United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, WEDNESDAY, APRIL 30, 1997 No. 54

House of Representatives

The House met at 11 a.m.

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

In all the troubled moments in an unsteady world when we think of the promises of a better day tempered with the tensions between nations and peoples, we look to Your presence in our lives, O gracious God, and ask for Your blessing upon us. When we seek direction, we know where we can go; when we seek solace we know where to find comfort; when we seek encouragement, we know that You will inspire and support. May Your peace, O God, that passes all human understanding, be with us and remain with us now and evermore. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Maryland [Mr. HOYER] come forward and lead the House in the Pledge of Allegiance.

Mr. HOYER 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

The SPEAKER. The Chair will entertain fifteen 1-minutes on each side.

NUCLEAR WASTE TECHNICAL REVIEW BOARD MUST ADDRESS ENVIRONMENTAL AND SAFETY CONCERNS

(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, almost 10 years ago the Nuclear Waste Technical Review Board was created by Congress to determine the most suitable site for storing nuclear waste. This board was made up of the most prominent members of the scientific community, not one of whom hails from Nevada.

What recommendation did this board make? Well, in their March 1996 report they concluded that there was absolutely no compelling technical or safety reason to remove spent fuel from its current location to a central facility. This expert, nonpartisan review board made this determination based on irrefutable, unbiased, scientific research.

What legitimate excuse, then, could justify the moving of nuclear waste from on-site storage, placing the health, welfare, and safety of many citizens in jeopardy? There are still many environmental and safety concerns that must be addressed before we move forward and mandate an unsafe permanent or interim nuclear waste storage facility at Yucca Mountain.

WIC PROGRAM A GREAT FEDERAL GOVERNMENT SUCCESS STORY

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

Ms. DELAURO. Mr. Speaker, last week my Republican colleagues voted against the President's request for $76 million for the WIC Program. That is women, infants, and children. Our friends on the other side of the aisle will tell us that they voted to increase spending on women, infants, and children, but their so-called increase will force 180,000 women and children to be removed from the WIC Program.

WIC is one of the Government's greatest success stories, and every dollar that we invest in the program saves the Government $3.50 in other costs. If this bill passes without the additional $38 million that it needs, we will be hurting some of the most vulnerable members of our society: pregnant women and young children.

This is about values. This is about throwing 180,000 women and children off of a food program. It will deny youngsters food.

Last year my colleagues on the other side of the aisle tried to cut the school lunch program. Now they are going after WIC. It is wrong. This is the richest Nation in the world. We should not be taking food out of the mouths of children. I urge my Republican colleagues to rethink their actions.

SUPPORT H.R. 659

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

Mr. BURR of North Carolina. Mr. Speaker, sometimes the Government makes a mistake and, yes, even agencies make mistakes. But the test of effective government is how quickly an institution can correct their errors.

In 1990, in a case of mistaken identity, the Environmental Protection Agency listed a chemical called ethylene glycol monobutyl ether, or EGBE, on its hazardous air pollutant list under the Clean Air Act amendments. This chemical is considered not harmful to the ozone and, according to scientific studies, does not harm the environment.

The listing of this nontoxic substance will trigger regulations costing each can manufacturer about $5 million to comply, and the EPA's hands

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are tied. Currently the agency lacks the statutory authority to fix this problem.

I introduced H.R. 659, which would delist the chemical and remedy this solution. We should never sacrifice jobs for regulations that are not backed by good science.

Now, some extremists say the 71 Members who are cosponsors of this measure want to weaken the Clean Air Act and the Community Right to Know Act by delisting this nontoxic chemical. Quite frankly, this is not an environmental issue, but an authority issue. I urge my colleagues to get the facts and prevent lobbyists from clouding the issue before us.

FAMILY SERVICES IMPROVEMENT ACT

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

Mr. HOYER. Mr. Speaker, I rise today in strong support of the Family Services Improvement Act, H.R. 1480, which I reintroduced yesterday.

Mr. Speaker, I ask my colleagues to imagine, if they will, a single mom who is trying to get off welfare. Mom drops her 4-year-old off at Head Start, takes her 7-year-old to second grade and goes to her own graduate equivalency degree classes, all in the same school.

When the family needs immunizations or health screenings, they can go to the school-based clinic. The social services coordinator at the school can help the family find housing, food, and health care. There is also a job placement coordinator to help mom find a job when she finishes her classes.

Unfortunately, my colleagues, as you well know, this model of coordinated, one-stop programs to help children and families move off Government assistance is rare.

The Family Services Improvement Act will create incentives for establishing coordinated one-stop programs. It will make the programs we promote more effective and efficient and more available. I urge the support of my colleagues for this important legislation.

WE MUST ACT NOW TO REFORM MEDICARE

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

Mr. LEWIS of Kentucky. Mr. Speaker, I realize that the administration is far too busy with all of their lawyers trying to figure out a way to handle all the campaign laws they overlooked to show some leadership on the Medicare issue. I know that would be asking too much. So while the administration is busy with all of their lawyers, this Congress must lead the way on Medicare.

The Medicare trustees released their annual report to the American people last week. The trust fund is going bankrupt, probably in only 4 years. The report confirms what Republicans have been saying about Medicare for the last 2 years. The trustees state that failure to fund Medicare will result in certain bankruptcy in the year 2001. None of this is new. Every single Member of Congress has known this for several years.

I call on those who are more interested in saving Medicare from bankruptcy than in playing politics with seniors to join in our effort to reform Medicare. We must act now.

IRS HAS GONE HOG WILD

(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, in San Diego, Mindy, the potbellied pig, dialed 911. Authorities cannot figure out what caused this devious swine to perpetrate such a dirty deed. They asked, did Mindy accidentally fall out of bed? Was Mindy calling Pizza Hut, or was Mindy the potbellied pig simply love sick, calling for Mr. Good Pig?

Mr. Speaker, the truth is, Mindy dialed 911 to tell Congress to get the snouts of the IRS out of the assets of the American people.

Mr. Speaker, I agree with Mindy the potbellied pig, this is hog sense. The IRS has gone hog wild. Pass H.R. 367 and change the burden of proof in the Tax Code and treat taxpayers like every other citizen under the Constitution.

I yield back the balance of this hog sense business.

AMERICANS DESERVE EARLIER TAX FREEDOM DAY

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

Mr. KNOLLENBERG. Mr. Speaker, today the tax burden on working Americans is as high as it has ever been. We are asking our families to pay up to nearly 40 percent of their income in taxes. Tax Freedom Day, that is the day when we start working for ourselves and our families, is later and later every year. This year it is May 9, 2 days later than last year, the latest ever.

Yet, many of my friends on the other side of the aisle do not feel our taxes are high enough. But if they would listen to the American people, they would find they are wrong. We can do something about it as well. We can provide a family with a $500 per child tax credit, cut capital gains, remove estate taxes.

The facts are clear. The American people are overtaxed and it is time to provide relief. Reaching an agreement for working families is not going to be easy, but we owe it; we owe it to the American people. Let us all do our part to make Tax Freedom Day occur earlier, urge the President to live up to his campaign promises, and join our efforts to help working Americans loosen the noose of the current tax burden.

HARSH NEW WELFARE LAW

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

Mr. GUTIERREZ. Mr. Speaker, in 93 days a harsh new welfare law will wipe out assistance to legal immigrants. Yesterday I told my colleagues about one such immigrant from my district. Today let me tell my colleagues about another. Her name is Adela.

If my colleagues voted for welfare reform so they could teach people about the importance of hard work, they did not have to bother in Adela's case. After coming to the United States, Adela worked for 8 years in a factory on Chicago's northwest side. In fact, she worked well past the age at which most Americans would have called it quits and would have retired. But the company moved out of town, closed its doors down.

Adela, now 74 years old and in poor health, has been served notice that her years of hard working, playing by the rules and paying taxes is not enough. She got her pink slip. Now it is a computer printed form letter telling her that her only means of support, Social Security, is about to be taken away from her on August 22.

Do legal immigrants like Adela need to learn the value of hard work? No. Congress needs to learn the value of hard-working immigrants who have made America what it is today. I suggest to any Member that he look back to see what his grandparents look like or great grandparents looked like.

COMMEMORATING REMEMBRANCE DAY

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

Mr. MANZULLO. Mr. Speaker, I am honored to be able to take this opportunity to commemorate the more than 8 million people, 6 million of whom were Jewish, who a little more than half a century ago were brutally, deliberately and systematically exterminated in a state-sponsored effort to annihilate their religious, cultural, and ethnic existence. All across the United States, Americans are commemorating Remembrance Day for those who were exterminated in the death camps of Nazi Germany.

I unite with those from around the country, including my constituents of the Jewish Federation of Greater Rockford, IL, to recognize those who risked their lives and those who died trying to intervene and save those who were targets of systematic extermination.

The Jewish Federation of Greater Rockford is commemorating Remembrance Day by paying tribute to the ''Righteous Gentiles,'' those non-Jews who risked death to help save the lives of Jews and others from Hitler's killing machine. These courageous people acted out of a conviction that they simply could not stand by and witness so great a crime perpetrated against fellow human beings. We are privileged to have one of those surviving Righteous Gentiles, Irene Opdyke, addressing the Jewish Federation of Greater Rockford, IL.

COMMUNITY ENVIRONMENTAL HEALTH ACT

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

Ms. VELÁZQUEZ. Mr. Speaker, in our Nation's inner cities, minority communities are being victimized by toxic polluters, creating an environmental crisis, a health crisis, and a civil rights crisis in this country.

In my district in New York there are over 2000 industrial facilities, a radioactive storage yard and a huge sewage treatment plant. The effect of this pollution is discriminatory. The children in my district are dying of cancer, suffering from asthma, and have toxic levels of lead.

