percent of African Americans were never counted, 4.5 percent of Native Americans were ignored. These communities of minority Americans have been denied the representation that is their birthright. Representation in American government cannot be contingent on the affluence of your neighborhood, nor the color of your skin. This is a sanctioned disempowerment of American minorities and cannot be allowed to continue. We must have a census 2000 that not only attempts to count all Americans but one that makes people, all people, count. To allow our underserved populations to become third-class citizens without a voice in their own government is to deny the most basic principles of democracy. This is the only way in which they are going to be able to get the additional Federal funds to improve their schools, to modernize their schools, to be able to improve health programs, to be able to improve their infrastructure so that they too can have an interstate highway and be able to be connected to the rest of the country. This is the only way in which they are going to be able to improve the quality of life of their people. This must change. I stand here today, and I say, the year 2000 census must be fair. To be fair, it must be accurate.

Mr. RODRIGUEZ. Mr. Speaker, I thank the gentleman from Texas (Mr. HINOJOSA) for his remarks. I yield to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker, I rise to discuss this issue because it is indeed an issue that should have a lot more attention in this Nation at the local level than it has been getting. The battle here in Washington seems to be a partisan battle. The battle of getting an accurate census is really a community-based value. Let me tell why. If you undercount California where one out of every 10 people in the United States lives, it has been estimated that just the 1990 census, what we did 10 years ago when there was no dispute about how to do it, that that undercount will cost California \$2 billion. Why? Because the money is subvented back to the States based on population. So the census in 1990 missed 838,000 people living in California. That 838,000 people is larger than the individual populations of Alaska, Delaware, Montana, North Dakota, South Dakota and Vermont. So if you do not think that counting is important, then let us just eliminate those States from the count, because that is the amount of people that we are talking about. What that means is that in

a single year California loses \$197 million in Medicaid funding, that is funding for people with illnesses; \$995,000 in adoption assistance, \$1.8 million in child care and development, \$3.6 million in prevention and treatment of substance abuse, \$9.4 million in foster care, \$4.7 million for rehabilitation services, the list goes on and on. What you are seeing is that all of those people out there who are asking for help from government, because the programs just do not go far enough, could be receiving that help automatically if the census was correct.

So I rise today, Mr. Speaker, to do one thing, to challenge the mayors of this great country, to challenge the county commissioners and supervisors of this great country, to challenge the municipal governments of this country to rise up and take notice as to what is happening with the census, because it is going to affect their communities. This issue is not a partisan issue. It should not be a partisan issue. It should be a scientific issue: What is the best and most accurate way that we can guarantee a full count.

The National Science Foundation and the Department of Commerce and a vast majority of the professional scientific community all recommended that we use modern scientific methods to have the count in the year 2000. The United States Supreme Court recently held that the 1976 Census Act requires the use of modern scientific methods for all purposes other than just reapportionment of Congress, which is the method where we determine how many people live inside a congressional district and from there draw the district boundary lines. That is what is of interest to Washington, to Congress, to the House of Representatives. But let us not forget that the real impact of the census is upon our neighborhoods, our schools, our health care centers, our hospitals, our police and fire, and people who reach out and do services to our community such as foster parents and others.

□ 1445

Equity demands that more than scientific methods be employed to determine the population so that California and every other State are not deprived of their fair share of Federal funding. If indeed those communities care about this, rise up, take notice and petition our government in Washington.

Mr. HINOJOSA. I thank the gentleman from California (Mr. FARR). I am very pleased that he mentioned California because California was the hardest hit in terms of the loss of resources. It was estimated by the GAO report that approximately \$2.2 billion was the biggest loser on the fact that we did not utilize sampling during the 1990 census. The Census Bureau estimated that 835,000 people were not counted in California. Of those, it is also interesting to indicate that over half of those individuals not counted in California were Hispanics, and the pop-

ulation figures are used again. It is important to note that the population figures are used by 22 of the 25 biggest Federal grant programs.

So if people are not counted, such as Medicaid, then they will not be able to receive those resources. If people are not counted such, we will not be able to use the resources for how reconstruction. So it is important for us to recognize that it is key and it is important that everyone. It is hard to think that if 5 percent of the Hispanic population is not utilized, that Hispanics are only worth 95 percent instead of a hundred percent, and we also recognize that there is an overcount, and we have a large number of individuals that are the rich that are being overcounted because they have several households.

So we ask, as we move forward, that we get an accurate count.

I wanted to just mention in terms of the GAO report that it was requested by the leaders of the House Subcommittee on Census and to determine how much each State would have received from these programs by using adjusted figures for the 1990 head count, and this GAO report is the one that I have been mentioning. The Supreme Court ruled in January the statistical methods known as sampling could be, and I read again, could not be used for determining population figures for allotting congressional seats. In response we recognize that it can be utilized for all the other areas, and that is what we are talking about.

So, it becomes important that we recognize the importance of making sure that everyone gets counted.

I was also very pleased, and the gentlewoman from California (Ms. PELOSI) was here earlier, and she talked about the importance and had to submit some record for the RECORD because she recognized that California was the biggest loser, and in her comments she also addresses the importance that in California the statistics were alarming and had far-reaching consequences. Mr. Speaker, 2.7 percent of the people in California were missed in the 1990 census. There is much at stake in this process for California, for Texas and for the entire Nation to make sure that everyone gets counted.

In the 1990 census it showed that 27 States and the District of Columbia lost \$4.5 billion over the decade in Federal funds due to the failure of a corrected census in 1990. California was the State most harmed by these inaccuracies. One State would have received \$2.2 billion more in Federal funds during that period, and that is \$2,660 for a person that was missed. So for each one that is missed, in Texas we lose a little bit over \$1,900; in California they lost over \$2,600.

So it is important for us to recognize that every effort needs to be made to assure that we get everyone counted.

In the year 2000 census I also want to assure my colleagues that the Census Bureau is there to do an accurate count, and they are willing to move to

make sure that the 2000 census is an accurate count. Scientific methods, and we got to remember that since the 1950s we have recognized that there has been a problem in terms of how people are counted, and since then and up to the present, even in the 1980 census, and 1990, there were attempts and there were utilized methods. They were recognized to best identify those people that are missing, and that does not mean that we will not be going house to house, that does not mean that we will not try and make sure that everyone gets counted.

In fact, as we look at the scientific methods that have been used by the Bureau for decades, it is indicated that they have been extremely helpful to be able to get a more accurate count. The Census Bureau has used scientific methods to be more accurately measured and correct and to make sure that we get that undercount, because as my colleagues well recognize, there is also an overcount on the other side with the rich that have several households.

In the year 2000 the Census Bureau will, No. 1, mail the census form to each household so that that effort will be there again and will continue to be there, and it will also go door to door to follow up on those homes that do not respond. So we are going to go out there to make sure that everyone, No. 1, gets some mail; No. 2, if they do not send it back, we are going to go out there to make sure and knock on their door to make sure that that mail and that census data comes back.

Secondly, we are going, for the first time in history the Bureau will put on a national advertising campaign urging everyone to participate, and this effort is an effort to make sure that everyone recognize that they have a responsibility to be counted and an obligation.

Thirdly, Mr. Speaker, they will use special outreach to contact and encourage everyone to return their census forms, including people who do not have a fixed address, and this is where the problem lies. There is a lot of individuals or families that live together, and we do not have a fixed address for them, and those are the individuals that get miscounted, and that is why, in order to carry that out, aside from all those things that we are going to be doing, we are going to be pushing on the utilization of sampling which will allow us to have a more accurate count.

To carry out the accuracy coverage evaluation, which is called ACE, a quality check which completes the census by evaluating accuracy and correcting any undercount. Methods very similar used by ACE were used in the 1980 and 1990 census, and this will allow an opportunity to make sure everyone gets counted. When we look at Americans, I know that during the Civil War we counted African Americans less than. We do not want to do this at this time. We want to make sure that everyone gets counted. Again, if 5 percent of Hispanics are not counted, that

means that I am only counted at 95 percent, while other people are counted at a hundred or even beyond if they are overcounted.

So there is a need for us to look at that disparity that exists there and make every effort to make sure that everyone gets counted.

Mrs. MEEK of Florida. Mr. Speaker, on April 1, 2000, as mandated by the U.S. Constitution and the Census Act, the decennial census will take place. People want an accurate census that includes everybody. Unfortunately, the U.S. Census Bureau has missed millions of persons in conducting each decennial census, especially minorities, the poor, children, newly arrived immigrants, and the homeless. Our goal for Census 2000 must be the most accurate census possible. To accomplish this, the Census Bureau must use the most up-to-date methods as recommended by the National Academy of Sciences and the vast majority of the professional scientific community.

The importance of the census is monumental. The census has a real impact on the lives of real people. Information gathered in the decennial census is used by states and local governments to plan schools and highways; by the federal government to distribute funds for health care and other programs; and by businesses in making their economic plans. An accurate census is vital to every community. Last year, census data was used in the distribution of over \$180 billion in federal aid. Accurate census data is the only way to assure that local communities receive their "fair share" of federal spending; an inaccurate count will shortchange the affected communities for an entire decade.

Census data also forms the basis for which Congressional seats are apportioned among the states. Within states, census data is used to draw Congressional and other legislative districts. Inaccurate data has far-reaching consequences for political representation by decreasing the influence of those persons who are less frequently counted. We must not allow this to occur in 2000.

Allow me to give you some pertinent statistics. The population undercount for minorities is a long-standing problem for the Census Bureau, a problem which was even worse in the 1990 census. The 1990 Census contained 26 million mistakes. About 4.4 million people were counted twice and 8.4 million people were missed. The net undercount was 4 million people, approximately 1.6% of the population. Another 13 million people were counted in the wrong place. About one-third of all households failed to respond to mailed questionnaires.

The undercount of minorities was much worse than the 1.6% national average. The Census Bureau estimates that 4.4% of African-Americans, 5.0% of Hispanics, and 4.5% of Native Americans were not counted. The 1990 census missed 7% of African-American children, 5% of Hispanic children, and over 6% of Native American children. In fact, as the Secretary of Commerce noted on January 25, 1999, the 1990 Census was the first in 50 years that was less accurate than its predecessor. It is critical that this census is a fair census. Because the census is so important, we must do everything we can to ensure that everyone is included in the count. We know that previous censuses overlooked millions of people, especially children and minorities.

That's not fair, it's not accurate, and it's not acceptable. We are determined to do better.

A complete census must include modern scientific methods which will provide an essential quality check for Census 2000. Such a plan fully complies with the Supreme Court's ruling that the law requires that the Census Bureau use modern methods such as statistical sampling for all other purposes of the census other than apportionment. This issue should rise above partisan politics. It's not a partisan issue. It's an American issue. As President Clinton stated:

"Improving the census should not be a partisan issue. It's not about politics, it's about people. It's about making sure that every American really, literally counts." President Clinton, June 2, 1998.

The stakes of an inaccurate census are very high. Over 164 federal programs use some aspect of census data to determine the amount of funds that are distributed to qualified applicants. From the allocation of transportation funds and the building of roads and bridges, to the determination of housing units and the distribution of program funds, census data plays a critical role in determining the amount of federal dollars disseminated in our local communities. The decennial census is the basis for virtually all demographic information used by educators, policy makers, journalists and community leaders. America relies on Census data everyday—to determine where to build more roads, hospitals, and child care centers.

The extent of the problem should be clear. Poor people living in cities and rural communities, African-Americans and Latinos, immigrants and children were disproportionately undercounted. In Florida, the 1990 Census missed more than 258,900 people. Like the national results, a disproportionate number of undercounted Florida residents were minorities—4% (73,319 people) of African-Americans were missed; 1.8% (2,881 people) of Asians in Florida were undercounted, 5.3% (87,654 people) of Hispanic origin were missed; and 2.7% (1,006 people) of native Americans were undercounted.

In Miami, an estimated 18,831 (4.99%) people were not counted. This is the 3rd highest undercount rate among major cities (behind Newark, NJ, and Inglewood, CA). We must do better.

We should allow the Census Bureau to do its job. The professionals at the Census Bureau are continuing their preparations to produce the most accurate census permitted under the law. Our goal must be the most accurate census possible, using the most up-to-date scientific methods and the best technology available.

Allow me now to turn your attention to the controversial issue of statistical sampling. Advertising and promotional campaigns targeted to minority communities and directed by minority advertising firms are essential. Easy access to census materials in languages other than English is also critical. However, the National Academy of Science, the General Accounting Office, the Inspector General of the Commerce Department and the academic and statistical community all have concluded that the undercount and the differential undercount among minorities cannot be solved without the use of modern statistical techniques known as "sampling."

On January 25, 1999, the U.S. Supreme Court ruled that the Census Act prohibits the

use of sampling for apportioning congressional districts among the states. However, the Court also held that the 1976 revisions to the Census Act "require" the use of sampling for all other purposes, including the distribution of federal aid to states and municipalities and for redistricting, if the Secretary of Commerce determines its use to be "feasible."

The Secretary of Commerce has already announced that he considers the use of sampling to be feasible. Given the Supreme Court's ruling, a 2000 census plan must be a two-number plan under the law that uses traditional counting methods to arrive at a number for apportionment and modern statistical sampling techniques for all other purposes. Simply put, the Court's ruling did not bar the use of modern scientific methods. It required sampling's use for all census purposes except apportionment.

In order to eliminate the undercount for all other purposes beyond apportionment of congressional seats among the states, Census 2000 will be completed using modern scientific methods. The Census Bureau has determined that it is feasible to use modern scientific methods and will use these methods to produce the most accurate census permitted under the law.

Scientific methods have been used by the Bureau for decades. Statistical methods disclosed that in the 1950 census, minorities were undercounted at much higher rates than non-minorities. Since then, the Census Bureau has used scientific methods to more accurately measure and correct for this unfair undercount.

What steps will the Census Bureau take to ensure an accurate and fair census? In 2000, the Census Bureau will:

Mail census forms to every household and do door-to-door follow-up to the homes that did not respond to the mailing;

For the first time in history, the Bureau will put on a national advertising campaign urging everyone to participate;

Use special outreach to contact and encourage everyone to return their census forms, including people who do not have a fixed address; and

Carry out the Accuracy & Coverage Evaluation (ACE), a quality check which completes the census by evaluating accuracy and correcting any undercount.

Methods very similar to ACE were used in the 1980 and 1990 censuses to improve accuracy.

If we use the most up-to-date scientific methods as recommended by the National Academy of Sciences and the vast majority of the professional scientific community, America can have a Census 2000 where all Americans count. Let's make Census 2000 a census that all Americans can be proud of.

Ms. PELOSI. Mr. Speaker, does the census count?

Yes, the Census counts for every American and it should be as accurate as possible.

The Census Bureau has devised a plan to increase the accuracy of the ten-year count. We should listen to the experts on this issue and leave the decisions to the experts who know how to determine the best means for accomplishing the best count.

What are our choices?

In all of the talk about the census and its fairness, the interpretation of the Supreme Court decision and the debate on methods, our choices really are very simple.

We can use the "old" methods, or we can use the modern methods recommended by the Census Bureau. We can have an inaccurate census using the "old" method, or we can have a more accurate census using updated techniques for counting, recommended by the Census Bureau.

The 1990 census failed America's minority communities. Almost 9 million people were not counted in the process, including one in ten African-American males, one in twenty Hispanics and one in ten young Asian males. To make matters worse, there were 26 million errors in the census with 14.5 million people counted twice and another 13 million people counted in the wrong place. In fact the 1990 census was the first census in 200 years to be less accurate than the census preceding it.

This approach is unacceptable. Why would we retrace our steps down a failed path AGAIN? We owe it to all segments or our communities to make the strong effort to keep the census fair, accurate and representative of our diverse population.

In California, the statistics were alarming and had far-ranging consequences. 2.7% of the people living in California were missed in the 1990 count. There is much at stake in this process for California and its communities—to be counted, to be represented and to reap the federal benefits intended to spring from the best possible census numbers. In San Francisco alone, African Americans were undercounted by 13% and Hispanics by 16%.

The 1990 census showed that 27 states and the District of Columbia lost \$4.5 billion over the decade in federal funds due to the failure to correct the 1990 census. California was the state most harmed by these inaccuracies. Our state would have received \$2.2 billion more in federal funds during this period—\$2,660 for each person missed.

The Republican majority has proposed a \$400 million ad campaign to highlight the census. Why spend almost half a billion dollars and do nothing to correct the inaccuracies of the past. Under this plan, we will get even less for our money than ever before. What kind of goal is that?

If there is a move to restrict the Census Bureau in its plans and the process is thwarted, we could be faced with a partial government shutdown with funding cut off for the departments of Commerce, Justice and State under the June 15 deadline. This crisis is avoidable and should be entirely unnecessary under the Supreme Court decision.

The Supreme Court decision supports the current efforts of the Census Bureau—to use the "old" method for the purposes of state apportionment in Congress under the law and to use methods recommended by the census experts to use improved counting to redistrict within each state and to distribute federal funds. This is a fair compromise. The Supreme Court agrees.

The Census Bureau is committed to producing the most accurate numbers possible for all uses other than for apportionment, and the Republican majority wants to prevent it from doing its job.

The rich ethnic diversity of our urban and rural areas should not be under-reported, underrepresented and under-funded under a failed system. We must have a more fair process for counting our nation's minority communities under a process that brings the greatest number of people into the headcount.

Yes, the Census counts. Every American should be concerned about a fair count and support the work of the experts at the Census Bureau in giving them the tools they require to do the best job for the best money. The American people deserve the best.

THE RADICAL LEFT, THE PRESIDENT'S COUNSEL AND THE DEMOCRATIC CAUCUS DO NOT LIKE THE CONSTITUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. SCARBOROUGH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCARBOROUGH. Mr. Speaker, I certainly have been intrigued by the speech that we have been hearing about the census and about how we have heard words like "partisan motives" and "tactics" and basically the same things that we have been hearing for years, that Democrats have been attacking Republicans for back room maneuvers and saying all these horrible things because we do not want people to be represented according to them. Mr. Speaker, as my colleagues know, the one thing though that I find really intriguing about this debate is that while Republicans are being attacked for this, the one thing that we do not hear about when it comes to reapportionment and when it comes to using the census to count voters in 2000 is the fact that this decision has already been reached, not in a back room in Congress, not by mean-spirited Republicans getting together and figuring out how they can harm human beings, but now it has been decided already across the street by the United States Supreme Court who ruled not long ago, just a month or two ago, that it is unconstitutional. It is unconstitutional to run a census the way the administration and the way that the radical left wants to run the census in 2000.

Mr. Speaker, I say "radical left." Why do I say "radical"? I say "radical," and my definition of "radical" is somebody or a group of legislators who want to radically break with the past, and that is what this is all about. As my colleagues know, they can talk about scientific means of measurement, they can talk about fairness, they can talk about whatever they want to talk about, but when they turn and point and blame the Republicans for the census in 2000, they are avoiding some very basic facts.

Mr. Speaker, the main fact they are avoiding is, and there are two facts actually; first fact is the United States Supreme Court says it is unconstitutional to guess how many Americans should be able to vote in an election. It is unconstitutional. The second fact that they conveniently avoid so they can come down here and make mean-spirited, radical assertions that just are not based on fact is that the United States Constitution itself, the framework for this great constitutional re-

public, says itself that you have got to count each person when we decide about reapportionment.

Now what did we hear? As my colleagues know, I do not know why we did not hear that other than it does not really play into their strong point as well as criticizing Republicans, attacking us as mean-spirited. Listen. The Republicans on this issue are irrelevant. If they have a problem, they need to take it up with the United States Supreme Court. They need to take it up with Madison and Hamilton and those people that drafted the United States Constitution over 200 years ago.

Now maybe they do not like the Constitution, maybe they think that this part of the Constitution is not suited well for the 21st century, maybe they want a radical departure from our history, maybe they want to take an extremist approach because they think they can pick up four or five seats. But I can tell my colleagues the Supreme Court, the United States Constitution and 222 years of American history does not support their argument.

Facts are stubborn things. Facts, not name calling, not mean-spirited attacks; facts are stubborn things.

It reminds me during the impeachment hearings and even before the impeachment hearings, as we led up to the impeachment hearings. Mr. Speaker, I remember Ken Starr being castigated time and time again. He is a renegade. Ken Starr is dangerous. He is trying to do things that he should not be able to do. That is what we heard from the radical left. But facts are stubborn things.

The President's attorneys, the radical left, the Democratic Caucus, all would attack Ken Starr and say he was doing things that would destroy the Presidency and the Constitution, and yet every time the legal question was taken to the United States Supreme Court, the United States Supreme Court, the highest court in the land, would come back and defend Ken Starr's right to conduct his legal investigation.

Now whether colleagues agreed with Mr. Starr's investigation or not, do not say that he is an out-of-control prosecutor that is trying to violate the law because the highest court in the land, the court sanctioned by the United States Constitution 222 years ago, said that what Mr. Starr was asking for was constitutionally correct.

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Now, again, maybe the radical left, the President's counsel, and the entire Democratic Caucus does not like the Constitution. Maybe they are offended by 222 years of history. But do not attack the person that is living by the law and the Constitution, because facts are stubborn things.

This is something I have seen now for 4 years. Mr. Speaker, it was about 4½, 5 years ago that I was an American that sat on my couch and watched the news, watched C-Span, had never been

involved in politics. I decided that I should get off the couch, come to Washington, and try to make a change.

I did that. I have to tell the Members, I was shocked, absolutely shocked by some of the mean-spirited things that were said from the left to the right. Any time they disagreed on principle, they would attack personally.

I just do not know how many times I have heard somebody from the radical left call an opponent a Nazi because they disagreed with them politically; a Nazi, a member of an organization that killed 6 million Jews.

Just because you disagree with the way somebody votes on a school lunch program, whether someone wants it administered by the State, the local school agency or the Federal Government, does not mean that we should resort to this mean-spirited radical approach.

It is just like social security. I do not know how many times I have heard people on the left talk about Social Security and talk about how Republicans want to destroy Social Security. We have heard it from the administration time and time again. It is almost like they a one-trick pony. That is all they know how to do is to scare people.

Once again, facts are stubborn things. It was just this week that CBO Director Crippen criticized the President and the administration, and for doing what? For planning to raid the Social Security trust fund by \$270 billion, steal \$270 billion from Social Security. Even in Washington, D.C., even among the radical left, \$270 billion is a lot of money.

The idea was let us go ahead and raid Social Security for \$270 billion, take it from Social Security, put it in the general account, and then, after we steal \$270 billion from this Federal program that was set up on a promise, then we spend that \$270 billion on new Federal programs, new bureaucracies, making new promises that this government will not keep.

We have to say, once and for all, to this administration and to those on the left that want to raid the Social Security trust fund to create new bureaucracies and new jobs and new power in Washington, D.C., keep your hands off Social Security. Keep your hands off Social Security.

There is a Republican plan by the gentleman from California (Mr. WALLY HERGER) that would allow us to, finally, after all of these years, keep politicians' hands off of Social Security. This plan would set aside the Social Security trust fund and stop politicians from raiding that trust fund.

The President would not be able to steal \$270 billion from the Social Security trust fund. Members of the radical left would not be able to create new Federal jobs, create new Federal bureaucracies, and create new Federal regulations with their ill-gotten dollars. Instead, we would set aside Social Security. We would keep it solvent, not only for my parents but for all of

Americans. We have got to do that. We have got to stop looting the Social Security trust fund.

Ironically, this is something that, back in 1995, when I came here with a group of 73 other freshmen Republicans, we actually put out a bill that Mark Neumann helped draft that would set aside the Social Security trust fund and protect Social Security's funds for our seniors. We were told at the time it was radical, that nobody would do it; that, listen, we have to go ahead and count the Social Security trust fund and raid it or there is no way we can balance the budget. The administration's budgets looted Social Security.

Right now, though, I think we are getting to a point where most conservative and moderate Members of Congress agree that we have got to keep Social Security safe and keep it off-budget, so our grandparents and our parents will be able to get back the money that they put in.

Is it a plan that will work? I do not know, but I would like the administration, I would like members of the radical left, I would like everybody to come to the table and at least talk about it, instead of saying let us raid Social Security by \$270 billion, and then turning around and saying, we are the ones that are protecting Social Security.

They cannot have it both ways. Either they are for protecting Social Security and keeping their hands off the Social Security trust fund, or they want to raid Social Security to the tune of \$270 billion, like the administration, to create bigger Federal bureaucracies. They cannot have it both ways. Facts are stubborn things.

Why are we in a position now that we can set aside the Social Security trust fund? It is because when we came here in 1995 we were not only concerned about senior citizens, we were concerned about our children, we were concerned about teenagers, we were concerned about people in their 20s, 30s, and 40s, and people who would be on Social Security down the road.

The only way we could take care of our future leaders, the only way we could allow them to enjoy the American dream that so many Americans have enjoyed in this great American century, was to stop raiding Social Security and stop stealing from our next generation.

When we got here, the deficit was \$300 billion, \$300 billion. The debt was \$5 trillion. What does that mean? It is hard to figure out exactly how much money that is. All I can say is this. Senator BOB KERREY headed up a bipartisan task force on Social Security, and his Social Security task force back in 1994 concluded that if Social Security spending and if spending on our Federal budget continued at current rates, then people in their teens and twenties would be paying 89 percent of their paychecks, 89 percent of their paychecks just to pay off their Federal taxes.

I think what Senator KERREY did was a courageous thing. Senator Simpson, now retired, was also on that commission. It is a commission that came up with good conclusions regarding the solvency of Social Security.

What does that mean? I guess we have to boil this down basically as much as we can so people in their teens and twenties can understand.

Let us say you have a job at Wendy's and you make \$200; a part-time job, and you make \$200 every 2 weeks. If you have to pay 90 percent of your salary in Federal taxes, that means you will get \$20 at the end of the day and the Federal Government will get \$180. That simply is not the right thing to do, but that is what our children and our grandchildren face and what they faced if we did not dare to stand up to say no to more and more spending.

What do we hear now, 4 years later, just 4 years later? We have gotten to a point where we could not only erase the deficit but also erase the \$5.4 trillion debt, just in 10 or 15 years. How did this come about? We hear an awful lot about the recovery. A lot of people want to take credit.

But I remember back in 1995 when we got here. We said, we are going to balance the budget and we are going to do it in 7 years or less. I actually voted on a plan that would balance the budget in 5 years. They called us radical and extreme because their views were radical and extreme.

I guess, to a political faction that had spent 40 years borrowing from their children and their grandchildren and stealing from their grandparents' Social Security trust fund, I guess our concept was radical.

This was our concept: If you spend \$1, then you had better bring in \$1. Stop borrowing from the next generation and from the generation that survived the Depression and won World War II. Instead, let us be fiscally responsible. So we brought out a plan to balance the budget. It was the plan of the gentleman from Ohio (Mr. JOHN KASICH). It was a courageous plan.

I got up here in my first couple of months in Washington and everybody in Washington told me, we cannot do it. This will never happen. We cannot balance the budget. In fact, I remember the President coming out and saying, if we tried to balance the budget in 7 years we would destroy the American economy. The President of the United States just 4 years ago said if we tried to balance the budget in 7 years we would destroy the United States economy.

We had some other people that knew a thing or two about economics come and testify before Congress. The gentleman from Ohio (Chairman KASICH) had Fed chairman Alan Greenspan come to Congress.