Study after study has shown that minority communities bear the brunt of toxic pollution in this country. Today I introduced the Community Environmental Equity Act, which will apply title VI of the Civil Rights Act to toxic polluters. I urge you all to cosponsor this important legislation. It is time to realize that we cannot have social justice until we first have environmental justice.

□ 1115

A CALL FOR BIPARTISAN MEDICARE REFORM

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

Mr. NEUMANN. Mr. Speaker, the Medicare trustees released their report last week and issued a warning that the Medicare System will be bankrupt in 4 years. When I tell seniors back in my district of that and when I tell my own mom and dad of this, they ask me, how can this be? They say, my husband and I contributed into the system every year since 1965. How could the system be going bankrupt?

Perhaps the best response would be that you should ask those who created the system why they created a system that has brought us to this point. But that aside, the answer lies in the fact that Medicare is a pay-as-you-go system. Your contributions do not go into a fund for your use. The contributions you made during your working years go to support those who are ahead of you, those who have already retired. When you retire, money from the current workers, not money from your contributions, will pay your benefits.

So where do we go from here? We need to sit down and in a bipartisan manner decide how to reform the system and make it solvent. There is no other choice for our seniors in America today.

AN 11TH COMMANDMENT FOR CONGRESS: WE SHALL START TO WORK NOW ON ISSUES THAT ACTUALLY MATTER TO THE AMERICAN PEOPLE

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

Mr. BLAGOJEVICH. Mr. Speaker, recently I voted in favor of a resolution supporting the Ten Commandments. I voted in favor of a resolution to study the economy of American Samoa. I voted for a resolution banning Federal funding for physician-assisted suicide, even though assisted suicide is not legal at all. In fact, let me firmly assert, I am against Federal funding for any activities that are not yet legal.

But is it not time, Mr. Speaker, that we started working on issues that are more important to people, things like making student loans more available and affordable, or providing health care for the 10 million American children without it? We should be working to make our streets safer. And what about our crumbling schools, many of which were built before World War II? When will we address the long-term health of Medicare and Social Security?

Why does this Congress not agree to an 11th Commandment: We shall start to work now on issues that actually matter to the American people.

LET US WORK TOGETHER TO SAVE MEDICARE

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

Mr. ROGAN. Mr. Speaker, I was raised by my grandparents, and then by a great-aunt who lived on her Social Security. They relied upon Medicare for health care. Mr. Speaker, when I ran for Congress last year as a Republican, one of the things that was important to me in my campaign was to make sure that Medicare was preserved and protected for future generations, as well as for this generation of seniors. We Republicans campaigned to save Medicare, while our opponents accused us of trying to destroy Medicare instead of trying to save it.

Last week, the President's own Medicare Trustees came forward with a report that validated every single thing Republicans said last year about Medicare. There is one lesson I have learned, Mr. Speaker, during the campaign of last year: It does not take courage to scare seniors about Medicare. It does take courage to save it for this generation of seniors and for all of those who will rely upon it in the future.

I hope now we can put the partisan nonsense and scare tactics aside, and work together to save a worthy program.

THE WIC PROGRAM IS MORE IMPORTANT THAN ESTATE TAXES

(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, important new research has indicated that the first 3 years of a child's life are absolutely critical. They determine his future life successes, brain development, and the likelihood of becoming a productive citizen. That is why I find it strange that my Republican colleagues would eliminate 180,000 American women and children from the WIC Program.

The WIC Program is an important nutrition program to help poor people have adequate nutrition. We are not talking about estate taxes, and no, we are not talking about capital gains taxes, we are simply talking about healthy food, milk, vegetables, fruits, the things Members would like for their family.

We as Americans ought to practice true family values, and that means putting our funds behind a program that has proven to be successful. That is the WIC Program. The WIC Program can guarantee that every young child in America gets a healthy start. That is the first step in leading a productive life.

I cannot understand why they think estate taxes are so important but do not think a healthy meal is equally important.

SUPPORT THE $500-PER-CHILD TAX RELIEF AND OPPOSE THE WOMEN AND CHILDREN FUND

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

Mr. TIAHRT. Mr. Speaker, we just heard that the Republicans were trying to eliminate people on women and children fund. We have opposed increasing the number. Let me tell the Members the reason why. In Kansas right now, a family of four making $28,000 a year is eligible to receive benefits from the women and children fund. This is 180,000 people who would receive about $300 per year if they did qualify for the WIC Program.

However, if Members would just give them a little relief in their tax structure, like a $500-per-child tax credit, they would actually get more money. Instead of getting $600 per year for those two children, they would actually get $1,000 per year. It would be money they could control.

The difference in philosophies here is that the other side of the aisle would like to control how people run their lives and what they have to do with their money, but the Republicans trust people. They want them to have more of their own money to meet the needs that their children have, because who best would understand what a child needs, other than its parents?

So I would support the $500 per child tax relief and oppose the women and children fund.

CONGRESSIONAL BLACK CAUCUS OPPOSES A SUPPLEMENTAL APPROPRIATIONS BILL WHICH THROWS WOMEN AND CHILDREN OFF WIC

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

Ms. WATERS. Mr. Speaker, I rise today on behalf of the Congressional Black Caucus to voice the strongest possible opposition to the supplemental appropriations bill voted out of committee last week. If passed, this bill would throw 180,000 women and their children off the vital special supplemental food program for women, infants, and children known as WIC. The WIC program is widely regarded as the single most successful social program the Federal Government runs, allowing hundreds of thousands of women and children to avoid the disaster of hunger.

The administration requested $76 million just to maintain the current level of WIC participation for 360,000 women and children, but the Republicans cut this bare-bones minimum request in half, slashing the request to $38 million. This is a terrible and vicious attack by the Republican majority on nearly 200,000 caring mothers and their precious children.

This supplemental appropriations bill must provide the minimum $76 million needed to keep these families from hunger.

DEMOCRATS CONFUSED ON WIC FUNDING PROPOSAL

(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, it appears that the Democrats are confused again. There is nothing unusual there. But on the WIC program, I do not know if they have read the bill. Had they read the bill, they would know that WIC is fully funded at $3.7 billion, a historic all time high for WIC, funded by the Republican majority in Congress. I will send them a copy of the bill if they want it. Where their confusion lies is that they are using 1994 census records when they say that WIC is not fully funded.

At least in my part of the country, it is 1997. We do not have 1996 records but we do have 1995 records, and they confirm that WIC is fully funded. Democrats, there is no reason, even for political purposes, to use 1994 records.

Second, there is a $100 million carryover of unused WIC funds right now, $100 million in unused funds sitting in reserve for WIC.

Third, the President of the United States has said welfare is down 15 percent. If welfare is down, why do Democrats insist on an emergency basis on increasing welfare funding? Again, Mr. Speaker, the Democrats are confused. What else is new?

HIGHER EDUCATION AND TRAINING MEAN HIGHER ACHIEVEMENT AND BETTER JOBS

(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, on April 24 the U.S. Department of Education released a study that has serious implications for the state of our economy and for the welfare of all Americans. The study found that education and training are strongly associated with higher productivity and higher paying jobs. College graduates, according to the study, earn 50 percent more than high school graduates, and twice more than that of high school dropouts.

Workers who improve their skills through job training have higher earnings, as do those who have a record of higher academic achievement. One of the more disturbing findings, Mr. Speaker, is that the leading productivity the United States has enjoyed for decades may be slipping because we are not doing a good enough job in educating our children, we are not equipping them with the tools they need to be viable job holders in the global marketplace.

Today it is more important than ever that we provide our people with the skills they need to keep America competitive going into the next century. When ''A Nation at Risk'' was released in 1983, it sent a wake-up call to the Nation. At every level of government, we renewed our commitment to education to conquer the rising tide of mediocrity and education that threatened our national and economic security.

Today, Mr. Speaker, we have a choice. We can turn our backs on our human capital or invest in our future and inspire our young people for the challenges they and all people will face in this next century.

DISASTER AWAITING THE SPACE COAST

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

Mr. WELDON of Florida. Mr. Speaker, a medical colleague of mine, Dr. Vince Griffith, came up here with his daughter, Stacey, to testify before the Committee on Transportation and Infrastructure about a tragic accident on Florida's Highway U.S. 192 that robbed them of a wife and mother.

Dr. Griffith awoke the next day in the hospital with his daughter next to him. Stacey's intestine was ruptured and her spine was snapped. His wife had died of massive internal injuries. This brave father and daughter joined Robert Lay, who supervises Brevard County's Emergency Management Office, in telling the panel how important it was to widen U.S. 192.

Mr. Lay talked about the disaster awaiting the space coast if a major hurricane strikes and U.S. 192 is turned into a parking lot trapping tens of thousands of fleeing residents. I am grateful to all of these witnesses, but I am especially proud of Stacey Griffith, who is partially paralyzed and overcame her own fear to testify before Congress. I congratulate them and thank them for the hard work they are doing on behalf of the people of the space coast.

REDUCTION OF TOP RATE ON CAPITAL GAINS TAX

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

Mr. DREIER. Mr. Speaker, as I listen to my colleagues on both sides of the aisle talk about very important programs designed to help those who are truly in need, I am going to mention something that actually could, I believe, do probably more than any of those things that have been talked about to help those who are truly in need; and, yes, it is a reduction of the top rate on the capital gains tax.

Now we had a study done not too long ago by the Institute on Policy Innovation, which found that if we could reduce that top rate, as H.R. 14 does, our bill that we introduced on the opening day, to 14 percent, we could, in fact, increase the average take-home pay for a family by $1,500 a year.

Now so often people have in the past talked about this capital gains tax rate reduction as being nothing but a tax cut for the rich. But people are finally realizing that if we could allow those literally millions of American families who own mutual funds or other appreciated assets to see a reduction on that top rate, it would, in fact, improve the standard of living for all Americans.