The chairman of the Fed said, if you people will only do what you say you want to do and pass a budget that will balance in 7 years, you will see unprecedented economic growth. You will see

interest rates rocket down. You will see unemployment go down. You will see the stock market explode. You will see America explode economically in a way that it had not exploded since the end of World War II.

Do Members know what? He was right. His prediction before the Committee on the Budget in early 1995 was deadly accurate. It is a good thing that we listened to our hearts, that we listened to the chairman of the Fed and ignored the naysayers on the radical left and ignored the President, who said, do not balance the budget; it is a very bad thing.

Facts are stubborn things. It was only 1 year later when he was running for president that he said his first priority would be to keep up the fight for balancing the budget. It is very interesting, because he vetoed nine appropriation bills, he shut down the government, all because he did not want to balance the budget in 7 years. He said it would destroy the economy.

What has our work accomplished? What has the work of the gentleman from Ohio (Chairman KASICH) accomplished? What has Speaker Gingrich, when he was still here as a Speaker, accomplished? What has the courage of Republicans and conservative Democrats alike accomplished?

Well, let us look at it. When we first got here 4 years ago the deficit was approaching \$300 billion. Now we are told that the budget will balance in the next year. When we first got here the Dow Jones was at 3,900. Today it is at 9,500, and middle class Americans have gotten involved in the market, in their 401(k) plans, and America is enjoying unprecedented economic growth.

Unemployment is down. Inflation has remained down. America has not enjoyed better times. Why? All because we ignored the naysayers and the people who said we cannot balance our checkbooks, we cannot run Washington the way middle-class Americans have to run their homes. We cannot do it.

We said, we can do it, Mr. President; and we will do it, Mr. President. And because we did, America enjoys unprecedented economic growth. It is time for us to step back, not to assess credit, not to assess blame, but just to say, let us remember the facts and let us remember what got us here. The gentleman from Ohio (Chairman KASICH) was for it. The Speaker was for it. Every Republican was for it. A few Democrats were for it. The President was against it, and the radical left was against it.

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It is a good thing, a good thing that we stuck to our plan.

But yet, to hear the administration talk, one would think, my gosh, this was our plan all along. It was not. It just was not. And I suppose they can say it as much as they want to say it. They can take the credit as much as they want to take the credit. But facts are stubborn things.

So what we have to do in 1999 is remember the lessons of 1995, Mr. Speaker. Just because it is unpopular does not mean it is not the right thing to do. Just because less government may not be popular in Washington, D.C., does not mean it is not the right thing to do. Just because destroying the death tax, cutting capital gains tax, ending the marriage penalty and allowing people that make from \$45,000 to \$60,000 to pay less taxes, just because it may be tough does not mean it is not the right thing to do. It is the right thing to do.

It may seem radical to people whose entire life, their entire existence is based in Washington, D.C.; who believe that all roads lead to Washington; who believe that Washington knows how to spend out money better than we know how to spend our money; that believe Washington knows how to educate our children more than we know how to educate our children; that believe that Washington knows how to clean up crime better than communities know how to clean up crime. It may seem radical to them, but it does not seem radical to me. It did not seem radical to Ronald Reagan, and it certainly did not seem radical to Thomas Jefferson.

Mr. Speaker, we have to stop turning our backs on what made America so great. That is the individual. It is people.

"GOP" in the past has stood for Grand Old Party. I think that is a lousy name. I think that is a stupid, lousy name. What we ought to say is GOP stands for Government of the People.

Now, why do I say that? Because think about it. Who is the one, who is the party that is saying parents and teachers know more about educating children than the Federal Department of Education? Certainly not Democrats. They believe that the Federal bureaucracy in education should continue to grow, and the President has budgets to prove it.

Who believes Americans should keep more of their money and Washington should take less? It is not the Democrats of the radical left. In fact, the President of the United States went up to Buffalo a few weeks ago and made a statement that I am sure he wishes he could retract now. This is a statement that, unfortunately, reveals his heart when it comes to Washington, D.C. He said to this group about cutting taxes, he criticized Republicans because they actually wanted Americans to keep more of their money, and he said: You know, we in Washington could let you keep more of your money and hope you know how to spend it right. Oh, we cannot do that.

Hope? What is there to hope about? I mean, it is so painfully obvious that Americans know how to spend their money better than Washington, D.C. I will guarantee, Mr. Speaker, that if I went to the President of the United States today and I said, "Mr. President, I have got \$50 million for you,

and you can either have a bureaucrat in Washington, D.C., invest that money or you can invest that money yourself," I will guarantee that he will say, "I will invest it myself."

Let us say that someone won a \$50 million lottery across America and they said they want to give all of their money away to charity, they want to help people. If I gave them the option, would they rather give that \$50 million to Federal bureaucracies or would they rather give that \$50 million to private charities, I will guarantee that they would give it to private charities in a second because Washington, D.C., does not have all the answers. Washington, D.C., cannot do it as well as communities. All roads do not lead to Washington, D.C.

Mr. Speaker, I still believe in the genius of America. I still believe in the genius of communities. And as the father of two boys in public schools, I still believe parents know how to raise their children and teach their children better than bureaucrats in the Federal Department of Education.

Maybe that is not in vogue in 1999. Maybe it is not in vogue to say that Americans are paying too much in taxes in 1999. Maybe the economy is doing so well that Americans want to give the Federal Government more money. Well, I hope not, because I do not think that is good for America and I do not think it is good for the Federal Government. Because if we give the Federal Government one dollar, they will figure out a way to need two dollars next year. If we give them two, they will need four. If we hire one employee this year, they will figure out a way that they will need to hire two next year.

We have got to get back to basics, not only in this Congress, not only in this country, but in this party. The party of Lincoln, the party of Madison and Jefferson, the party that believes that the genius of America lies in the heart of America and not in Washington, D.C.

So, hopefully, when we talk about Social Security, we can keep our word with the American people. We can stop stealing from Social Security. We can stop the President's plan dead in its track to loot the Social Security trust fund of \$270 billion. \$270 billion. We can stop the President's plan to spend more and more money. And, yes, we can stop the President's plan to raise taxes by almost \$100 billion this year.

We have tried that before. That is the past. That is the history. I know his poll ratings are high and every time they are high he comes to Congress and he wants to spend more money and raise more taxes. It happened in 1993. We had the largest tax increase in the history of the world. That is why I think I got elected in 1994, because of his tax increase in 1993. I was against it then; I am against it now. I think it is immoral for the Federal Government to take half of what Americans earn.

When we look at it, look at it and see. A great example is the death tax.

Now, the radical left will tell us that the death tax is about nothing more than helping the rich. Say that to the farmer that has spent his entire life with his hands in the soil building a farm, praying to God every year that his crops will come in, praying that he will have something to pass on to his sons and his daughter, only to pass away and have his children have to pay 55 percent to the Federal Government just because he had the bad fortune of dying. Fifty-five percent on money that he has already paid taxes on eight or nine times.

Mr. Speaker, that is obscene. With the new collection of wealth in America, with middle-class Americans that are actually getting to earn a little bit of money and investing in small businesses and using their hands and using their minds and sweating day and night to build a small business in the hope of passing the American dream on to their children, they find out that when they die, they are going to have to pay 55 percent to the Federal Government. And what is going to happen to their small business? What is going to happen to their small farm? They are going to have to sell it. They are going to have to have a sale on the courtroom steps, because their children are not going to have the money to pay death taxes and keep that family business or that family farm running.

Mr. Speaker, it makes no sense. It makes no sense that Americans, while they are alive, spend half of the year paying for taxes, fees and regulations put on them by the government.

Now, what does that mean? That means that when Americans wake up to work on Monday, they are working for the government, and all day they are working for the government. When they wake up and go to work on Tuesday, they are still working to pay taxes, fees and regulations to the government. It is not until they come back from lunch on Wednesday afternoon that they are able to put aside a few dollars for themselves and a few dollars aside for their family and a few dollars aside for a mortgage. God help us all to be able to save a little bit of money for our children's education.

See, this is not the agenda that the President or the radical left want to talk about, because what does this do? Why is this offensive to people on the left? Because it makes sense? It makes sense I think to most Americans. But why is it offensive to people on the left? It is because it takes money out of Washington, D.C., and returns it to Americans.

I think, in the end, the difference between the right and the left is that the left just does not trust Americans with their own money. Like the President of the United States said in Buffalo a few weeks ago: Yeah, we could give you your money and hope that you spend it the right way, but we just cannot do that.

Mr. Speaker, I am hoping that we will be coming to a time in the coming

months that we can debate the real issues and debate the real facts. If we are talking about spending, we will keep spending down, we will adhere to the spending caps that we passed in 1997.

We have had Speaker HASTERT and several others come out this week and talk about their desire to stay in the spending caps. We have had the President of the United States talk about more taxes, more spending, more government, two very separate visions of America.

Mr. Speaker, Republicans are fighting hard to cut taxes. Hopefully, we can cut the death tax. Hopefully, we can help Americans that make \$45,000 to \$60,000 get out of the 28 percent tax bracket and go to the 15 percent tax bracket. Why is an American making \$45,000 paying 28 percent in Federal taxes? That is insane and wrong. The Federal Government has enough money. It does not need money that badly.

Hopefully, when we talk about Social Security we can say no to raiding the Social Security trust fund and say yes to keeping Social Security off budget. Say no to the President's plan of looting Social Security by \$270 billion, according to CBO, and say yes to the Herger plan, the Republican plan, to keep Social Security off budget.

Mr. Speaker, if we do that and if we go back to what we were talking about doing in 1995, which was balancing the budget, cutting taxes, cutting spending, saving Social Security and being responsible with taxpayers' money, then I think we will really be on to something and we will go into the next century and the new millennium a stronger, freer, prouder country than we have in many, many years.

That is my hope, that is my prayer, and that is what I will be fighting for.

ISSUES AFFECTING THE PEOPLE OF GUAM

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 6, 1999, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 60 minutes.

Mr. UNDERWOOD. Mr. Speaker, I take the floor today in the course of a special order to try to draw some attention to issues which affect the people I represent, the people of Guam.

Mr. Speaker, Guam is a small island about 9,000 miles from here. It has 150,000 proud U.S. citizens and offers the United States a transit point through which military power is projected into that part of the world. It is a cornerstone of America's projection of its military strength in Asia and the Pacific.

Guam has a \$10 billion military infrastructure. Our island is primarily influenced by Asian economic trends, and we have a fair-sized economy for a population of 150,000.

□ 1530

We have a \$3 billion economy that is fueled primarily by tourism. We had

over 1.2 million tourists last year, we anticipate, and we certainly hope that we will get more.

In the course of trying to represent a territory of the United States, the furthest territory from Washington, D.C., and in the course of trying to represent some very special and unique conditions which affect the people I represent, it becomes necessary to try to get some time to enter into the RECORD and to provide some information for those people who happen to be watching some information about the kinds of issues that affect the people of Guam.

I certainly would like to take the time to start off by talking about a very special congressional delegation that went to Guam last month. In February, there was a Pacific congressional delegation headed by the gentleman from Alaska (Mr. YOUNG), who is the chairman of the Committee on Resources. He took a delegation which included the gentleman from California (Mr. ROHRBACHER), the gentleman from California (Mr. DOOLITTLE), the gentleman from Minnesota (Mr. PETERSON), the gentleman from California (Mr. CALVERT), the gentleman from American Samoa (Mr. FALEOMAVAEGA), the gentlewoman from the Virgin Islands (Ms. CHRISTENSEN), and myself through a four-stop trip in the Pacific.

The Committee on Resources, of which the gentleman from Alaska (Mr. YOUNG) is chair, is the committee of jurisdiction and responsibility over the insular areas.

I want to take the time to thank the members of the congressional delegation for taking time from a very busy schedule in order to go out to the Pacific. I think sometimes people think of these as trips that are taken at a very leisurely pace and that not much is learned. But inasmuch as there is a great deal, perhaps, of misinformation or a lack of understanding or firsthand knowledge about the insular areas, I took it as a great opportunity to do a little teaching about the Pacific. I can testify that flying all over the Pacific, in which time is measured in hours of flight time, cannot be very pleasant when you make basically six stops in the course of 10 days.

In the course of the CODELS, the congressional delegation trips, they happened to stop, of course, on Guam. They went to American Samoa, Guam, Saipan in the Commonwealth of the Northern Marianas, and Majuro in the Republic of the Marshall Islands.

In the course of stopping in Guam, I would like to say publicly that I certainly appreciate the work of Governor Guterrez and many of the people on Guam who made the visit most pleasant, I think, for the CODEL, the Members, the spouses that attended, as well as the staff that went.

Politics on Guam is very different than politics here. Sometimes when we try to deal with issues, we run into roadblocks of misunderstanding. It is very difficult to try to get the sense or

try to explain the sense of the kinds of situations that we confront.

Yet, in the course of the congressional delegation visit, we did have the opportunity to have a forum between locally elected leaders, the Governor, members of the Guam legislature and Members of Congress to have a dialogue, a roundtable discussion on some major issues. I would like to simply address a few of those issues.

One is political status. Guam is an unincorporated territory of the United States. This goes back to a distinction made and rulings made by the Supreme Court called the insular cases in which a distinction was made between so-called incorporated territories and unincorporated territories.

Unincorporated territories are those areas over which the United States has sovereignty but which are not destined or are not promised or there is no implied promise for becoming States. This is to make a distinction of what was going on in the 19th century with areas of Oklahoma or Arizona or New Mexico which were territories almost always seen as States in waiting.

The problem with unincorporated territories is, realistically, as it stands now, unless we are able to conceptualize a new model for governance and participation in the system, unincorporated territories have very few options, particularly the smaller ones have very few options, in order to be able to participate in the making of laws which govern their lives.

Unincorporated territories are territories that are represented here, one is not even represented here, the Commonwealth of the Northern Mariana Islands, represented here by individuals like myself who are not voting Members of Congress.

Consequently, the people that we represent have no real meaningful participation in the making of laws which apply to the territories. Most of the laws apply to the territories in the same way that they apply to other areas.

Moreover, even though the President is our president as much as any other American citizen, we do not vote for president. And, of course, the executive branch of the Federal Government and all its various agencies issue regulations which in the main are applicable to the territories in the same way that they are applied to the 50 States and the District of Columbia.

As a consequence, it is always an issue to try to figure out what is the long-term process for resolving this situation, because it is a situation which every American citizen must come to grips with at some time. That is, how do you extend the meaning of the phrase concept of the governed to some 4 million Americans for whom that phrase is not fully implemented? It is easy to say to aspire to statehood. Perhaps, Puerto Rico, because of its size and its proximity and the relative numbers that are at work there, it is easy to say that statehood is an option.

But for an area like Guam or the Virgin Islands or American Samoa or the Northern Mariana Islands, that is not often seen as an option. Yet, there is no alternative given in order to find a fuller way to participate in the American body politic. So, as a consequence, these are issues that are always just below the surface on any given issue.

It comes to the surface on some very difficult things, like the establishment of a fish and wildlife refuge on Guam to deal with endangered species. This was a law that was passed in the U.S. Congress and applied to Guam in the same way that it applied to the 50 States, even though the people of Guam may not want the refuge. And in this instance, they do not, even though the source of the problem is the application of a law in which the people of Guam have no meaningful participation.

So there are a number of issues which were raised. First of all, we dealt with political status, and we hope that we can continue the dialogue on this. We hope that the Committee on Resources will see fit to try to establish new models for governance, new ways in order to establish meaningful participation for citizens who do not participate in the formation of laws which govern their lives. They do not elect a president who is, nevertheless, their president in every sense of the word.

One of the main issues that is always raised in the context of Guam is excess lands. These are military lands. The military condemned approximately 40 percent of the land in Guam in the immediate post-World War II era in order to establish a network of military bases which were subsequently used to prosecute further World War II, to fight the Korean War, to win the Cold War.

But, basically, those lands were condemned by military officials under authority of this Congress when there were no representatives from Guam at that time, not even a nonvoting representative.

If there was anyone who wanted to contest that process of condemnation, they had to take their case in front of a military court. It was a closed system. It was a closed system, a very un-American system, but a system that was specifically authorized by Congress. It could be authorized by Congress because, under the Constitution, Congress could pass virtually any kind of law it sees fit with respect to the territories.

So one of the issues is that today, as the military downsizes, as it changes its needs, is how to get as many lands back to the government of Guam at no cost, back to the people of Guam at no cost.

This is very different than any other circumstance that may be experienced in any other area of the United States. These lands were condemned by military courts primarily for a military purpose. Now that they no longer serve a military purpose, they should go back to the people of Guam.

Moreover, the government of Guam should be granted the option, if feasible, to return some of the land that they do get back to the original land owners. And this is a much contentious issue across a number of lines, because there are many bureaucracies in Washington who fear that this will create some precedence which would make it difficult to deal with excess lands in other parts of the United States.

But, again, given Guam's unique experience, given the fact that we must do what is right for the people of Guam and that we must do what is right in correcting this historical injustice, I think we should draft a provision which allows for that.

Another item which has surfaced also in the course of the discussions is the rate of illegal immigration into Guam, primarily from China. I would like to discuss that at length a little bit later in this special order.

Lastly, compact-impact aid. It is useful to have a little geography lesson about Guam. Guam is roughly 3,500 miles west of Hawaii, about 7 hours flying time. It is in the middle of a group of islands that geographically are called Micronesia. Most of Micronesia was under a trust territory arrangement from the United Nations called the Trust Territory of the Pacific Islands.

Emerging out of that old Trust Territory of the Pacific Islands are three new independent nations that are in free association with the United States. These new nations are called compact states. They are called FAS, Freely Associated States. These are the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshalls.

They have their own representation in the United Nations. They have ambassadors who are here in Washington, D.C. The United States has ambassadors that are in those three areas of Micronesia.

Yet, because they share a very special relationship, they are the only independent countries in the world that are allowed free migration into the United States. I believe that that is a good policy. In general, it is a good policy. But because of the proximity of Guam, most of these migrants end up either in Guam, the vast majority end up in Guam. Some end up in Hawaii. A few go on to the U.S. mainland.

As part of this treaty between the Freely Associated States and the United States of America, which is a freely negotiated treaty, the United States basically granted these nations the right to freely migrate. The people of Guam were not a party to those negotiations. In fact, because of their status as an unincorporated territory, they could not vote on that in the full House proceedings that occurred here.

So, as a consequence, one can say that the obligation, the fulfillment of this promise made by the United States Government falls on the people of Guam. Today, as we speak, approximately 10 percent of the population of

Guam are these migrants who come to Guam, who have no restrictions, no visa requirements, no monitoring, and they are simply allowed.

When the compacts were passed, the U.S. Congress did put a statement in there that the social and educational costs of the migration of these people into the territories like Guam, they were mindful that something like this would happen, would be reimbursed by the Federal Government.

Well, guess what? The first compacts were negotiated and implemented in 1985 and 1986. It has gone on almost 15 years. The government annually estimates that these social and educational costs, because of the disparity in medical treatment opportunities between Guam and the other areas, because of the disparity in educational and health services, that we estimate that this figure is about anywhere between \$15 million and \$20 million a year since 1986. But, today, the U.S. Government only reimburses the people of Guam \$4.5 million.

So we are very concerned about this. We took the opportunity to explain it to the Members of Congress who took the time to come to Guam and also took the time to recognize the work in this process and the fulfillment of a long-time commitment by the gentleman from Alaska (Mr. YOUNG) to go out to Guam and personally listen to the problems.

□ 1545

I am also pleased to note that the gentleman from Alaska (Mr. DON YOUNG), the chairman of the Committee on Resources, has agreed to try to work with me on some legislation, a kind of an omnibus bill for Guam.

In that omnibus bill there are some provisions that we would like to put in. One is to correct an anomaly in Guam's Supreme Court. Because the territories are governed by an organic act, or an organizing act, this is the basic law that governs the government of Guam or the government of the Virgin Islands.

These organic acts are passed by Congress. They are not passed by the people in those territories. And so if we want to seek a change to them, we have to come to Congress to make those changes.

Guam was allowed to have its own Supreme Court, but because of the way it was worded, it ends up that a lower court, the Superior Court, actually has control over the court system. This is a good-sense measure. It violates most of the ways that the States and other territories run their court systems. If my colleagues can imagine that a district court or one of the Federal circuit courts would have more control over the court system than the U.S. Supreme Court, that is the situation we have on Guam, and we can correct that with a change in the organic act.

Also in a proposed omnibus bill we want to put the government of Guam, the people of Guam, at the head of the

line when excess land is declared by the Federal Government. As it stands now, and as it stands in most areas, when there is Federal excess lands which the Federal Government no longer needs, they offer it to other Federal agencies first. So if the Department of Defense had a runway that they no longer needed, they would simply check out all the other Federal agencies. Obviously, when they do that, to be sure, one or more Federal agencies are going to find a use for it.

So what our legislation would do and what we would like to put into the Guam omnibus act is legislation which would treat the government of Guam as a Federal agency and put them at the head of the line whenever any Federal agency declares that land is to be excess.

Given the nature of how this land was originally taken, condemned by military authorities under a grant of authority by Congress and condemned by military authorities and adjudicated in courts presided over by people in uniform, a closed system, it is only fair that we provide the opportunity for the people of Guam to have first crack at the return of excess lands.

In addition, another provision we would like to put in an omnibus bill, a bill to correct many of these inequities which the people of Guam experience, we would like to put in a requirement in which the Department of Interior will make a report and provide statistical information and monitor the flow of migrants from the Freely Associated States. And that, moreover, in fulfilling this requirement, they make an estimate about the costs that are involved in terms of providing these migrants who come to Guam, and who come to other places inside the United States, the cost of taking care of their social needs and their educational needs.

The other item which I would like to talk about and take some time on is about the rash of illegal immigration which has come to Guam. Guam is approximately, if one were to take a flight direct to Hong Kong, is approximately 4 flying hours to Hong Kong, but that represents a great expanse of ocean.

Last year in particular, and this year already, Guam has experienced a surge in Chinese illegal immigration. As a result, ironically, of some liberalization in internal policies inside China as well as the economic problems they are experiencing and a very skillfully organized crime syndicate inside China, there has been a rash of Chinese illegal immigrants coming into Guam.

The rundown of events is shocking to a place that has only 150,000 people. Last year, we estimated that about 700 illegal Chinese immigrants found their way to Guam, and this year the Coast Guard estimates that anywhere between 1,200 and 1,700 will find their way to Guam in 1999.

Last year, on May 11, 10 Chinese illegals were dropped off at Ylig Bay.

On May 20, two people were arrested in connection with the Ylig Bay incident. On May 22, 24 Chinese illegals and three smugglers were apprehended off of Guam's eastern shore. On June 8, 75 Chinese nationals were apprehended off of Tanguisson. On June 18, a federally funded report on the Commonwealth of the Northern Marianas, our neighbors to the north, found that some 200 Chinese citizens were smuggled from Saipan to Guam and are in various stages of a political asylum process. On June 26, 12 of the Chinese nationals caught at Tanguisson on June 8 were discovered to have hepatitis B. On September 15, 48 Chinese illegals were apprehended off Mangilao. On December 25, Christmas day, 11 suspected Chinese illegals were apprehended near Guam Reef Hotel, which is a big hotel, and it is in the middle of a tourist area. It has become even more brazen as times goes on.

It is important to understand that this rash of Chinese illegal immigrants is very unlike what we normally think of as a source of illegal immigration. Most of us think, and, quite honestly, I myself am very sympathetic with many illegal immigrants who come to this country, because they usually come as people who are in economically destitute situations, who are simply trying to find a new way of life, trying to find a way to economically improve themselves. If they find a way to cross the border to our southwest and they find a way to get a job, eventually, many of them, if they find a way to live through all of that, become quite successful in living inside the United States.

Now, I am not advocating illegal immigration, but that is what we normally think of as the kind of illegal immigration.

The kind of illegal immigration that is occurring in Guam from China is very different. This is part of a well-orchestrated, highly-organized criminal network operating inside Fujian Province, inside China, in which the people will go out and buy a very decrepit fishing boat that will barely survive an extended journey, which takes anywhere between 18 to 22 sailing days to get to Guam. They will load these people up, take them off to a point off of Guam, and then, through some coordination with people onshore, they will ferry them in by smaller boats and then, hopefully, once they get caught, and almost all of them do get caught, they will claim political asylum. Then the process of adjudicating these asylum requests ensures that, by and large, most of them will stay on.

These people who are coming to Guam's shores in this way are responsible for coughing up anywhere between \$8,000 and \$10,000 each. If they are taken all the way to North America, they are responsible for coming up with about \$35,000 each. A boatload, a decrepit fishing boat that can take and move them from the coast of China illegally.

The People's Republic of China is not encouraging this. They are a little embarrassed by it, frankly, but this is the work of criminal organizations.

They will take that boat and move them to Guam. But they barely get to Guam or they barely get near the coast of Guam, and they are usually diseased by that time or diseased to begin with. Many of them are beaten. Many of them are living in holds that are meant for catching tuna, and so they live in some shocking conditions.

I got a complete briefing on this by the U.S. Coast Guard, and it is a scandal as to how these people are being treated.

Most of them are men in their 20s. And the reason why most of them are men in their 20s is because they really do become indentured servants once they get in the United States because they have to pay off an enormous debt. So this is a planned criminal activity which preys upon human hope and practices human misery.

And then, at the other end of it, once they get in the United States, there is planned indentured servitude which goes on for year after year after year. So this whole stream of criminal activity that affects my constituency on Guam is part of a planned criminal network.

In order to deal with it, I have introduced legislation which will take Guam out of the INA, the Immigration and Naturalization Act, for purposes of easy political asylum. Now, what that means is that if, for example, the Chinese illegal immigrants come to Guam and they are caught, and invariably all of them will be caught in one way or another, because Guam is not a very large place. And if an individual is Chinese and does not speak much English, someone will notice. When they are caught, they are then instructed to claim some kind of asylum. Under existing INA laws, the immigration officers are very limited in their flexibility to deal with that.

I am not proposing that we eliminate political asylum all together, because there is a minimum standard which we must adhere to as a country no matter where political asylees come from. And there may be, in the future, legitimate claims for political asylum. But what we have to do is pass a law which gives the INS officers the flexibility to say, no, this individual is part of a criminal process trading in human misery, and what we are going to do is we are going to detain this individual until we find a way to get them back to China.

And if we do that, even if we are allowed to do that with one boatload, then that will be enough deterrence for the people who are making money off of this human misery to know that that route for them is closed.

It is a very sad commentary on what goes on in that part of the world, but it is important to understand that the loophole that we are trying to close is not borne out of an opposition to political asylum. Rather it is the utilization

of political asylum to advance a criminal agenda. The only people who make money off of this enterprise are not even the individual illegal immigrants themselves but rather the criminals who organize this network.

If they can get a decrepit fishing boat for \$100,000 and charge this human cargo of misery and get them to Guam, they can make \$5 million on that as they go through that process. And the inducement to that, the incentive to that, the conduit for that is basically existing immigration and naturalization, the existing INA Act as applied on Guam.