ADOPTION PROMOTION ACT OF 1997

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 134 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 134

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the

Whole House on the state of the Union for consideration of the bill (H.R. 867) to promote the adoption of children in foster care. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI or section 303(a) or 308(a) of the Congressional Budget Act of 1974 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 Ways and Means. 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 Ways and Means now printed in the bill, modified as specified in the report of the Committee on Rules accompanying this resolution. Each section of the committee amendment in the nature of a substitute, as modified, shall be considered as read. Points of order against the committee amendment in the nature of a substitute, as modified, for failure to comply with clause 7 of rule XVI or section 303(a) or 306 of the Congressional Budget Act of 1974 are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. 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, as modified. 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.

□ 1130

The SPEAKER pro tempore (Mr. HOBSON). The gentlewoman from Ohio [Ms. PRYCE] is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Dayton, OH [Mr. HALL], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. PRYCE of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Ms. PRYCE of Ohio. Mr. Speaker, House Resolution 134 is an open rule providing for the consideration of H.R. 867, the Adoption Promotion Act of 1997. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

The rule makes in order an amendment in the nature of a substitute from the Committee on Ways and Means as an original bill for the purpose of amendment, modified as specified in the report accompanying this rule. The modification simply amends the committee's bill so as to avoid including appropriations language in an authorizing bill. The rule also provides a limited but very necessary number of waivers to facilitate the orderly consideration of the bill.

Furthermore, the Chairman of the Committee of the Whole may accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD prior to their consideration, and such amendments shall be considered as read.

Finally, the rule provides for one motion to recommit with or without instructions, as is the right of the minority.

Mr. Speaker, let me stress for our colleagues that this is more than just an open rule. In fact it is a wide-open rule. Any Member can be heard on any germane amendment to the bill at the appropriate time as long as it is consistent with the normal rules of the House.

The bipartisan support this bill enjoys is clear evidence that building stable families by promoting adoption is a goal that both political parties can and should agree upon.

Mr. Speaker, it should come as no surprise to my colleagues that the issue of adoption is very special to me. As an adoptive parent myself, I know firsthand that adopting a child can be one of life's most fulfilling experiences.

Every child in America deserves a family and a home filled with love and security, free from abuse or neglect or the threat of violence. The sad truth is that today many children do not enjoy that basic human right, and I am afraid it is these very children who are paying a very dear price, victimized by a foster care system that was enacted with the best of intentions but which is failing to look out for their best interests.

Why are a child's early years so important? New research tells us that the first years of life are critical to a child's development. We know that 90 percent of the brain's growth takes place during the first 3 years. So science is revealing what mothers have known always from the beginning of time, that early life experiences help determine the way a child thinks, learns and behaves for the rest of his or her life.

That is why it is so crucial for parents and care givers to raise children in a healthy, happy environment. The first years of life do indeed last forever.

So here we are today, Mr. Speaker, determined to change the rules of the game so that more children will have a better start. One way we can accomplish that aim is to speed up the adoption process, especially for foster children who have been abused or neglected.

While Government cannot legislate love and compassion, it can provide the leadership and the tools necessary to encourage the development of healthy, nurturing families. For example, last year Congress enacted legislation that created valuable new tax incentives designed to foster and facilitate adoptions.

In many respects, H.R. 867 addresses what might be referred to as the other side of the adoption coin. With last year's legislation we tried to ease the financial strain for hopeful parents. This bill addresses the frustrating problem of how to promote adoption of foster children who through no fault of their own are unable to return to their natural parents and who have languished for far too long in the foster care system. It is time to stop the revolving door of foster care that sends children from home to home to home with little or no hope that they will live with the same families from one month to another.

Mr. Speaker, the most important change we can make is to elevate the rights of children because too often a foster child's best interests are abandoned while courts and welfare agencies drag their feet. To correct this injustice, H.R. 867 places the safety and well-being of children above efforts by the State to reunite them with biological parents who have abused or neglected them.

As the legislation itself clearly spells out, a foster child's health and safety shall be of paramount concern in any effort by the State to preserve or reunify a child's family.

Under current law, there are no financial incentives to move children from foster care to adoption, so States continue to receive Federal subsidies as long as children stay in foster care. This is crazy, Mr. Speaker. We have created a system that in effect pays States to keep kids locked in foster care at the expense of adoption.

It is too bad that we have to use cash as an incentive. We would think the joy of giving a foster child a permanent home would be incentive enough. But this bill will establish a positive incentive to reduce the foster care case load.

Mr. Speaker, the facts support the need for this legislation. Of the nearly half million kids in foster care, only 17,000 entered permanent adoptive homes. What is more astonishing is that during each of past 10 years more children have entered the foster care system than have left it. This is simply not acceptable, and we need to take action today to change it.

The changes called for in H.R. 867 offer workable solutions to some of the most pressing concerns, and I applaud the work of my colleagues, the gentleman from Michigan [Mr. CAMP] and the gentlewoman from Connecticut [Mrs. KENNELLY].

I also want to commend the many, many conscientious foster care parents who have opened their doors and their hearts to foster children. I am hopeful

that many of those responsible couples will have a chance to make their love permanent as a result of this legislation.

As I said before, Congress and the Federal Government cannot legislate compassion and love for all of the Nation's children, but we can take reasonable steps to promote family stability and give children, especially foster children, a fighting chance to see the loving homes that they deserve. Children simply deserve better than a here today, gone tomorrow life in multiple foster homes.

In the last Congress we reformed welfare so that low income mothers and their families would not be trapped in the never-ending cycle of dependency. We need to do the same thing with the foster care program that keeps thousands of innocent children trapped in a broken system that too often places their young lives in danger of repeated neglect and abuse.

Mr. Speaker, this legislation enjoys strong bipartisan support. Like the rule before us, it was reported without any amendment by voice vote. Since being reported, several worthwhile amendments have come up and this open rule will certainly allow the House to discuss any concerns or improvements that Members may wish to discuss.

I urge my colleagues to vote yes on the rule and yes on the underlying legislation.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, I want to thank my colleague, the gentlewoman from Ohio [Ms. PRYCE] for yielding me the time.

This is an open rule. It is a fair rule. It will allow complete debate on H.R. 867.

The bill will continue a series of bills approved by Congress to encourage the adoption of children. This bill aims to speed up the adoption process of children in foster homes. In my own State of Ohio, there are 17,000 children in foster care. Of these, nearly 1,800 are awaiting adoption. This bill is intended to help these children and others like them all across the country find permanent homes more quickly.

The bill also gives States greater flexibility to separate children from their families when their parents are clearly abusive. And in my own community of Dayton, OH, we have witnessed tragic consequences of requiring family unification even when it obviously was not in the best interest of the child.

Under this rule, amendments will be allowed under the 5-minute rule, which is the normal amending process in the House. All Members on both sides of the aisle will have their opportunity to offer amendments. The rule under consideration waives a number of points of order on the bill, including the 3-day availability of committee reports. It also waives points of order on the Committee on Ways and Means substitute.

The process for consideration of the bill has been completely open, and it has been bipartisan with strong support from both sides of the aisle. Therefore, the Committee on Rules recommended the waivers by unanimous vote so that the needed bill can move forward quickly.

Mr. Speaker, I urge adoption of this open rule and the bill.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DREIER], my colleague on the Committee on Rules.

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule, and I do so to compliment my friend from Columbus, OH for the leadership role that she has shown on this issue of adoption which is very important.

This legislation, as has been said by both of my friends from Ohio, is designed to encourage adoption. There is a pressing need out there, and I believe that this legislation will go a long way toward creating the kind of incentive that is necessary.

I also believe that it is very good that we are doing this under the open amendment process, because I understand that there are proposals that some Members who do not sit on the Committee on Ways and Means have that they wish to offer. And it is our hope that they will be able to work those out, and we will be able to continue to move ahead with bipartisan passage of this legislation.

I would simply like to urge my colleagues to support the rule and to again congratulate the gentlewoman from Ohio [Ms. PRYCE] for the stellar leadership that she has shown on this and a wide range of other issues.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY], and I say thank you to the gentlewoman and the gentleman from Michigan [Mr. CAMP] and the gentlewoman from Ohio [Ms. PRYCE] for so much good work on an important piece of legislation.

Mrs. KENNELLY of Connecticut. Mr. Speaker this rule brings to the floor something that I think we all knew was important. We enjoyed working on this issue and its result—that good things can happen when both sides of the aisle work together to try to solve one of our Nation's problems. And I could not think of anything better happening than finding safe, and loving, and permanent homes for abused children.

The conflict between the rights of parents and the needs of children is perennial and will remain a central dilemma in the field of child protection. Realizing this, almost a year ago, the gentleman from Michigan [Mr. CAMP], and I began to talk about drafting legislation to protect children and promote adoption. We, and our staffs, worked on a bill together, and throughout the process we sought advice from a wide range of individuals from across the country, from individuals who had joined with groups with varying points of view, some absolutely adamant in protecting the rights of parents, some absolutely adamant in protecting the rights of children. We heard from all sides of the issue.

We also worked with the Clinton administration, which has been making child adoption an increasingly important situation and a top priority.

So I will speak later on the aspects of the bill, but I would like to say something regarding the rule.

Mr. Speaker, I urge Members to support this rule. But I also want them to realize that although this is an open rule, any Member, of course, can offer an amendment, this bill has been crafted to address the careful balance between parents' rights and children's safety.

Many Members interested and very knowledgeable in child welfare have agreed to hold amendments so that today's legislation could bring forth a basis for a continuing process concerning the rights of parents and the safety of children. I look forward to working with these Members, and working again with the gentleman from Michigan [Mr. CAMP] so that in fact this whole situation of further protections for children can grow.