Now, the reason, going back to Guam's status as an unincorporated territory, that we can make a change in the law which gives INS officers this kind of flexibility on Guam but not that kind of flexibility in other areas, is because Guam is not part of the United States for all purposes. So trying to utilize that flexibility in order to deal with an immediate situation is something that I think is widely supported on Guam and certainly widely supported even by the law enforcement agents that are working on this.

It is important to understand that sometimes many of us do not think of the U.S. Coast Guard as particularly hazardous duty, but the Coast Guard has to interdict these vessels and they are facing some very rough situations.

□ 1600

They are dealing with some criminal organizations and people who are very desperate and there has been some very serious, violent incidents at sea as a result of this. I want to publicly acknowledge the work of the Coast Guard and also call on the Coast Guard to devote more resources to the Pacific area in order to deal with this. As part of a package which I am not sure of its current status here in the House but there is an emergency package, the Central American and Caribbean Relief Act which is supposed to be marked up today, I am not sure that it was, but in that they are hoping to give some money to INS in order to deal with the immigrant situation which occurred as a result of Hurricane Mitch in Central America. A little part of that funding is going to go to deal with the Guam situation and so I am hopeful that that package passes here in the House and eventually in the other body. What INS has done on Guam is with one group of 80 Chinese illegal immigrants found in Guam in January, is because INS had no more funds to adjudicate them, to prosecute them, no more funds to detain them, they decided to turn them loose on Guam. Many of these people have hepatitis, many of these people suffer from tuberculosis and almost all of them test positive for tuberculosis, so all of them have had contact with TB. Because of our concern on Guam, the government of Guam has willingly taken up the cause for detaining them.

That is our situation with the illegal immigrant problem. I want to stress

again so that this legislation which I have proposed not be misunderstood. There is a minimum threshold which is internationally recognized, how nations are supposed to deal with people who make political asylum claims. The United States in its wisdom has a more generous threshold on that. And so when INS officers are confronted with this claim, they have limited movement, limited freedom of action in order to deal with it. In our case, because these illegal immigrants are basically part of a network of criminal activities, they are all men in their 20s, they are carefully selected because these men will work for many, many years and will continue to pump money back into the crime syndicate which brought them over, it is important that we remove that incentive for the time being in order to deal with this and to end this problem. I would add that this is a growing problem not only in Guam although Guam is the first part but even as far away as the Virgin Islands, there are incidents once in a while in which there are people being smuggled in from China by criminal organizations. This is a widespread problem. In our case I think it makes sense to try to deal with it in the way that I have just outlined.

Lastly, I would like to address a problem very briefly which affects everyone, and, that is, the Y2K problem. I think our contemporary world is ever more dependent on computers to assist with and manage our daily lives. From the ATM machine to the desktop PC, to the pacemaker, to air traffic control systems, computers and their myriad of programs all work in concert to make our lives better and more productive. On my home island of Guam, computers have improved mass communication with the U.S. mainland and overseas areas in all facets of life, law, business, government, commerce, military, trade, transportation and perhaps most important for us, staying in touch with our families wherever they may be throughout the world. Because our lives on Guam are so intertwined with computers, the year 2000 or the Y2K problem may pose quite a crippling problem to many communities. I want to point out that the year 2000 will first be experienced on Guam, 15 hours before it will be experienced here. So if we are going to get some computer glitches, we are going to feel them in Guam right away.

The Y2K problem was created by a programming oversight. As a result of an archaic, two-digit dating system in computer software and hardware, vital systems may be knocked off-line on January 1, 2000, creating cyber-havoc for many. This concern has led the General Accounting Office to elect the Y2K problem to the top of the "high risk" list for every Federal agency.

There exists a Congressional Research Service report, requested at the behest of Senator DANIEL PATRICK MOYNIHAN over 3 years ago, dealing with the implications of the Y2K problem. The report states, among other

things, that the year 2000 problem is a serious problem and the cost of rectifying it will indeed be rather high.

Now, the Federal Government, and we have heard about this and read about it almost on a daily basis, has become rather proficient in getting its agencies and its departments to comply with the inevitable reprogramming that is required to fix this bug. But not without some effort. Both the Senate and the House have truly taken the lead on this pressing issue. Under the gentle prodding of Senators MOYNIHAN, BENNETT and DODD as well as the gentleman from California (Mr. HORN), the President appointed a Y2K Council to get the government, the U.S. Government, the Federal Government, focused on this issue. They have done well enough that many citizens do not fear the end of the year despite the rhetoric of many doomsayers. That said, to paraphrase Robert Frost, we have many miles yet to go before we sleep.

Up until today, States, territories and local authorities have been left to their own devices in terms of fixing the year 2000 problem. While most of the Federal Government's critical services may be Y2K compliant by January 1, 2000, many of the States and local jurisdictions will not be. This includes Guam and other territories. In Guam, for example, the local Office of the Public Auditor recently released a study outlining the territorial Y2K problem. While some of the government of Guam's departments are Y2K compliant ahead of schedule, many are not. Guam's Department of Public Works and Department of Public Health and Social Services, both lifeblood agencies for both Guam's public infrastructure and poor and handicapped, do not have enough money or are behind in scheduling and performing Y2K conversions. The story is the same throughout the country in many cities, counties, towns and territories: time is running out or the money has already run out.

The bill which I have introduced today will establish a program that will allow States and territories to apply for funding to initiate Y2K conversions of State computer systems which distribute Federal money for vital welfare programs such as Medicaid, food stamps, supplemental nutrition program for women, infants and children, better known as WIC; child support enforcement, child care and child welfare, and Temporary Assistance for Needy Families, better known as TANF. Through the application of Y2K technical assistance funds for these programs, we can ensure that the lifeblood of many of the poorest Americans will not be disrupted by the turn of the calendar.

This vital legislation, which I have introduced today, is the House companion bill to the Moynihan-Bennett-Dodd bill, S. 174 as introduced in the Senate. We have modified the original Senate vehicle to ensure that the territories and the District of Columbia will not

be excluded from this important program, an apparent and accidental oversight of the Senate version. I will not tell my colleagues how many oversights we have experienced similar to those, but certainly those of us from the territories are always cognizant of the fact that many legislative items do not address our needs until we take specific action to take care of that. I urge all of my colleagues to support this bipartisan and fiscally responsible and necessary legislation. I would like to thank the gentlewoman from the Virgin Islands (Mrs. CHRISTIAN-CHRISTENSEN), the gentlewoman from the District of Columbia (Ms. NORTON), the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) for lending their support as the representatives from non-State areas of the United States. Finally, I want to especially thank the gentleman from California (Mr. HORN) and Senators MOYNIHAN, BENNETT and DODD for taking the lead on educating all Americans on the Y2K problem as well as legislating wise solutions to ameliorate its potentially harmful effects. This is good legislation. I think it deserves careful scrutiny in order to assist local governments that deal primarily with Federal programs to make sure that there are no glitches in the system as we celebrate the end of 1999.

Again I want to reiterate, I want to express my personal gratitude to the gentleman from Alaska (Mr. YOUNG) and all the Members of Congress who went on the congressional delegation to the Pacific areas to try to deal with some of the problems, to understand some of the problems experienced by Guam, the Northern Marianas, American Samoa, and the Republic of the Marshalls, which was kind of a State visit. These islands represent a marvelous part of the world, a part of the world that is frequently romanticized and sometimes misunderstood. These are real people with real-life stories and compelling stories to tell. All of them have made an enormous contribution to the United States in one way or another and are deserving of the respect and dignity of human beings and U.S. citizens everywhere.

COMMUNICATION FROM THE HONORABLE RICHARD A. GEPHARDT, DEMOCRATIC LEADER

The Speaker pro tempore (Mr. WALDEN of Oregon) laid before the House the following communication from the Honorable RICHARD A. GEPHARDT, Democratic Leader:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 4, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 5(a) of Public Law 105-255, I hereby appoint the following individual to the Commission on the Advancement of Women and Minorities in Science, Engineering, and Technology Development:

Dr. Jill Shapiro, Ph.D. of Tiburon, CA.
Yours Very Truly,
RICHARD A. GEPHARDT.

RESIGNATION AS MEMBER OF COMMITTEE ON GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Government Reform:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 3, 1999.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: As you may know, I have been appointed to serve on the Permanent Select Committee on Intelligence by Minority Leader Richard A. Gephardt of Missouri.

I respectfully request a leave of absence from the Committee on Government Reform and Oversight for the duration of my service on the Permanent Select Committee on Intelligence. In accordance with the rules of the Democratic Caucus, I will retain my seniority on the Committee on Government Reform and Oversight during this period.

Sincerely,

GARY A. CONDIT,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CHENOWETH (at the request of Mr. ARMEY), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PASTOR) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. MCGOVERN, for 5 minutes, today.

Mr. LEWIS of Georgia, for 5 minutes, today.

Mr. SANDERS, for 5 minutes, today.

(The following Members (at the request of Mr. HAYES) to revise and extend their remarks and include extraneous material:)

Mr. SHIMKUS, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today.

Mr. ENGLISH, for 5 minutes, today.

Mr. NETHERCUTT, for 5 minutes, today.

Mr. SCHAFFER, for 5 minutes, today.

Mr. GILMAN, for 5 minutes, today.

ADJOURNMENT

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 12 minutes

p.m.), under its previous order, the House adjourned until Monday, March 8, 1999, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

885. A communication from the President of the United States, transmitting a request to make available previously appropriated contingent emergency funds for the Department of Energy; (H. Doc. No. 106-35); to the Committee on Appropriations and ordered to be printed.

886. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Uniform Criteria for State Observational Surveys of Seat Belt Use [Docket No. NHTSA-98-4280] (RIN: 2127-AH46) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

887. A communication from the President of the United States, transmitting a report on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the U.N. Security Council, pursuant to Public Law 102-1, section 3 (105 Stat. 4); (H. Doc. No. 106-34); to the Committee on International Relations and ordered to be printed.

888. A communication from the President of the United States, transmitting a report on progress toward a negotiated settlement of the Cyprus question covering the period October 1 to November 30, 1998, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

889. A letter from the Comptroller General of the United States, transmitting a copy of his report for FY 1998 on each instance a federal agency did not fully implement recommendations made by the GAO in connection with a bid protest decided during the fiscal year, pursuant to 31 U.S.C. 3554(e)(2); to the Committee on Government Reform.

890. A letter from the Comptroller General of the United States, transmitting a report on General Accounting Office employees detailed to congressional committees as of January 22, 1999; to the Committee on Government Reform.

891. A letter from the Director, Federal Emergency Management Agency, transmitting notification that funding under title V of the Stafford Act, as amended, will exceed \$5 million for the response to the emergency declared on September 28, 1998 as a result of Hurricane Georges, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

892. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Transport Category Airplanes Equipped with Day-Ray Products, Inc., Fluorescent Light Ballasts [Docket No. 96-NM-163-AD; Amendment 39-11034; AD 99-04-10] (RIN: 2120-AA64) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

893. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; International Aero Engines AG (IAE) V2500-A5/D5 Series Turbofan Engines [Docket No. 98-ANE-08-AD; Amendment 39-11027; AD 99-04-03] (RIN: 2120-AA64) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

894. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Airworthiness Directives; Pratt & Whitney JT9D Series Turbofan Engines [Docket No. 98-ANE-28-AD; Amendment 39-11029 AD 99-04-05] (RIN: 2120-AA64) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

895. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Griffin, GA [Airspace Docket No. 98-ASO-26] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

896. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Burlington, KS [Airspace Docket No. 98-ACE-45] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

897. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class D and Class E Airspace; St. Joseph, MO [Airspace Docket No. 98-ACE-49] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

898. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Series Airplanes [Docket No. 98-NM-373-AD; Amendment 39-11031; AD 99-04-07] (RIN: 2120-AA64) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

899. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29463; Amdt. No. 1914] (RIN: 2120-AA65) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

900. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29464; Amdt. No. 1915] (RIN: 2120-AA65) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

901. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29465; Amdt. No. 1916] (RIN: 2120-AA65) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

902. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revocation and Establishment of Restricted Areas; NV [Airspace Docket No. 98-AWP-27] (RIN: 2120-AA66) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

903. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 727, 727-100, 727-200, 727C, 727-100C, and 727-200F Series Airplanes [Docket No. 99-NM-16-AD; Amendment 39-11047; AD 99-04-22] (RIN: 2120-AA64) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

904. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 214ST Helicopters [Docket No. 98-SW-27-AD; Amendment 39-11037; AD 99-04-13] (RIN: 2120-AA64) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

905. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A. Model A109K2 Helicopters [Docket No. 97-SW-57-AD; Amendment 39-11045; AD 99-04-20] (RIN: 2120-AA64) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

906. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Removal of Class E Airspace; Anaconda, MT [Airspace Docket No. 98-ANM-16] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

907. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Aircraft Corporation Model S-76C Helicopters [Docket No. 98-SW-81-AD; Amendment 39-11040; AD 99-01-09] (RIN: 2120-AA64) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

908. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Schweizer Aircraft Corporation Model 269C-1 Helicopters [Docket No. 98-SW-39-AD; Amendment 39-11038; AD 99-04-14] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

909. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Helicopter Systems Model 369D, 369E, 369FF, 369H, MD500N, and MD600N Helicopters [Docket No. 97-SW-61-AD; Amendment 39-11036; AD 99-04-12] (RIN: 2120-AA64) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

910. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Mexico, MO [Airspace Docket No. 99-ACE-4] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

911. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a letter regarding funding the Executive Branch intends to make available from funding levels established in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999; jointly to the Committees on International Relations and Appropriations.

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. SHUSTER: Committee on Transportation and Infrastructure. H.R. 819. A bill to authorize appropriations for the Federal Maritime Commission for fiscal years 2000 and 2001 (Rept. 106-42). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GILMAN (for himself and Mr. GEJDENSON):

H.R. 973. A bill to modify authorities with respect to the provision of security assistance under the Foreign Assistance Act of 1961 and the Arms Export Control Act, and for other purposes; to the Committee on International Relations.