But today the legislation we have before us and the rule brings to us is a careful balance between many, many, many hours of work. Of course, there will be amendments, but I do hope that amendments that break this balance will not come forward. We have so must to do. This is so important. We do not want to have this bill in jeopardy.

Ms. PRYCE of Ohio. Mr. Speaker, I yield such time as he might consume to the gentleman from Florida [Mr. SHAW], subcommittee chair of this important legislation.

□ 1145

Mr. SHAW. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, there is one technical change in the Camp-Kennelly bill that was reported by the committee, and I thought it my duty to come to the floor and briefly explain this under the rule.

This change simply removes language that was inadvertently included in the committee bill, that appropriated money for adoption incentive payments, and substitutes language that authorizes spending on the payments. Because the incentive payments are so important to increasing adoptions, and because this provision actually saves taxpayers' dollars, both the Committee on the Budget and the Committee on Appropriations graciously agreed to help us write language that

would, if appropriations are made in any year, adjust both the budget resolution and the statutory budget caps to accommodate the additional spending.

Thus, the amended bill does not appropriate money, but the new provision does make it easy for the appropriators to provide the money for the adoption incentive payments. Giving States the incentive payments of $4,000 for each additional adoption will save both State and Federal tax dollars.

I want to personally thank the chairman and the staffs of the Committee on the Budget and the Committee on Appropriations for their help with this important provision.

I would also like to tell the Members of the House, in responding to some of the comments made by our colleague, the gentlewoman from Connecticut [Mrs. KENNELLY] one of the authors of this bill, that we on this side, even though this is an open rule, recognize the bipartisan effort that went into building this bill and also recognize the tremendous importance and impact this bill is going to have upon some of the most fragile among us, and that is unadopted kids that are lingering in foster care.

Because of that, Mr. Speaker, we are trying to work out compromises on many of the amendments that are being offered or contemplated to be offered, to see if we might reach a bipartisan solution on acceptance of those amendments without putting the House to votes that could possibly tilt the scales away from the bipartisan bill that has been so carefully crafted by the gentleman from Michigan [Mr. CAMP], and the gentlewoman from Connecticut.

Because of that, I would anticipate that if there are any amendments in dispute, that the committee would, in all probability, object to those amendments. Even though we might see that they have merit that should require us to consider them, and even though we personally might think it might be a better bill, we feel the bipartisanship that has been brought to this bill to the floor today should survive the day and that we should report out a bill that should get the unanimous support of the entire House.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I have a little Buy American amendment, and the gentleman from New York [Mr. RANGEL], he said we really do not need to buy American kids in this, but I want to explain it.

The Traficant amendment has been passed on to many things, and it says simply, it is a sense of Congress that when funds are expended pursuant to the passage of these acts and these laws, that when they expend that money, that the Congress notifies them, wherever possible, to try to buy American-made products. It does not tie their hands. And they should give us a report at the end of the year as to how much was foreign-made so we can get some computerization on what is our procurement around here.

I want to say this to the Congress. We are at this point, the delegation from Massachusetts, looking into the fact that our currency, the paper that our currency is printed on, will be made in Great Britain. And the Crane Co. of Massachusetts, who has produced the paper that our currency has been printed on, will come to us from overseas. We have military troops in Chinese boots.

We have gotten to the point where we have lost sight of our procurement. I once passed an amendment on a defense bill, I would say to the gentlewoman from Ohio, that if a foreign country does not allow American companies to bid, they should not be allowed to bid on our defense contracts. And both sides of the aisle fought it and then they finally passed it.

I think it is time to say that wherever possible when we are spending taxpayer dollars that we try to buy American-made goods. It does not tie their hands. Taxpayers pay the freight coming down the track, they have the jobs, they pay the taxes. It seems to work.

It is noncontroversial, but for those who have some doubts, it is germane and it deals with any funds made available pursuant to the passage of this act that would be used for procurement purchases.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in many ways foster care has become a black hole for America's most needy and vulnerable and precious children. They get sucked into it through no fault of their own and they end up spending years bouncing from one foster care family to another, with little or no hope of settling down to enjoy a stable, loving home environment. Today we can begin to offer these children a small ray of hope by agreeing to this open rule and by passing the Adoption Promotion Act.

Mr. Speaker, we just need to change the model. We do not need the latest poll or focus group to know that it takes a family to build a stronger America. By protecting the safety and well-being of children, we can ensure that the neediest and the most neglected and the most abused foster children are given a real chance, a fighting chance, to enjoy safe and permanent homes.

Mr. Speaker, on behalf of the thousands of foster kids living in America today, I urge my colleagues to support this fair, open rule and to vote for the Adoption Promotion Act.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. HOBSON). Pursuant to House Resolution 134 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 867.

□ 1152

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. 867) to promote the adoption of children in foster care, with Mr. ROGAN 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 Florida [Mr. SHAW] and the gentleman from New York [Mr. RANGEL] each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. SHAW].

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

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

Mr. SHAW. Mr. Chairman, the Camp-Kennelly bill that we bring to the floor today is of vital importance to many thousands of the Nation's most unfortunate children. These children are the abused, the neglected, the abandoned. To take these children out of harm's way, State government removes these children from their families and places them in foster care.

Five hundred thousand. That is right, one-half of 1 million. That is how many children are languishing in foster care as we debate this bill today. The major goal of Federal and State policy must remain what it has been since the passage of the vital Adoption Assistance and Child Welfare Act of 1980, and that is to move these children to permanent placements as quickly as possible.

But today there is a new consensus throughout the Nation: Too many children are in foster care because too few children are adopted. The bill we debate today will change that. I have no doubt that if we pass this bill, within 5 years the number of adoptions in the United States will increase substantially and the number of children languishing in foster care will at last decline.

This bill does three big things to promote adoption:

First, Federal statutes now put too much emphasis on providing all kinds of services to rehabilitate troubled families. Let me be clear about this. I firmly believe that services for troubled families are important. Nothing is more important to children than their families. Thus, if their family has problems, government could and should reach out a helping hand. But not ten hands.

If families will not or cannot change within a reasonable period of time, we must, in the interest of the children, be

willing to terminate parental rights and move expeditiously toward adoption. So the big thing this bill does is to push the pendulum of government concern back in the direction of the children.

We do this by allowing States to define what we call aggravated circumstances that allow them to dispense with services for the family and get on with the business of finding an adoptive home for the child. In the case of parents who have murdered another child or lost custody of other children, States are required to dispense with the services for the family and to move quickly to terminate parental rights and get the child adopted.

The second big thing this bill does is require States to move to terminate parental rights and find an adoptive family if children under 10 have been in foster care for 18 of the past 24 months. There is at present no national consensus on the maximum time children should spend in foster care. As a result, some States keep children in foster care for an average of 3 years. The average stay in foster care across all States is around 2 years.

Think of that: 2 years, 24 months, 104 weeks, 730 days. For a 4-year-old child, that is half of his or her life. This must stop. Camp-Kennelly will take us a giant step toward creating a national understanding that if families cannot be rehabilitated within 18 months, the State must move to adoption.

These first two provisions of this bill place administrative requirements on the States, but the third big provision of this bill takes a different approach. Camp-Kennelly will reward States for increasing adoptions.

If we want more of something, we simply subsidize it. So let us pay States to do the right thing. Instead of just subsidizing foster care, as we do now, Camp-Kennelly will pay the States $4,000 for every child adopted above the prior year's levels.

Will this approach work? Both the Congressional Budget Office and the Office of Management and Budget say it will. Not only will the provision increase the number of adoptions, but it will actually save money. Members of Congress will seldom have the opportunity to vote for a bill that both does the right thing for children and saves taxpayers dollars at the same time.

I am quite proud of this bill, and I am proud of my subcommittee and the sponsors who have put this bill together. It will help children. It will increase adoption. It will improve the reputation of government for effectiveness and efficiency, and it will save the taxpayers money.

I would like to share with the Congress part of the testimony that was given before my subcommittee. A woman caseworker who had been involved in many, many adoptions told us of the first words that a child had after meeting her new parents, and this is a child who was less than 3 years old, a 2-year-old child. The first words she said in meeting her new adoptive parents were ''Where have you been?''

''Where have you been?'' Can any of us imagine those words coming out of a 2-year-old child thirsting for a family? I say to the Congress, ''Where have you been?'' It is time for us to pass this bill, and I urge all the Members to vote ''yes'' on this vital piece of legislation.

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

Mr. RANGEL. Mr. Chairman, let me join with my colleague from Florida in complimenting the legislators on the committee that worked on this very sensitive piece of legislation.

It is so difficult for us in the Congress to attempt to regulate or legislate things that concern love and emotion and separation of mother and child, and that is why it is so important that those people, who mean well but want to fine-tune this, might do well to believe that the Congress cannot, as they have said so often, make one size fit all according to Federal standards.

I think all of us agree that when it comes to a child that is living in a dangerous or an abandoned situation, that we all want to do what is in the best interest of the child.

□ 1200

We do not have all of the answers here in Washington, even though we Democrats are accused of trying to provide all of them. But one thing is clear, that the facts and circumstances surrounding the condition and the welfare of that child is closer to the State than it is Washington, DC. So I do hope that those who have particular problems or have seen it back in their home State might concentrate on trying to change those provisions at home and kind of leave the work that the gentleman from Michigan [Mr. CAMP] and the gentlewoman from Connecticut [Mrs. KENNELLY] have put together in a very well balanced way.

It just seems to me that they have taken in consideration the very, very difficult decisions that have to be made even by social workers. When is the time that a child should be adopted? When is the mother's rights terminated? Is there an area of rehabilitation? All we know is that this bill would at least allow the resources for these very sensitive questions to be addressed in the proper way. All we can do is hope the best that we can that we have facilitated in taking children out of harm's way into loving homes and thereby making a stronger and more productive country as these youngsters grow up to be productive.

Mr. Chairman, the gentleman from Florida [Mr. SHAW] has every reason to be proud, and those that have really not spent that much time discussing this, I hope that they might allow this legislation to go through as it is drafted and to make certain that their considerations are brought to the local communities in which they serve, because situations that we have in New York may not prevail in Los Angeles or in other parts of the United States, and I really want to protect the work that has gone into this legislation.

Mr. Chairman, I ask unanimous consent that the time remaining be turned over to the gentlewoman from Connecticut [Mrs. KENNELLY], the drafter of the bill, on our side at least, the codrafter, and that she be given the opportunity to yield the remainder of the time that we have on this side.

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

There was no objection.

Mr. SHAW. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. CAMP], whose name appears first on this bill.

Mr. CAMP. Mr. Chairman, I want to thank the chairman of the subcommittee for yielding me this time and also for his leadership on this issue.

Today the Congress has an historic opportunity to improve our child welfare system with respect to adoption. Under the fine leadership of the gentleman from Texas [Mr. ARCHER] and the gentleman from Florida [Mr. SHAW], past Congresses have already made two important changes, providing a $5,000 tax credit for adoption expenses and eliminating racial preferences for adoption. We now have the chance to build on this outstanding record.

The legislation before us today will help reduce the amount of time that children spend in foster care and increase the time they spend in permanent loving homes. I want to thank the gentleman from Texas [Mr. ARCHER], the chairman of the full committee, the gentleman from Florida [Mr. SHAW], the chairman of the subcommittee, the gentleman from New York [Mr. RANGEL], ranking member of the full committee, and the gentleman from Michigan [Mr. LEVIN], ranking member of the subcommittee, for their support.

Nearly 500,000 children currently reside in foster care and thousands more join them each year. These children can spend up to 3 years in foster care, and since 1982 the number of children in foster care has increased by 89 percent. For a young child, that is, far, far too long. For too many children foster care has become a permanent solution to their problems instead of a temporary answer. These children wait for permanent loving homes while many parents wait to adopt children.

The names and stories are too familiar: Children returned to homes only to face continued abuse, and child advocates torn between their desire to reunite the family and their duty to ensure the child's health and safety. Children deserve a compassionate but effective system that works on their behalf, not one that subjects them to continued abuse.

The legislation before us today strikes the appropriate balance between parental rights and child safety.

The bill calls upon States to continue efforts to reunite the family, but also realizes that in some cases reunification is not in the child's best interest. In these cases, States are encouraged to follow concurrent planning in order to ensure the child spends as little time in foster care as possible.

The bipartisan legislation before us today was drafted, debated and adopted with the full participation and support of my colleagues on the other side of the aisle. It was approved by the Committee on Ways and Means by voice vote and enjoyed strong bipartisan support. In addition, we have held hearings, received much public comment and received broad-based support for these reforms.

Mr. Chairman, the children of this Nation deserve a fighting chance. This legislation puts the system in their corner and makes sure that our children grow up in a permanent loving home. I also want to thank the gentlewoman from Connecticut [Mrs. KENNELLY], the co-sponsor of this bill, for her leadership, her strong support and her advocacy for this issue.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I too would like to thank the gentleman from Florida [Mr. SHAW] and the gentleman from Texas [Mr. ARCHER], the gentleman from Michigan [Mr. LEVIN], ranking member on the subcommittee, and I also want to say what a delight it has been to work with the gentleman from Michigan [Mr. CAMP].

Mr. Chairman, every day in America 3 children, 3 innocent, precious children, die from abuse or neglect, and every day in America 500,000 children wait in foster care for a permanent home. These statistics say to us we certainly are not doing the best that we can do by our children.

Today I do not suggest that the legislation before us will eliminate child abuse for every child, though I wish I could say that, or guarantee a permanent home for every child in foster care. It will not. But I do believe this legislation represents a significant step forward in providing protection and permanency for our Nation's abused and all too often forgotten children.

I also believe the bill represents what bipartisan cooperation can accomplish. The tension between the rights of parents and the needs of children will be a perennial debate when we talk about child welfare. Realizing this, the gentleman from Michigan [Mr. CAMP] and I began almost a year ago, reaching out, listening, talking, meeting. Our staffs spent hundreds of hours trying to look at this question and see where we could jump start it so we could address some of the concerns that we have at this very time, thinking there has been some misunderstanding between the Federal Government and the State governments in making sure that everything was done to protect children. And so we ended up with this piece of legislation before us today.

The bill has two basic goals: Preventing children from being returned to unsafe homes, and finding safe and loving and permanent homes for children who cannot be reunified with their families. To accomplish this goal, our legislation revises the current Federal requirement that States make reasonable efforts to reunify abused children with their families. Early on in the 1980's we wrote legislation in this body and in the other body saying every reasonable effort should be made to return a child to the family. And in the States, those who were working very hard to bring this about did not know where to end that. It was not clear. In short, we are clarifying that reunifying a family is not reasonable when it presents a clear and undeniable danger to a child.

The legislation provides States with examples of situations where reasonable efforts are unreasonable efforts, such as when a child has been abandoned, when a child has been tortured, where a sibling of that child has been murdered, where there has been chronic physical abuse, where there has been sexual abuse.

Let me say that in the best of all worlds, we all agree that the best place for a child is with his or her parents. But we must also recognize there are times when a child's safety is threatened by living at home. Every one of us in this body can turn to and refer to headlines in their papers, the terrible, heartbreaking case with little Emily in Michigan, other cases across these United States, headlines telling us the very worst can happen. This legislation is not only a reaction to these kinds of situations; this legislation is on the floor today so these situations will not make headlines, that that quiet child locked in that terrible situation will not be forced to stay there or will not be returned to that situation.

But it is not enough to really prevent children from returning to dangerous homes. We must also do more to find permanent homes for children who cannot return to their birth families. Our foster care system, and I want to make it very clear, Mr. Chairman, is an extremely valuable safety net, but it should not be in any way a way of life for children.

Unfortunately, not only have the number of children in foster care homes almost doubled in the last 12 years; what we are seeing is younger and younger children going into that system. However, let me say today that foster care has provided that safety net for those children and in 1995 half the children adopted were adopted by their loving foster care parents.

In this legislation we propose four solutions to this problem. First, we call on States to pursue reasonable efforts to place children for adoption when reunifying families is not possible. Second, we propose expediting the review of foster children by requiring a permanency hearing after 12 months, not waiting for 18 months. Third, for younger children who have spent the last 18 months in foster care, we require the States to consider terminating parental rights so a child can be freed for adoption. But, of course, the courts would still have the final word on whether termination is the best solution. And finally, we advocate giving States financial incentives if they increase the number of children leaving foster care for adoption.

Our legislation would provide $4,000 for every additional child that is adopted, and $6,000 for every hard-to-care-for child in the foster care system.

Mr. Chairman, some may say this bill does not go far enough in one direction. Others say we certainly have not put enough financial assets into it. I fully acknowledge that the child welfare system could use more resources. However, I think we will find a wide consensus from the left, from the right and all of us in between that the legislation before us will help protect children and promote adoption.

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

Mr. SHAW. Mr. Chairman, I yield 1½ minutes to the gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY. Mr. Chairman, I rise today in support of the Adoption Promotion Act, H.R. 867, and I ask that all Members do the same.

Quite simply, this measure represents Congress' commitment to children. According to the Children's Defense Fund, in 1995, 3.1 million children were reported abused or neglected and 818 children died as a result of abuse and neglect. Furthermore, that same year over 1.8 million youths were arrested for various crimes, over 100,000 of which were violent crimes.

At issue here is America's future. We are failing our children if we do not provide them with positive role models. While foster care and those who assist in that care are doing a world of good, it will go to waste without some sense of stability for the child. We should be embracing and assisting those families that are willing to care for this country's most precious resource, our children. That is what this bill is all about. I urge my colleagues to support H.R. 867.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I yield 2½ minutes to the gentleman from Michigan [Mr. LEVIN], the ranking member of the subcommittee that brought forth this bill.

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

Mr. LEVIN. Mr. Chairman, I very much support this bill and am glad to rise in support of it. It is a common sense proposal that hopefully will bring to fruition the goal of a permanent home for kids in foster care.

This is a balanced, activist approach. Right now there is stagnation. Kids stagnate or sometimes just move from place to place while they are stagnating. Family reunification is the primary goal, but a recognition that in

some circumstances this is not workable and beneficial for the child. In some circumstances, such as abandonment, chronic abuse or sexual abuse, efforts to keep the family together, those efforts do not serve the interest of the child.

So there is a redefinition of the requirement of reasonable effort to make sure that the child's interest is primary.

□ 1215

The bill also requires more frequent status reviews for children in foster care, and it gives foster parents the opportunity to be heard at the hearings.

I want to thank, if I might, and express on behalf of so many the appreciation to the gentleman from Michigan [Mr. CAMP] and to the gentlewoman from Connecticut [Mrs. KENNELLY] for their work and the efforts of the chairman, the gentleman from Florida [Mr. SHAW]. I hope we will keep our eye on the ball here and not go overboard one way or the other, but keep a balanced position here. That is what will keep in mind the key goal, the interest of the child. Making termination of the parental interest occur too soon will not help the child. On the other hand, going the other way is not going to help the kid.

Also we have to remember the importance of the services that are necessary to help these children and the parents; to delete the provisions in this bill that relate to those services would also be a mistake. This has been carefully crafted, and I hope we will maintain it.

Mr. SHAW. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, last year I was very pleased to have played a part in making sure that the adoption credit was passed. This credit helped make adoption more affordable for numerous parents who could not afford adoption costs.