By Mr. DAVIS of Virginia (for himself, Ms. NORTON, Mrs. MORELLA, Mr. HOYER, Mr. WYNN, Mr. HORN, Mr. CUNNINGHAM, Mr. EHRlich, and Mr. MORAN of Virginia):

H.R. 974. A bill to establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VISCLOSKEY (for himself, Mr. QUINN, Mr. TRAFICANT, Mr. NEY, Mr. KUCINICH, Mr. ENGLISH, Mr. MURTHA, Mr. ADERHOLT, Mr. KLING, Mr. REGULA, Mr. DINGELL, Mr. WELLER, Mr. GEPHARDT, Mr. GEKAS, Mr. BONIOR, Mr. STRICKLAND, Mr. GANSKE, Mr. CARDIN, Mr. FRANKS of New Jersey, Mr. COYNE, Mr. BERRY, Mr. PETERSON of Pennsylvania, Mr. OBERSTAR, Mr. GOODLING, Ms. KAPTUR, Ms. MCCARTHY of Missouri, Mr. GILLMOR, Mr. WISE, Mr. EHRlich, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. RAHALL, Mr. DOYLE, Mr. COSTELLO, Mr. CLYBURN, Mr. MATSUI, Mr. LIPINSKI, Mr. EVANS, Mr. BLAGOJEVICH, Mr. SANDLIN, Mr. HOLDEN, Mr. ROEMER, Mr. PAYNE, Mr. BISHOP, Mr. BRADY of Pennsylvania, Ms. MILLENDER-MCDONALD, Mr. PASCRELL, Mr. ANDREWS, Ms. PELOSI, Mr. SANDERS, Mr. HALL of Texas, Mr. RODRIGUEZ, Mr. STUPAK, Mr. CRAMER, Mr. DEFazio, Mr. MEEKS of New York, Mr. LARSON, Mr. BOUCHER, Mr. BROWN of Ohio, Mr. MALONEY of Connecticut, Mr. OLVER, Mr. PALLONE, Mr. HINCHEY, Ms. STABENOW, Mr. MASCARA, Mr. PASTOR, Mr. JACKSON of Illinois, Mr. HILLIARD, Mr. KENNEDY of Rhode Island, Ms. HOOLEY of Oregon, Mr. BOSWELL, Mr. GEORGE MILLER of California, Mr. DELAHUNT, Ms. SCHAKOWSKY, Ms. DELAURO, Mr. FILNER, Mrs. MINK of Hawaii, Mr. BRYANT, Mr. ABERCROMBIE, Mr. BURTON of Indiana, Mr. MCNULTY, Mr. BORSKI, Mr. KLECZKA, Mr. FORBES, Mr. SHERMAN, Mr. SAWYER, and Mr. CANNON):

H.R. 975. A bill to provide for a reduction in the volume of steel imports, and to establish a steel import notification and monitoring program; to the Committee on Ways and Means.

By Mr. ABERCROMBIE (for himself and Mrs. BONO):

H.R. 976. A bill to amend title XVIII of the Social Security Act to increase the amount of payment under the Medicare Program for pap smear laboratory tests; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORBES:

H.R. 977. A bill to amend the Internal Revenue Code of 1986 to establish, and provide a checkoff for, a Biomedical Research Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 978. A bill to amend the National Labor Relations Act to ensure that certain orders of the National Labor Relations Board are enforced to protect the rights of employees; to the Committee on Education and the Workforce.

By Mr. STRICKLAND (for himself, Mr. KING of New York, Mr. SWEENEY, Mr. HOLDEN, Ms. SCHAKOWSKY, Mr. GREEN of Texas, Mrs. MALONEY of New York, Mr. WALSH, and Mr. COYNE):

H.R. 979. A bill to ensure that services related to the operation of a correctional facility and the incarceration of inmates are not provided by private contractors or vendors and that persons convicted of any offenses against the United States shall be housed in facilities managed and maintained by Federal employees; to the Committee on the Judiciary.

By Mr. TALENT (for himself, Ms. VELÁZQUEZ, Mr. ENGLISH, Mrs. THURMAN, Mr. PORTMAN, Mr. JEFFERSON, Mr. PACKARD, Mr. SHOWS, Mr. DOOLEY of California, Mr. BACHUS, Mr. GONZALEZ, Mr. SESSIONS, Mr. WATTS of Oklahoma, Mr. WISE, Mr. BARTLETT of Maryland, Mrs. MCCARTHY of New York, Mrs. CAPPAS, Ms. DUNN, Mr. HULSHOF, Mrs. MINK of Hawaii, Mr. SALMON, Mr. GREEN of Texas, Mr. THUNE, Mr. SWEENEY, Mr. BRADY of Pennsylvania, Ms. KILPATRICK, Mr. HILL of Montana, Mr. PEASE, Mrs. KELLY, Mr. LOBIONDO, Mr. HEFLEY, Mr. CHABOT, Mr. DAVIS of Illinois, Mr. ARMEY, Mr. FROST, Mr. DEMINT, Mr. MANZULLO, Mr. PITTS, Mr. FORBES, Mr. PAUL, Mr. UDALL of New Mexico, Mr. MCINNIS, Mrs. BONO, Mr. GOODE, Ms. PRYCE of Ohio, Mr. MCINTOSH, Mrs. EMERSON, Mr. BARR of Georgia, Mr. STUMP, Mr. FOLEY, and Mrs. MYRICK):

H.R. 980. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals; to the Committee on Ways and Means.

By Mr. KOLBE (for himself, Mr. PASTOR, Mr. HAYWORTH, Mr. STUMP, Mr. SALMON, Mr. UDALL of Colorado, and Mr. UDALL of New Mexico):

H.R. 981. A bill to redesignate the Coronado National Forest in honor of Morris K. Udall, a former Member of the House of Representatives; to the Committee on Resources.

By Mr. GOODLATTE (for himself, Mr. GOODE, Mr. ARMEY, Mr. COX, Mr. BLUNT, Mr. TIAHRT, Mr. BARR of Georgia, Mr. COBURN, Mr. BARTON of Texas, Mr. PICKERING, Mr. WHITFIELD, Mr. BRYANT, Mr. SHADEGG, Mr. MICA, Mr. GOSS, Mr. ISTOOK, Mr. CALVERT, Mr. BACHUS, Mr. FOSSELLA, Mr. LARGENT, Mr. ENGLISH, Mr. LATHAM, Mr. HOSTETTLER, Mr. PAUL, Mr. BALLENGER, Mr. SESSIONS, Mr. DOOLITTLE, Mr. PETERSON of Pennsylvania, Mr. PACKARD, Mr. SCHAFER, Mr. HERGER, Mr. HAYWORTH, Mr. CUNNINGHAM, Mr. FRANKS of New Jersey, Mr. JENKINS, Mr. KNOLLENBERG, Mr. DICKEY, Mr. WELDON of Florida, Mr. GREEN of Wisconsin, Mr. LOBIONDO, Mr. DEMINT, Mrs. MYRICK,

Mr. HILLEARY, Mr. FLETCHER, Mr. EVERETT, Mr. TANCREDO, Mr. SALMON, Mr. FORBES, and Mr. MCCOLLUM):

H.R. 982. A bill to prohibit the expenditure of Federal funds for the distribution of needles or syringes for the hypodermic injection of illegal drugs; to the Committee on Commerce.

By Mr. BALDACCIO (for himself, Ms. DELAURO, Mr. ENGLISH, Mr. ROTHMAN, Mrs. LOWEY, Mr. GEJDENSON, Mr. ALLEN, and Mr. DOYLE):

H.R. 983. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to provide for improved public health and food safety through enhanced enforcement; to the Committee on Agriculture.

By Mr. CRANE (for himself, Mr. KOLBE, Mr. RANGEL, and Mr. MATSUI):

H.R. 984. A bill to provide additional trade benefits to certain beneficiary countries in the Caribbean, to provide assistance to the countries in Central America and the Caribbean affected by Hurricane Mitch and Hurricane Georges, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on International Relations, Banking and Financial Services, the Judiciary, and Armed Services, 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. GALLEGLY (for himself, Mr. METCALF, Mr. ROHRBACHER, Mrs. TAUSCHER, Mr. HERGER, Mrs. THURMAN, Mr. NETHERCUTT, Mr. TAYLOR of Mississippi, Mr. FOLEY, Mr. OXLEY, Mr. WALSH, Mr. ENGLISH, Mr. HOBSON, Ms. DANNER, Mr. BILBRAY, Mr. CUNNINGHAM, Mr. MCKEON, Mr. SMITH of Washington, Mr. BOYD, and Mr. SAXTON):

H.R. 985. A bill to amend title 49, United States Code, concerning the treatment of certain aircraft as public aircraft; to the Committee on Transportation and Infrastructure.

By Mr. BARCIA (for himself, Mr. LAMPSON, Mr. ROYCE, Mrs. CLAYTON, Mr. MCHUGH, Mr. REYES, Mr. TAYLOR of Mississippi, Mr. UNDERWOOD, Ms. KILPATRICK, Mr. PASCRELL, Mr. CRAMER, Mr. NEY, Mr. ROTHMAN, Mr. CLAY, Mrs. KELLY, Ms. STABENOW, Mr. PETERSON of Minnesota, Mr. GUTKNECHT, Mr. BRADY of Pennsylvania, Ms. ROS-LEHTINEN, Mr. PASTOR, Mrs. JONES of Ohio, Mr. TURNER, Mr. COMBEST, Mr. FOLEY, Ms. WOOLSEY, Mr. KNOLLENBERG, Mr. KUCINICH, Mr. LUTHER, Mr. MCGOVERN, Ms. LOFGREEN, Mr. KUYKENDALL, and Mr. SANDLIN):

H.R. 986. A bill to authorize the President to award a gold medal on behalf of the Congress to John Walsh in recognition of his outstanding and enduring contributions to American society in the fields of law enforcement and victims' rights; to the Committee on Banking and Financial Services.

By Mr. BLUNT (for himself, Mr. BALLENGER, Mr. ARMEY, Mr. DELAY, Mr. WATTS of Oklahoma, Mr. STENHOLM, Mr. GOODE, Mr. PICKETT, Mr. BONILLA, Mr. BOEHNER, Mr. CUNNINGHAM, Mr. BURR of North Carolina, Mr. HEFLEY, Mr. MCINTOSH, Mr. PETERSON of Pennsylvania, Mr. HALL of Texas, Mr. SISISKY, Mr. TANNER, Mr. JOHN, Mr. MARTINEZ, Mr. CLEMENT, and Mr. GOODLING):

H.R. 987. A bill to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard or guideline on ergonomics; to the Committee on Education and the Workforce.

By Mr. BOSWELL:

H.R. 988. A bill to provide for a comprehensive, coordinated effort to combat methamphetamine abuse, and for other purposes; to the Committee on Commerce, and in addition to the Committee on the Judiciary, 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. COBURN (for himself and Mr. STRICKLAND):

H.R. 989. A bill to amend the Public Health Service Act, Employee Retirement Income Security Act of 1974, and titles XVIII and XIX of the Social Security Act to require that group and individual health insurance coverage and group health plans and managed care plans under the Medicare and Medicaid Programs provide coverage for hospital lengths of stay as determined by the attending health care provider in consultation with the patient;

By Mr. BARTLETT of Maryland (for himself, Mr. MARKEY, Mr. POMEROY, Mr. DUNCAN, and Mr. MATSUI):

H.R. 990. A bill to provide for investment in private sector securities markets of amounts held in the Federal Old-Age and Survivors Insurance Trust Fund for payment of benefits under title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. COSTELLO (for himself, Mr. OBERSTAR, Mr. NADLER, Mr. BENTSEN, Mr. FROST, Mr. MCGOVERN, Mr. FORD, Mrs. CHRISTENSEN, Mr. LIPINSKI, Ms. SCHAKOWSKY, Mrs. MINK of Hawaii, Mr. SANDLIN, Mr. MEEKS of New York, Mr. LAFALCE, Mr. SANDERS, Mr. SHOWS, Mr. BALDACCIO, Mr. BLAGOJEVICH, Mr. HALL of Ohio, Mr. RUSH, Mr. BONIOR, Mr. GEORGE MILLER of California, Mr. KENNEDY of Rhode Island, Mr. LAHOOD, Mr. BARRETT of Wisconsin, Mr. WYNN, Mr. SABO, and Mr. KLECZKA):

H.R. 991. A bill to amend the Public Health Service Act and other laws to apply the health insurance portability requirements applicable to group health plans to students covered under college-sponsored health plans;

By Mr. DOOLITTLE:

H.R. 992. A bill to convey the Sly Park Dam and Reservoir to the El Dorado Irrigation District, and for other purposes; to the Committee on Resources.

By Mr. DUNCAN:

H.R. 993. A bill to provide that of amounts available to a designated agency for a fiscal year that are not obligated in the fiscal year, up to 50 percent may be used to pay bonuses to agency personnel and the remainder shall be deposited into the general fund of the Treasury and used exclusively for deficit reduction; to the Committee on Government Reform.

By Mr. EHLERS:

H.R. 994. A bill to amend the Internal Revenue Code of 1986 to provide that the percentage of completion method of accounting shall not be required to be used with respect to contracts for the manufacture of property if no payments are required to be made before the completion of the manufacture of such property; to the Committee on Ways and Means.

By Mrs. EMERSON (for herself, Mr. BLUNT, Mr. HULSHOF, and Mr. TALENT):

H.R. 995. A bill to provide a direct check for education; to the Committee on Education and the Workforce.