However, it is evident that costs are not the only problem of adopting. In fact, it is the very system that was created to help children either be reunited with their families or be adopted that has turned out to be the problem.

In the last decade child welfare has grown into an enormous bureaucratic system that is biased toward preserving the family at any cost. Consequently, foster care has become a way of life for thousands of children while agencies continue to try and, quote, fix the problem.

Mr. Chairman, I would like to commend my dear colleagues, the gentleman from Michigan [Mr. CAMP] and the gentlewoman from Connecticut [Mrs. KENNELLY] for all their hard work on the Adoption Promotion Act of 1997.

For years, foster care has been a black hole for thousands of America's children. The current system has failed to help the very children it was intended to help. Today it is estimated that over 500,000 children are in foster care while 50 to 80,000 are legally free to be adopted. The average child is in foster care for 3 years, while 1 in 10 children remain in State care for longer than 7½ years.

The time is right to make some fundamental changes to the child welfare system because too many children are simply wasting away. This is a responsible bill that seeks to speed up the adoption process, in particular for those children that have been abused or neglected.

This bill represents an important philosophical shift from the Federal policy that makes every effort to reunite children with their biological families to one that defines when reasonable efforts shall not be made and determines when those children shall be placed in permanent, loving, adoptive homes. I strongly believe that this legislation moves in the right direction by defining reasonable efforts, placing timelines on permanency decisions and filing for parental termination and providing incentives to States to hasten adoption. However, I believe that there are ways that we can strengthen and improve the bill so that it thinks of what is best for the children and for their well-being.

Mr. Chairman, we finally have the opportunity to help thousands of children, and we should ensure it is an effective bill. Originally the gentleman from Kansas [Mr. TIAHRT] and myself were hoping to introduce two separate amendments; however, instead Mr. TIAHRT and I will be speaking about one separate amendment. Before that amendment is debated, I would like to discuss one of the amendments we are not dropping that I believe deserves thorough discussion and consideration in the future. This amendment, once it is determined that a child shall not be returned to his home and parental rights are to be terminated, the State shall place the child with a family who is qualified and willing to adopt. If the State has failed to find an adoptive home within 90 days, then the State must contract out with a private agency to find a family within 90 days. After that child is with the preadoptive family for 4 months, the family would have the right to petition for an expedited hearing to terminate parental rights and adopt the child.

Mr. Chairman, I believe that this arrangement would greatly expedite the movement of children that are free to be adopted into permanent homes. Currently States often take months to find parents in spite of thousands of parents waiting to adopt. Groups such as Adopt a Special Kid, the Dave Thomas Foundation, Institute for Justice, Adopt a Network, and Children with AIDS say they have hundreds of parents waiting to adopt a child.

Private agencies have proven to do a much better job because they have the experience and are not bogged down by numerous other demands and the financial disincentives to adopt a child and they have one mission, to get the child into a loving adoptive home. For example, Michigan has a successful program with the private sector, is involved in placement of the child into a permanent home, and adoptions in the State have doubled, and adoptions of African-American children are up 121 percent.

Kansas, which has contracted out most of its services to private agencies, has all children, regardless of age, in permanent placement at the end of 1 year. According to Patrick Fagan of the Heritage Foundation, private adoption services are more efficient and more effective than State agencies where adoption is concerned, as illustrated by the track record of Detroit's home for African-American children.

Mr. Chairman, there is a desperate need to get kids into permanent and loving homes. Children are waiting too long for a permanent home. According to a report by Dr. Carol Beevan, children wait an average of 2½ years for courts to terminate parental rights. Each month, each day that a child spends in care, is extremely detrimental to his or her mental and physical development and also has great cost to our society in the forms of welfare numbers, out-of-wedlock children, and problems with the criminal justice system.

Mr. Chairman, I appreciate the opportunity to discuss this proposal with my colleagues. While it will not be voted on by the House today, I would hope that we can work with the Committee on Ways and Means, the gentleman from Michigan [Mr. CAMP], the gentlewoman from Connecticut [Mrs. KENNELLY] and other interested parties to see if it can be discussed at the conference or in future hearings.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I yield 2½ minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, I want to salute the gentlewoman from Connecticut [Mrs. KENNELLY], the gentleman from Michigan [Mr. CAMP], and the gentleman from Florida [Mr. SHAW] for their hard work on this very important bill that I am an original cosponsor of. So often with legislation around this body, we scratch the surface of trying to solve problems. This bill goes to the heart and soul and potentially will save thousands of lives of our Nation's children.

Right now, Mr. Chairman, we have two major problems in our foster care system. Because of the 1980 law, oftentimes, and this has been documented over and over and over and over in a compelling series by the Chicago Tribune on children, that we would reunite our children with their families only to find catastrophe to happen later on that week or that month when that child was abused again or hung in a bathroom and killed, and because of that 1980 law, reunification became something that was done in too many terrible instances resulting in catastrophic consequences for that child. This bill helps address that problem.

The second problem is now we have too many children languishing in foster care situations. Five hundred thousand children in this Nation are in foster care. We need to develop a way to get them through a fairly judicious and compassionate yet efficient adoptive process. This bill helps do that.

Yesterday on the front page of the New York Times, and I would ask that this article be entered into the RECORD, we find that families are finding ways to make sure that they protect their children, when in this article, as it articulately details, that the caseworkers had to sit out in front of a house for 10 hours to make sure that those people were not the kind of people that should have that child back. Please read the article in the RECORD.

The article referred to is as follows:

PRIORITY ON SAFETY IS KEEPING MORE CHILDREN IN FOSTER CARE

(By Peter T. Kilborn)

RICHMOND.—Years after their drug-addicted mother walked out, a Juvenile Court judge in July 1996 decided to award custody of three children—ages 10, 6 and 4—to the grandmother of two of them.

The grandmother, whose son fathered two of the children, seemed to have everything going for her. She had a new house, a prominent lawyer and the power of her appeal to keep the family intact.

But city caseworkers were skeptical, and the decision was appealed. What they did next reflects a monumental change in the way cities are dealing with children from troubled homes.

''We hired a private investigator to watch her house,'' said Hunter Fisher, a lawyer who is manager of human services for the Richmond Department of Social Services. ''And in court, we introduced 10 hours of tape showing a hundred people entering and exiting each of two nights. Children were coming and going, too.''

Since most of the traffic occurred in the middle of the night, the city convinced an appellate court that the house was being used for illicit activities, including drug dealing, and the children remained in foster care.

Overturning the long-held premise that keeping families together is the best policy, child-welfare officials here and across the country have been doing everything possible to delay or avoid the return of neglectful families. The result is that more children are spending longer periods in foster care. And that, in turn, is contributing to what is already one of the biggest problems facing the child-welfare system: a ballooning foster care population.

Since 1985, this population has almost doubled—to 500,000 children from 276,000—as an epidemic of crack cocaine use and other drug and alcohol abuse has torn families apart. The children stay in foster homes for three years, on average, as overwhelmed caseworkers try to help the parents with the problems that made them abusive or neglectful.

PRIORITY ON SAFETY MEANS A SURGE IN FOSTER CARE

In fiscally tight times, the Federal cost of such support, which the states match, has leaped to $3.3 billion annually from $546 million, in large part because of the soaring cost of treating children born with a variety of ailments because of parental addictions.

Concern over costs, and the welfare of the children, has led to a push for more and faster adoptions—most often by foster parents themselves—and for permanent placements in foster homes when adoptions cannot be arranged.

This year, two bills racing through Congress with wide bipartisan support would urge juvenile courts to make children's safety, rather than family preservation, their paramount concern. The bills would offer states money for increasing the number of adoptions from foster care. That would mean being quicker to terminate parental rights and would free children for adoption when preserving the family would pose a greater risk to children's safety.

The shift in Federal policy began last year, when Congress approved a $5,000 tax credit for each child adopted by a family with an income below $115,000. It also removed most barriers to interracial adoptions, making it easier for black children to be adopted by white families.

A GROWING NEED FOR ADOPTIONS FOR FOSTER CHILDREN

Late in 1996, President Clinton ordered the Department of Health and Human Services to find ways to double the number of adoptions of foster children, now 27,000 a year, by 2002.

But some child-welfare experts say these changes—the move away from keeping families intact and the push for foster care and adoption—may go too far in the other direction.

''There has been a backlash against family preservation,'' said Susan J. Notkin, director of children's programs for the Edna McConnell Clark Foundation in New York. ''If you have a child at risk, you have an obligation to do something. But I believe many children are removed because we have not taken the time to determine what the parents need.''

Providing families with intensive services, including therapy and drug-abuse treatment, is also much cheaper than putting a child into foster care, Ms. Notkin said.

Adoption is not an easy answer, either. Children who have suffered abuse and neglect often need professional help, wherever they live, and many potential adoptive parents are reluctant to take them on.

All the hopes, scars and frustrations of children from abusive homes and the parents who take them in are on display in Vickie and Tim Ladd's five-bedroom brick ranch house, with a pool, a trampoline, a swing set and a basketball hoop in a tranquil development just south of Richmond.

As their three foster children recounted their earliest memories, it was easy to see why they no longer resided with their biological parents.

''There was a lot of drinking,'' said Dawn, 17. ''My stepfather would attack me so I'd run away.''

Her foster brother, Lonnie, 14, sweaty after jumping on the backyard trampoline, said that when he was 8 and 9, he would slip out into the night to look for his mother in bars.

In a heart-shaped frame in her room, Stephanie, 13, wiry and a little fidgety, has a picture of her mother, who went to jail briefly for beating her.

''She'd bring up her fist and hit me on the side of the head,'' she said, mimicking the whack. ''I have A.D.H.D.,'' she said. ''That's attention deficit hyperactivity disorder. I take medicine. It calms me down.''