By Mr. ETHERIDGE (for himself, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. MCINTYRE, Mr. FRANK of Massachusetts, Ms. CARSON, Mr. MCGOV-

ERN, Ms. PELOSI, Mr. MORAN of Virginia, Mr. TOWNS, Mr. WAXMAN, Mr. FILNER, Mr. FROST, Mr. GREEN of Texas, Mr. FORBES, Mr. LEWIS of Georgia, Mr. GORDON, Mr. PAYNE, Mr. HINCHEY, Mr. DELAHUNT, Mrs. MALONEY of New York, Mr. SANDLIN, Mr. LAMPSON, Mr. ACKERMAN, Mr. MARTINEZ, Mr. PASTOR, Mr. ORTIZ, Mr. NEAL of Massachusetts, Mrs. CLAYTON, Mrs. MEEK of Florida, Mr. PALLONE, Mr. ROMERO-BARCELO, Mrs. TAUSCHER, Mr. CROWLEY, Mr. CLEMENT, Mr. SHOWS, Mr. KENNEDY of Rhode Island, Mr. BONIOR, Ms. MILLENDER-MCDONALD, Mr. CAPUANO, Mr. EVANS, Mr. MEEHAN, Ms. KILPATRICK, Mr. OLVER, Mr. WEXLER, Mr. BROWN of California, Ms. NORTON, Mr. BAIRD, Mr. WATT of North Carolina, Mr. DOOLEY of California, Mr. INSLEE, Ms. BROWN of Florida, Mrs. CAPPS, Mr. DAVIS of Florida, Mr. PHELPS, Mr. CONYERS, Mr. DINGELL, Mr. GONZALEZ, Ms. BERKLEY, Mr. HILL of Indiana, Mr. WEINER, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. WU, and Ms. BALDWIN):

H.R. 996. A bill to amend the Internal Revenue Code of 1986 to provide a source of interest-free capital, in addition to that recommended in the President's budget proposal, for the construction and renovation of public schools in States experiencing large increases in public school enrollment; to the Committee on Ways and Means.

By Mr. GREENWOOD (for himself, Mr. ACKERMAN, Mr. BALDACCIO, Mr. BORSKI, Mr. BOUCHER, Mr. COSTELLO, Mr. FROST, Mr. GREEN of Texas, Mr. HINCHEY, Ms. KILPATRICK, Mr. LAFALCE, Mr. LOBONDO, Mr. McNULTY, Mr. PAYNE, Ms. ROS-LEHTINEN, Mr. ROTHMAN, Mr. SHAYS, Mr. SHOWS, Mrs. TAUSCHER, and Ms. VELÁZQUEZ):

H.R. 997. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the National Institutes of Health with respect to research on autism; to the Committee on Commerce.

By Mr. HAYES:

H.R. 998. A bill to amend the Internal Revenue Code of 1986 to provide an incentive for expanding employment in rural areas by allowing employers the work opportunity credit for hiring residents of rural areas; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself, Mr. FARR of California, Mr. GILCHREST, Mrs. CAPPS, Mr. KUYKENDALL, and Mr. SAXTON):

H.R. 999. A bill to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SHUSTER (for himself, Mr. DUNCAN, Mr. OBERSTAR, and Mr. LIPINSKI):

H.R. 1000. A bill to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes;

By Mr. HULSHOF (for himself, Mr. JEFFERSON, Mr. MCCRERY, Mr. COLLINS, Mr. CRANE, Mr. KLECZKA, Mr. HERGER, Mrs. THURMAN, Mr. RAMSTAD, Mr. NUSSLE, Mr. SAM JOHNSON of Texas, Ms. DUNN, Mr. ENGLISH, Mr. WATKINS, Mr. HAYWORTH, Mr. WELLER, Mr. MCINNIS, Mr. FOLEY, Mr. PETRI, Ms. GRANGER, Mr. BACHUS, Mr. NEY, and Mr. TERRY):

H.R. 1001. A bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the

general fund of the Treasury; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. STUMP, Mr. SKEEN, Mr. SCHAFFER, Mrs. BONO, Mr. METCALF, Mr. POMBO, Mr. PICKERING, Mr. CALVERT, Mr. GARY MILLER of California, Mr. NETHERCUTT, Mr. PETERSON of Pennsylvania, Mr. SHOWS, Mr. ISTOOK, and Mr. YOUNG of Alaska):

H.R. 1002. A bill to amend the Act popularly known as the Declaration of Taking Act to require that all condemnations of property by the Government proceed under that Act; to the Committee on the Judiciary.

By Ms. KAPTUR:

H.R. 1003. A bill to amend the Public Health Service Act to revise the filing deadline for certain claims under the National Vaccine Injury Compensation Program; to the Committee on Commerce.

By Mr. MANZULLO (for himself, Mr. MATSUI, and Mr. CRANE):

H.R. 1004. A bill to amend the Internal Revenue Code of 1986 to allow dentists and physicians to use the cash basis of accounting for income tax purposes; to the Committee on Ways and Means.

By Mr. KING of New York (for himself, Mr. PAUL, Mr. ROYCE, Mr. HILLEARY, Mrs. KELLY, Mr. TAYLOR of North Carolina, Mr. WELDON of Florida, Mr. LAHOOD, and Mrs. ROUKEMA):

H.R. 1005. A bill to amend title 4, United States Code, to declare ENGLISH as the official language of the Government of the United States, and for other purposes;

By Mr. MCCRERY (for himself, Mr. CARDIN, Mr. HOUGHTON, and Ms. DUNN):

H.R. 1006. A bill to amend title XVIII of the Social Security Act to provide for a prospective payment system for services furnished by psychiatric hospitals under the Medicare Program; to the Committee on Ways and Means.

By Mrs. MEEK of Florida:

H.R. 1007. A bill to adjust the immigration status of certain Honduran nationals who are in the United States; to the Committee on the Judiciary.

By Mr. METCALF (for himself, Mr. STUMP, Mr. EVANS, Mr. STEARNS, Mr. GUTIERREZ, Mr. QUINN, Mr. FILNER, and Ms. BROWN of Florida):

H.R. 1008. A bill to require that a portion of the amounts made available for housing programs for the homeless be used for activities designed to serve primarily homeless veterans, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. MILLER of Florida:

H.R. 1009. A bill to authorize the awarding of grants to cities, counties, tribal organizations, and certain other entities for the purpose of improving public participation in the 2000 decennial census; to the Committee on Government Reform.

By Mr. MILLER of Florida:

H.R. 1010. A bill to improve participation in the 2000 decennial census by increasing the amounts available to the Bureau of the Census for marketing, promotion, and outreach; to the Committee on Government Reform.

By Mr. NEAL of Massachusetts (for himself, Mr. MOAKLEY, Mr. DELAHUNT, Mr. MEEHAN, Mr. MCGOVERN, Mr. TIERNEY, and Mr. OLVER):

H.R. 1011. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income the value of certain real property tax reduction vouchers received by senior citizens who provide volunteer services under a State program; to the Committee on Ways and Means.

By Mr. NORWOOD (for himself, Mr. GOODLING, Mr. BALLENGER, Mr.

H.R. 601: Mr. PICKETT.
 H.R. 606: Mr. BILIRAKIS.
 H.R. 614: Mr. PAUL.
 H.R. 621: Mr. BOUCHER.
 H.R. 625: Mr. STRICKLAND.
 H.R. 639: Mr. ADERHOLT, Mr. LAHOOD, and Mr. BARR of Georgia.
 H.R. 648: Mr. SHOWS and Mr. FORBES.
 H.R. 664: Mr. MCNULTY, Mr. GOODE, Ms. NORTON, Mr. DIXON, Mr. UNDERWOOD, Mr. JOHN, and Mr. KILDEE.
 H.R. 679: Mr. FRANK of Massachusetts, Mr. VENTO, Ms. WOOLSEY, Mr. OBERSTAR, Mr. MINGE, and Ms. MCKINNEY.
 H.R. 680: Mr. RAMSTAD, Mr. TAYLOR of Mississippi, and Mr. SENSENBRENNER.
 H.R. 688: Mr. PAUL, Mr. KNOLLENBERG, Mr. MCCOLLUM, Mr. LOBIONDO, Mr. RAHALL, Ms. PRYCE of Ohio, Mr. HEFLEY, Mrs. EMERSON, Mr. GOSS, Mr. WATTS of Oklahoma, Mr. HOSTETTLER, Mr. SCHAFFER, Mr. FOSSELLA, and Mr. NEY.
 H.R. 691: Mr. GIBBONS.
 H.R. 693: Mr. MCINTOSH, Mr. HILL of Montana, and Mrs. CUBIN.
 H.R. 701: Mr. BURR of North Carolina, Mr. CONDIT, Mr. ADERHOLT, Mr. HINOJOSA, Mr. HAYES, Mr. GORDON, Mr. BAUCUS, Mr. CRAMER, Mr. DEAL of Georgia, and Mr. GONZALEZ.
 H.R. 710: Mr. STEARNS, Mr. ENGLISH, Mr. PORTMAN, Mr. SANDLIN, Mr. GREEN of Texas, Mr. MINGE, Mr. SKEEN, Mr. PASTOR, Mr. PRICE of North Carolina, Mr. BUYER, Mr. PETERSON of Minnesota, Mr. HILL of Indiana, Mr. WHITFIELD, and Mr. PETERSON of Pennsylvania.
 H.R. 716: Mr. MALONEY of Connecticut.
 H.R. 730: Mr. VISCLOSKY, Mr. STUPAK, and Mr. BERMAN.
 H.R. 739: Mr. UPTON, Mr. FROST, Mr. SHOWS, Mr. DOYLE, Mr. DEUTSCH, Mr. PAUL, and Mr. PETRI.
 H.R. 741: Mr. FORBES.
 H.R. 750: Mr. LAMPSON, Mr. JEFFERSON, and Mr. KIND of Wisconsin.
 H.R. 754: Mr. DOYLE, Mr. KILDEE, and Mrs. MYRICK.
 H.R. 763: Ms. BALDWIN.
 H.R. 793: Mr. PETRI.
 H.R. 800: Mr. MCKEON, Mr. CLEMENT, Mr. SHERMAN, Mrs. MYRICK, and Mr. PORTMAN.
 H.R. 804: Mr. PAUL.
 H.R. 808: Mr. FOLEY.
 H.R. 817: Mr. WHITFIELD, Mr. SHOWS, and Mr. LEACH.
 H.R. 832: Mr. CAPUANO.
 H.R. 833: Mr. BARTON of Texas, Mr. BUYER, Mrs. CAPPS, Mr. EHRLICH, Mr. GRAHAM, Mr. HUNTER, Mr. SMITH of Michigan, Mr. STRICKLAND, Mr. SUNUNU, and Mr. TALENT.
 H.R. 845: Mr. KLECZKA and Mr. GEORGE MILLER of California.
 H.R. 851: Mr. SANDERS, Mr. EWING, Mr. BOUCHER, Mr. TAYLOR of North Carolina, Mr. GILMAN, Mr. DEFAZIO, Mr. BEREUTER, Mrs. WILSON, Mr. TURNER, Mrs. EMERSON, Mr. BARRETT of Nebraska, Mr. MCHUGH, Mr. SAWYER, Mrs. CAPPS, Mr. SANDLIN, Mr. MCINNIS, Mr. BASS, Mr. PETERSON of Pennsylvania, Mr. SUNUNU, Mr. HUTCHINSON, Mr. OBERSTAR, Mr. COLLINS, and Mr. TIERNEY.
 H.R. 860: Ms. WOOLSEY, Ms. KAPTUR, Mr. VENTO, and Mr. DELAHUNT.
 H.R. 864: Mr. MCGOVERN, Mr. SWEENEY, Mr. WELLER, Mr. CALLAHAN, Mrs. CAPPS, Mr. RILEY, Mr. ALLEN, Mr. HULSHOF, Mr. BARRETT of Nebraska, Mr. SESSIONS, Mr. BURR of North Carolina, Mr. WHITFIELD, Mr. CAMP, Mr. UPTON, Ms. DANNER, Mr. HILL of Montana, Mr. HAYES, Mr. LEWIS of California, Mr. DICKS, Mr. SUNUNU, Mr. WOLF, Mr. OBERSTAR, Mr. HEFLEY, Mr. SMITH of Washington, Mr. SNYDER, Mr. SANDLIN, Mr. CRAMER, Mr. METCALF, Mr. PETERSON of Minnesota, Mr. BOUCHER, Mr. LARSON, Mr. CLYBURN, Mr. WAMP, Ms. KILPATRICK, Mr. UDALL of Colorado, Mr. JENKINS, and Mr. BALLENGER.

H.R. 872: Mrs. MCCARTHY of New York, Mr. FILNER, Mr. KUCINICH, and Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 876: Mr. FOLEY and Mrs. EMERSON.
 H.R. 883: Mr. FORBES, Mr. PETERSON of Minnesota, Mr. COOK, Mr. STENHOLM, Mr. SESSIONS, Mr. SMITH of New Jersey, and Mr. COLLINS.
 H.R. 894: Mr. GOODLING, Mr. CONDIT, and Mr. SHOWS.
 H.R. 901: Mrs. JOHNSON of Connecticut.
 H.R. 922: Mr. RILEY, Ms. GRANGER, Mr. NETHERCUTT, Mr. GRAHAM, Mr. SAXTON, Mr. CHAMBLISS, and Mr. LAHOOD.
 H.R. 927: Mr. HERGER and Mr. PETRI.
 H.J. Res. 9: Mr. MICA and Mr. PETERSON of Pennsylvania.
 H.J. Res. 22: Ms. STABENOW and Mr. BONIOR.
 H.J. Res. 25: Mr. LOBIONDO, Mr. FOSSELLA, Mr. KING of New York, Mr. SCHAFFER, Mr. METCALF, Mr. FROST, Mr. GUTIERREZ, Mr. SPENCE, Mr. CALVERT, Ms. VELAZQUEZ, Mrs. MINK of Hawaii, Mr. DIAZ-BALART, Mr. MOORE, Mr. DICKEY, Mr. ROYCE, Mr. MCHUGH, Mr. FORBES, Mr. UNDERWOOD, and Mr. BALDACCIO.
 H. Con. Res. 5: Mr. BONIOR, Mr. HINCHEY, Mr. BORSKI, Mr. WYNN, and Mr. LAMPSON.
 H. Con. Res. 5: Ms. LOFGREN.
 H. Con. Res. 23: Mr. PICKERING, Mr. JENKINS, Mr. BACHUS, Mr. CAMPBELL, Mrs. MINK of Hawaii, Mr. UNDERWOOD, Mr. STUMP, Mr. FILNER, and Mr. GUTIERREZ.
 H. Con. Res. 24: Mr. CHABOT, Mrs. JOHNSON of Connecticut, Mr. JONES of North Carolina, Mr. SHERWOOD, Mr. THUNE, Mr. BOEHNER, Mrs. FOWLER, Mr. BALLENGER, Mr. KLECZKA, Mrs. NAPOLITANO, Mr. DICKS, Mr. RAMSTAD, Mr. FARR of California, Mr. PASCRELL, and Mr. ROGERS.
 H. Con. Res. 25: Mrs. NORTHUP.
 H. Con. Res. 30: Mr. GIBBONS.
 H. Con. Res. 31: Mr. KING of New York, Mr. GONZALEZ, and Mr. GIBBONS.
 H. Con. Res. 34: Ms. BROWN of Florida, Mr. UNDERWOOD, Ms. PELOSI, and Mr. STRICKLAND.
 H. Res. 41: Mr. GALLEGLY, Mr. NEY, Mr. WAXMAN, and Mrs. WILSON.
 H. Res. 89: Mrs. MORELLA, Mr. STEARNS, Mr. SHOWS, Mr. GREEN of Texas, Mrs. MCCARTHY of New York, and Mr. FROST.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:
 H.R. 863: Ms. WOOLSEY.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:
 H.R. 800
 OFFERED BY: Mr. CASTLE
(Amendment in the Nature of a Substitute)
 AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:
SECTION 1. SHORT TITLE.
 This Act may be cited as the "Education Flexibility Partnership Act of 1999".
SEC. 2. FINDINGS.
 Congress makes the following findings:
 (1) States differ substantially in demographics, in school governance, and in school finance and funding. The administrative and funding mechanisms that help schools in 1 State improve may not prove successful in other States.
 (2) Although the Elementary and Secondary Education Act of 1965 and other Federal

education statutes afford flexibility to State and local educational agencies in implementing Federal programs, certain requirements of Federal education statutes or regulations may impede local efforts to reform and improve education.
 (3) By granting waivers of certain statutory and regulatory requirements, the Federal Government can remove impediments for local educational agencies in implementing educational reforms and raising the achievement levels of all children.
 (4) State educational agencies are closer to local school systems, implement statewide educational reforms with both Federal and State funds, and are responsible for maintaining accountability for local activities consistent with State standards and assessment systems. Therefore, State educational agencies are often in the best position to align waivers of Federal and State requirements with State and local initiatives.
 (5) The Education Flexibility Partnership Demonstration Act allows State educational agencies the flexibility to waive certain Federal requirements, along with related State requirements, but allows only 12 States to qualify for such waivers.
 (6) Expansion of waiver authority will allow for the waiver of statutory and regulatory requirements that impede implementation of State and local educational improvement plans, or that unnecessarily burden program administration, while maintaining the intent and purposes of affected programs, such as the important focus on improving math and science performance under title II of the Elementary and Secondary Education Act of 1965, (Dwight D. Eisenhower Professional Development Program), and maintaining such fundamental requirements as those relating to civil rights, educational equity, and accountability.
 (7) To achieve the State goals for the education of children in the State, the focus must be on results in raising the achievement of all students, not process.

SEC. 3. DEFINITIONS.

In this Act:
 (1) ATTENDANCE AREA.—The term "attendance area" has the meaning given the term "school attendance area" in section 1113(a)(2)(A) of the Elementary and Secondary Education Act of 1965.
 (2) ED-FLEX PARTNERSHIP STATE.—The term "Ed-Flex Partnership State" means an eligible State designated by the Secretary under section 4(a)(1)(B).
 (3) LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY.—The terms "local educational agency" and "State educational agency" have the meaning given such terms in section 14101 of the Elementary and Secondary Education Act of 1965.
 (4) SECRETARY.—The term "Secretary" means the Secretary of Education.
 (5) STATE.—The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.

SEC. 4. EDUCATION FLEXIBILITY PARTNERSHIP.

(a) EDUCATION FLEXIBILITY PROGRAM.—
 (1) PROGRAM AUTHORIZED.—
 (A) IN GENERAL.—The Secretary may carry out an education flexibility program under which the Secretary authorizes a State educational agency that serves an eligible State to waive statutory or regulatory requirements applicable to 1 or more programs or Acts described in subsection (b), other than requirements described in subsection (c), for the State educational agency or any local educational agency or school within the State.
 (B) DESIGNATION.—The Secretary shall designate each eligible State participating in the program described in subparagraph (A) to be an Ed-Flex Partnership State.

(2) ELIGIBLE STATE.—For the purpose of this subsection the term “eligible State” means a State that—

(A)(i) has—

(I) developed and implemented the challenging State content standards, challenging State student performance standards, and aligned assessments described in section 1111(b) of the Elementary and Secondary Education Act of 1965, and for which local educational agencies in the State are producing the individual school performance profiles required by section 1116(a) of such Act; or

(II) developed and implemented content standards and interim assessments and made substantial progress, as determined by the Secretary, toward developing and implementing performance standards and final aligned assessments, and toward having local educational agencies in the State produce the profiles, described in subclause (I); and

(ii) holds local educational agencies and schools accountable for meeting the educational goals described in the local applications submitted under paragraph (4); and

(B) waives State statutory or regulatory requirements relating to education while holding local educational agencies or schools within the State that are affected by such waivers accountable for the performance of the students who are affected by such waivers.

(3) STATE APPLICATION.—

(A) IN GENERAL.—Each State educational agency desiring to participate in the education flexibility program under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall demonstrate that the eligible State has adopted an education flexibility plan for the State that includes—

(i) a description of the process the State educational agency will use to evaluate applications from local educational agencies or schools requesting waivers of—

(I) Federal statutory or regulatory requirements as described in paragraph (1)(A); and

(II) State statutory or regulatory requirements relating to education; and

(ii) a detailed description of the State statutory and regulatory requirements relating to education that the State educational agency will waive;

(iii) a description of specific educational objectives the State intends to meet under such a plan; and

(iv) a description of the process by which the State will measure the progress of local educational agencies in meeting specific goals described in subsection (a)(4)(A)(iii).

(B) APPROVAL AND CONSIDERATIONS.—The Secretary may approve an application described in subparagraph (A) only if the Secretary determines that such application demonstrates substantial promise of assisting the State educational agency and affected local educational agencies and schools within such State in carrying out comprehensive educational reform, after considering—

(i) the comprehensiveness and quality of the education flexibility plan described in subparagraph (A);

(ii) the ability of such plan to ensure accountability for the activities and goals described in such plan;

(iii) the degree to which the State's objectives described in subparagraph (A)(iii)—

(I) are specific and measurable; and

(II) measure the performance of schools or local educational agencies and specific groups of students affected by waivers;

(iv) the significance of the State statutory or regulatory requirements relating to education that will be waived; and

(v) the quality of the State educational agency's process for approving applications for waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) and for monitoring and evaluating the results of such waivers.

(4) LOCAL APPLICATION.—

(A) IN GENERAL.—Each local educational agency or school requesting a waiver of a Federal statutory or regulatory requirement as described in paragraph (1)(A) and any relevant State statutory or regulatory requirement from a State educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require. Each such application shall—

(i) indicate each Federal program affected and the statutory or regulatory requirement that will be waived;

(ii) describe the purposes and overall expected results of waiving each such requirement;

(iii) describe, for each school year, specific, measurable, educational goals for each local educational agency, school, or group of students affected by the proposed waiver; and

(iv) explain why the waiver will assist the local educational agency or school in meeting such goals.

(B) EVALUATION OF APPLICATIONS.—A State educational agency shall evaluate an application submitted under subparagraph (A) in accordance with the State's education flexibility plan described in paragraph (3)(A).

(C) APPROVAL.—A State educational agency shall not approve an application for a waiver under this paragraph unless—

(i) the local educational agency or school requesting such waiver has developed a local reform plan that is applicable to such agency or school, respectively; and

(ii) the waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) will assist the local educational agency or school in meeting its educational goals.

(5) MONITORING.—

(A) IN GENERAL.—Each State educational agency participating in the program under this section shall annually monitor the activities of local educational agencies and schools receiving waivers under this section and shall submit an annual report regarding such monitoring to the Secretary.

(B) PERFORMANCE DATA.—Not later than 2 years after a State is designated as an Ed-Flex Partnership State each such State shall include performance data demonstrating the degree to which progress has been made toward meeting the objectives outlined in paragraph (3)(A)(iii).

(6) DURATION OF FEDERAL WAIVERS.—

(A) IN GENERAL.—The Secretary shall not approve the application of a State educational agency under paragraph (3) for a period exceeding 5 years, except that the Secretary may extend such period if the Secretary determines that such agency's authority to grant waivers has been effective in enabling such State or affected local educational agencies or schools to carry out their local reform plans.

(B) PERFORMANCE REVIEW.—Three years after a State is designated an Ed-Flex Partnership State, the Secretary shall—

(i) review the performance of any State educational agency in such State that grants waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A); and

(ii) terminate such agency's authority to grant such waivers if the Secretary determines, after notice and opportunity for hearing, that such agency has failed to make measurable progress in meeting the objec-

tives outlined in paragraph (3)(A)(iii) to justify continuation of such authority.

(7) AUTHORITY TO ISSUE WAIVERS.—Notwithstanding any other provision of law, the Secretary is authorized to carry out the education flexibility program under this subsection for each of the fiscal years 1999 through 2004.

(b) INCLUDED PROGRAMS.—The statutory or regulatory requirements referred to in subsection (a)(1)(A) are any such requirements under the following programs or Acts:

(1) Title I of the Elementary and Secondary Education Act of 1965.

(2) Part B of title II of the Elementary and Secondary Education Act of 1965.

(3) Subpart 2 of part A of title III of the Elementary and Secondary Education Act of 1965 (other than section 3136 of such Act).

(4) Title IV of the Elementary and Secondary Education Act of 1965.

(5) Title VI of the Elementary and Secondary Education Act of 1965.

(6) Part C of title VII of the Elementary and Secondary Education Act of 1965.

(7) The Carl D. Perkins Vocational and Technical Education Act of 1998.

(c) WAIVERS NOT AUTHORIZED.—The Secretary may not waive any statutory or regulatory requirement of the programs or Acts authorized to be waived under subsection (a)(1)(A)—

(1) relating to—

(A) maintenance of effort;

(B) comparability of services;

(C) the equitable participation of students and professional staff in private schools;

(D) parental participation and involvement;

(E) the distribution of funds to States or to local educational agencies;

(F) the selection of schools to participate in part A of title I of the Elementary and Secondary Education Act of 1965, except that a State educational agency may grant waivers to allow schools to participate in part A of title I of such Act if the percentage of children from low-income families in the attendance area of such school or who actually attend such school is within 5 percentage points of the lowest percentage of such children for any school in the local educational agency that meets the requirements of section 1113 of the Act;

(G) use of Federal funds to supplement, not supplant, non-Federal funds; and

(H) applicable civil rights requirements; and

(2) unless the underlying purposes of the statutory requirements of each program or Act for which a waiver is granted continue to be met to the satisfaction of the Secretary.

(d) APPLICATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), this Act shall not apply to a State educational agency that has been granted waiver authority under the following provisions of law:

(A) Section 311(e) of the Goals 2000: Educate America Act.

(B) The proviso referring to such section 311(e) under the heading “**EDUCATION REFORM**” in the Department of Education Appropriations Act, 1996 (Public Law 104-134; 110 Stat. 1321-229).

(2) EXCEPTION.—If a State educational agency that has been granted waiver authority, pursuant to paragraph (1)(A) or (B), applies to the Secretary to extend such authority, the provisions of this Act, except subsection (e)(1), shall apply to such agency.

(3) EFFECTIVE DATE.—This Act shall apply to State educational agencies described in paragraph (2) beginning on the date that such extension is granted.

(e) ACCOUNTABILITY.—

(1) EVALUATION FOR ED-FLEX PARTNERSHIP STATES.—In deciding whether to extend a request for a State educational agency's authority to issue waivers under this section, the Secretary shall review the progress of the State educational agency to determine if such agency—

(A) makes measurable progress toward achieving the objectives described in the application submitted pursuant to subsection (a)(3)(A)(iii); and

(B) demonstrates that local educational agencies or schools affected by such waiver

or authority have made measurable progress toward achieving the desired results described in the application submitted pursuant to subsection (a)(4)(A)(iii).

(2) EVALUATION FOR EXISTING ED-FLEX PROGRAMS.—In deciding whether to extend a request for a State educational agency described in subsection (d)(2) to issue waivers under this section, the Secretary shall review the progress of the agency in achieving the objectives set forth in the application submitted pursuant to subsection

(a)(2)(B)(iii) of the Goals 2000: Educate America Act.

(f) PUBLICATION.—A notice of the Secretary's decision to authorize State educational agencies to issue waivers under this section shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties, including educators, parents, students, advocacy and civil rights organizations, other interested parties, and the public.