Calm, direct and settled after three years here, Dawn has recaptured two lost years of school, is on the honor roll and starts community college in the fall.

''I draw,'' Lonnie said, ''I'm going to be a comic artist.''

Stephanie said no child of hers would need foster care. ''After I get married,'' she said, ''I want one kid. Just one. I want a girl, but whatever God gives me, I'll deal with it. I'm going to be strict but not too strict. She's going to have a curfew.''

The prospects are not so clear for two children the Ladds have adopted, Steven, 13, and Jason, 14.

When the Ladds took him in at age 4, Steven had been sexually molested in another foster home. ''He never forgot,'' Ms. Ladd said.

Jason came to them at 2, two years after the Ladds had married and were told that they could not have children of their own.

''He had been severely beaten,'' Ms. Ladd said. ''He had broken bones. He had mental retardation and fetal alcohol syndrome.

''He's a beautiful child,'' she said, picking up a framed photograph.

But in November, Jason had to be moved into a group home for children with behavioral problems. After 14 years of marriage, Ms. Ladd had become pregnant with Zachary, and Jason was beating her.

In communities like Richmond, with many abused and neglected children like these, the big issue for child-welfare officials is not so much adoption or family preservation, but the immense and rising costs of caring for the children. Officials say they are overworked, understaffed and underfinanced.

The Richmond Department of Social Services has 35 caseworkers dealing with 870 foster children, about twice the number it says it can readily serve. Staffing levels like this in many cities have led to a lack of oversight and failures to prevent abuse by foster parents themselves, critics of the foster care system say.

''The crunch of children backed up in foster care is more a statement of how damaged these children are than of the willingness of people to adopt,'' said Michael A. Evans, director of the department. ''There are people who are willing to adopt healthy children. But crack mothers don't have healthy children.''

Frederick Pond, the manager of Virginia's adoption and foster care services, said hopes in Washington for any increase in the number of adoptions of troubled and abused children were way too optimistic unless the Government took on some costs and responsibilities.

The State of Virginia, for instance, offers one of every three adoptive parents the same $262 to $388 per child it gives foster parents each month. And some parents get subsidies for their children's therapy.

Even then, Mr. Pond predicted, more and more adoptive parents will return their children to the state because of problems.

Life has been tough, but satisfying, for Denise and Beauregard Evans, the foster parents of Pamela, Lakisha and Kenneth. The children have been with them since soon after their births, and they hope to adopt them.

The Evanses are rearing 10 children, including 4 of their own, in a split-level house on a cul-de-sac with a driveway cluttered with children's plastic vehicles. Still in their 30's, they have sheltered 129 children for months or years.

All but their own four, who range in age from 1 to 17, have various disabilities, including retardation, speech impediments and hyperactivity. One was born to a girl who was 12. Another needed a blood transfusion at birth and weeks in a hospital to start purging the crack cocaine from her body.

After school, the Evanses' house is a warren of children doing homework and playing. Kenneth is in a tent in the living room with a floor full of plastic balls. He was born addicted to cocaine, Ms. Evans said. ''He's a little delayed for a child his age,'' she said. ''Lakisha too.''

After the custody battle in the courts, Ms. Evans said, the girls needed therapy. But

Pamela seems settled now. Shy and skinny, with straight, long black hair, she is in the fourth grade and said she liked spelling and math.

But she remembers her visits with relatives in the past.

''They were on drugs,'' she said. ''They'd act weird. I'd go and look at TV in the other room.''

Mr. Chairman, let me just conclude by saying this bill is revenue neutral, it is compassionate, it will move thousands of children through the foster care system to loving families, and instead of just having one option of going to another country to adopt, which is a great option, let us provide more Americans both options, to go to another country such as China, Korea, Argentina, but also to adopt through a more efficient yet compassionate system here at home.

Mr. SHAW. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan [Mr. CAMP], the prime sponsor of the bill, and I ask unanimous consent that he be allowed to yield time.

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

There was no objection.

Mr. CAMP. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. TIAHRT].

Mr. TIAHRT. Mr. Chairman, first of all I would like to say that I think this is a tremendous step in the right direction, and I want to congratulate the gentleman from Michigan [Mr. CAMP] and the gentlewoman from Connecticut [Mrs. KENNELLY] for this great effort on moving us in the right direction in moving kids out of a situation where they are trapped in a system and wanting to get into the arms of loving parents who would provide for them, and also I would like to congratulate the gentleman from Florida [Mr. SHAW], subcommittee chairman, and the gentleman from Texas [Mr. ARCHER], chairman of the full committee, too, because this is long overdue.

There are very dire circumstances that occur once in a while in the State of Kansas. We had one young man who at the age of 14 had been in 130 foster care homes. He had been trapped in a system for 11 years because the State would not give up on trying to rehabilitate his parents, and they pursued one service after the other, one counseling session after the other, and it became a focus on the parents rather than a focus on the child.

I think that this legislation moves us to a positive situation where we are promoting the fact that we are going to focus on children now and that we are going to allow parents the opportunity to get their lives in order and become good parents because I truly do believe the best situation is when we have children in the loving home of their birth parents. But occasionally we are unable to do that. People get hung up on drugs, their lives are ruined by crime, and it is at times best for children to move into a situation where they are adopted. Adoptive homes have very positive records. Children have adjusted very well to new parents and live very successful lives and contribute greatly to our society, and I think that is the goal of this bill: trying to focus on the children and move them on.

Mr. Chairman, I do have a couple of exceptions that I will discuss fully, but I think that this bill is such a magnificent step in the right direction that regardless of what happens today that we are going to do a wonderful thing for the children in this country.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I yield 3 minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, I thank the gentlewoman for yielding this time to me, and I commend her and the gentleman from Michigan [Mr. CAMP] for their wonderful work in bringing this legislation together and to the floor today for our consideration. I believe this is extraordinarily important legislation and addresses in an overdue, albeit ultimately very important way, I think, the pendulum that the State, that we have to deal with, as we wrestle with dysfunctional families and the children of those families.

The 1980 Child Welfare Act clearly made the priority reunification of families. Obviously that is a critical goal and one that is appropriately sought out through our child welfare processes. But it certainly is not the only priority or necessarily the overriding priority. I think the overriding priority has to be the best interest of the child, what is in the best interests of the children of these families, and I think sometimes under the 1980 legislation that has been relegated to a secondary status. We can all agree that there ought to be no higher priority than the health and safety of children, the children of these families.

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So, as this act before us does, putting that as the clear priority, overriding the unification of families, if there is even an issue that the health or safety of the child might be threatened by reunification is a very important step to take.

A little more difficult, and I think one that the bill addresses in a balanced and thoughtful fashion, is how long do we give the process time to work before we give up on reunification and pursue full speed ahead on getting the child placed in a permanent family arrangement. The shorter timeframes which this bill would move forward, I also think, are terribly important. We have unacceptable circumstances of children languishing in foster homes, or maybe a series of foster homes, while social workers patiently try to work with parents who just have not been able to grow up and deal responsibly with their parental responsibilities.

There comes a time when the child is hurt from this attention to reunification, and that is not acceptable. The child's interests have to be paramount, and I believe the shorter timeframes will help us in this regard.

Let me tell my colleagues just a for-instance that happened to me. I was watching a lovely little boy, about 18 months, wander around a shop, and I was speaking with him, about the age of my son. I spoke with who I thought was the mother of this child. She indicated that she was in fact a foster mother. She had had this boy from the time he was 6 months old; she had had him 1 year.

There was no question from the interaction between the child and the mother that the child thought that this woman was his mother, and yet they were in this indeterminate foster care status while they waited for unification.

We cannot let these things languish. As I wrap up, I support this legislation, commend its sponsors. Let us put interests of the children first, as advanced by this legislation.

Mr. CAMP. Mr. Chairman, I yield 2 minutes to the gentlewoman from Kentucky [Mrs. NORTHUP].

Mrs. NORTHUP. Mr. Chairman, I think on the floor today when we think about how much time we spend discussing building roads, building schools, building businesses, it is really wonderful to take a day and talk about building families.

Families with children are created in two ways. The children come by birth and they come by adoption. In our family, my husband and I have six children. Two of those children, our third child and our fifth child, are hard-to-place children that came to our family years ago. They have brought such wonderful gifts to this family. They have brought such diversity, diversity of talents, diversity of interests, and diversity of race.

It is a team of six children that are full of life, full of noise, full of interests. I wish those two children that have brought such a wonderful presence to our home could be with us here today and that I could introduce my colleagues to them.

Twenty-one years ago, when my husband and I adopted the first of those two children, we had a lot of love and energy. We had a ready-made family. We had no money. So it was quite a decision, quite a strain, to make the decision that we could, in fact, adopt that child.

The bill that is before us today will give to families across this country the opportunity to have the wonderful gifts that adopted children bring to families. In fact, it makes me very emotional to think of the special blessings that will come to so many families because of this bill.

There will be no building that we can do in this Chamber any time that will be more important than the building of families that are part of this bill.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I thank the distinguished gentlewoman from Connecticut [Mrs. KENNELLY], and I thank the gentleman from Michigan [Mr. CAMP] as well on the Republican side. This is clearly a bipartisan, nonpartisan bill.

My colleagues before me have spoken on the priority, the premise, the focus that was articulated in 1980, and that was that we ought to unify families. My wife, who supervised early childhood education in Prince George's County, and I talked about this because of a case that was reported in the Washington Post of a young man named Dooney Waters. He was a young man who lived in a crack house. He was a young man who was not fed for days at a time. He was a young man whose bedroom was unavailable to him because it was being used to light up.

There is a recent story that my colleagues may have read, those of them who serve here, about a 5-year-old in Montgomery County, reunited with his father after his father had physically abused him. Judges with whom I have talked have been concerned about the premise of the Federal statute which said that we must reunite unless we can make an extraordinary finding to mitigate against that conclusion.

Previous speakers have said, the premise must be, and this bill adopts that premise and furthers that premise, the best interests of the child. There is no excuse for society to return or to allow a helpless, defenseless child to be subjected to abuse by those who society believes ought to be that child's major protector. This bill accelerates a process of placing the child in a safe and nurturing home.

I am very pleased to rise in support of this legislation for all the Dooney Waters of this country and for our future, which will be made better by making children safer.

Mr. Chairman, I rise today in support on H.R. 867, the Adoption Promotion Act.

Our child welfare system too often protects parents' rights rather than children's rights. Severe child abuse quadrupled between 1986 and 1993. Thirty-nine percent of the children who died of abuse or neglect between 1989 and 1991 were known to agencies before they died. Monday's Montgomery Journal reported that hundreds of children in Montgomery County will be reunited with parents who abused them. Putting a child back in their parent's home can be deadly.

You may remember a child named Dooney Waters. The Washington Post ran a series of stories on him in 1989. Dooney was raised in a crack house in Prince Georges County, MD. Dooney spent days at a time hiding behind his bed. All he ate were sandwiches his teachers sent. The bathrooms in Dooney's house did not work. Dooney was burned by boiling water and his hand was singed by a can used to heat crack cocaine. Dooney begged his teachers to take him home with them. Prince Georges County Social Services investigated Dooney's case, but did nothing. Eventually, Dooney's father removed him from the crack house.

H.R. 867 speeds up the adoption process for children who have been abused and neglected. The bill requires expedited terminated of parental rights in chronic cases of abuse or neglect, such as Dooney's.

Mr. Chairman, America must strengthen its commitment to the child victims of neglectful parents: both custodial and noncustodial. We made a number of improvements to child support enforcement in last year's welfare reform law. We can do even more. Soon I will introduce legislation to strengthen Federal criminal penalties for noncustodial parents who neglect their child support obligations. In the meantime, I urge my colleagues to remember Dooney Waters and support the Adoption Promotion Act today.

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

Mrs. KENNELLY of Connecticut. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from Connecticut for yielding me this time.

With an abbreviated time frame, let me simply applaud the work of the committee and the leadership on this legislation, because this is pro-children. I would hope that, as we proceed with this general debate, we will have an opportunity at a later time when I will be discussing on the floor of the House a sense of Congress, to add discussion regarding protection for the children under this act, and that would include background checks for foster parents and adoptive parents.

It would also include the issue of dealing with early drug treatment for any parents who may have that problem who have our children in their care. Certainly I would argue that, though, no cultural difference should be a prohibition for adoption for foster care but a cultural sensitivity to those who are adopting the foster care of our children.

The most important thing that this legislation does is that it supports moving our children to a loving home. For that reason, I support this legislation.

Mr. Chairman, I would like to thank and commend my colleague, BARBARA KENNELLY, for the exemplary work that she has done in bringing this much needed legislation to the floor.

I know that Congresswoman KENNELLY shares my passion and commitment to our Nation's children and has worked diligently to bring this legislation before the full House for consideration.

In 1995, 494,000 of our Nation's children lived in the foster care system. According to the American Public Welfare Association [APWA], about 450,000 children live in foster care at any given moment, and as many as 600,000 children live in foster care during the course of any given year.

In my home State of Texas, the number of children under the age of 18 living in foster care in 1993 was 10,880. This represents an increase of 62.4 percent from 1990, and a 123 percent increase from 1983 and the number still continues to climb. Similarly, the number of children living in a group home in 1990 was 13,434. Approximately one half of these 13,434 children are minorities. Studies have shown that minority children wait longer to be adopted than do white children. According to the National Council for Adoption [NCFA], African-American children constitute about 40 percent of the children awaiting adoption in the foster care system.

These children need and deserve the comfort, love, and protection of a family, therefore it is right that this Congress should do all that is within its power to assist them in this need.

There are a few issues, however, that I would like to raise. In the Senate, Senators CHAFEE and ROCKEFELLER have offered S. 511, legislation very similar to that we have before us today. There are a number of provisions in that bill that I think are very important.

The Senate version of this legislation has requirements for criminal records checks for prospective foster and adoptive parents and group care staff. This provision will go a long way to ensure that adoptive parents are prepared and suitable parents for children.

Today we will case votes to influence the lives and fortunes of our Nation's most vulnerable citizens—our children.

They cannot vote and they do not have resources to influence this or any political process, but each of us have a special place in our lives for children. I would like to request on their behalf that we ensure that adoptive children are offered the extra protection of substance abuse treatment for their adoptive parents or caretaker parents.

During the screening process foster care or adoption parents and caretakers should be and must be carefully screened, but we should also provide resources should the problem of substance abuse become evident after a child has been placed.

This measure's inclusion in the final version of this legislation would ensure that the prospective adoptive parents were sensitive to the child's ethnic or racial background as a requirement for adoption.

An area that I believe is of utmost importance is the preparation of foster or adoptive parents for the reception of a child from a different race or culture.

The real differences that separate people in our society can be the building blocks for bringing them together. If we aid the adoptive parents to instill a foundation which is pro-sharing and pro-caring regarding the diversity of the new family unit then we can aid these families in developing a strong support system for their adopted child.

If a child is Italian, Native American, Greek, Polish, African-American, Asian, Indian, or Hispanic, or many of the other diverse cultures or peoples that make up our great Nation, their culture is rich with history and customs that the child should not be robbed of through adoption or foster care.

It is extremely important that adoptive parents are sensitive to the cultural backgrounds of the children they adopt.

In no way should the racial or ethnic identity of the parents prohibit adoption, but developing an understanding of the child's heritage will contribute toward the overall development and stability of the child in later life.

H.R. 867 is a major step in the right direction and I look forward to working with my colleagues on this issue in the furtherance of legislation that is pro-child and pro-family.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise in support of the Adoption Promotion Act, and I want to commend my colleagues, the gentlewoman from Connecticut [Mrs. KENNELLY] and the gentleman from Michigan [Mr. CAMP], for their unyielding efforts to ensure that all of our children have a chance to settle into a loving, and into a permanent home.

Every child deserves the chance to grow up healthy and happy, ready to learn and to be able to succeed in life. Every day, children are growing, not only physically, but emotionally and intellectually. These years are too precious and too important to spend in abusive or unstable care.

But in today's foster care system, it can take years before a child is adopted and settled into a permanent and caring home.

This bill accelerates the process for adoption proceedings. It makes sure that foster children who come from a life of abuse can be removed from these situations into a loving and a caring environment. Finally, it helps States to help children and families by providing financial assistance to increase the number of adoptions.

The bill takes an important step toward balancing the rights of parents with the rights of children to loving and caring and stable homes. We need the bill now. Our children cannot wait. I urge my colleagues to vote for the Adoption Promotion Act.

Mr. CAMP. Mr. Chairman, I yield 30 seconds to my colleague, the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman for yielding me this time.

Michigan has been aggressively pursuing better rules and regulations and laws under the guidance of our Lt. Gov. Connie Binsfeld, to work in this area of making adoption laws more practical, more realistic, and more helpful for those children that need it. I would like to commend my colleague from Michigan, Mr. CAMP, for working and passing this exceptional legislation that is going to help not only the State of Michigan but all of our States and all of our children in this country.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, I thank the gentlewoman [Mrs. KENNELLY] for yielding me this time.

I would just like to say over the years I have been here there has not been a more aggressive advocate for children than the gentlewoman from Connecticut [Mrs. KENNELLY], and I want to compliment her today on the achievement of bringing this bill to the floor. I want to compliment the gentleman from Michigan [Mr. CAMP] who has also done a fine job, and also the gentleman from Florida [Mr. SHAW] who has worked previously to try and help children all through our country.

Two things concern me. Many people back in our district back in the Youngstown area have gone overseas and spent $30 to $40,000 to adopt a child from Russia or other countries. I think that we must do everything possible to promote the adoption of our own children, American children.

Now, my amendment that I am offering to this bill today is pretty consistent with my focus here. And to make sure that everybody understands it, it is not a buy-American-child amendment. It just states, for any funds ultimately expended to procure products and goods pursuant to this act, that the Congress recommends, not mandates, that they buy American-made goods so our kids would have a home where the parent is getting a paycheck who could then pay taxes to keep this train coming down the track. That is simply what it is. It gives us a handle on the type of procurement we got. It does not mandate that we buy American kids.

Mr. Chairman, I would say this. We have had an awful lot of Americans going overseas expending thousands and thousands of dollars to adopt kids from foreign countries. All efforts must be made, and I commend the gentlewoman from Connecticut [Mrs. KENNELLY], the gentleman from Michigan [Mr. CAMP], the gentleman from Florida [Mr. SHAW], and the gentleman from New York [Mr. RANGEL], for making that possible here today.

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

Mrs. KENNELLY of Connecticut. Mr. Chairman, I have no further speakers, but before I yield back the balance of my time, I would like to just quote from a few letters that the committee and the gentleman from Florida [Mr. SHAW] received in reference to this bill.

For example, Secretary of Health and Human Services Donna Shalala wrote, ''This legislation would further the President's effort to ensure the safety, permanency and well-being of children in the child welfare system and we strongly support the enactment.''

Further, the Children's Defense Fund has said, ''The bill takes some important steps to keep children safe and to provide them with permanent homes.''

Finally, the Heritage Foundation declares: ''This bipartisan legislation is a responsible attempt to speed up the adoption process for children who have been abused and have been neglected.''

I hope that this broad spectrum of support shows that we have made every effort to listen to those who have spent so much time in the child welfare area.

Ms. HARMAN. Mr. Chairman, I rise today in strong support of H.R. 867, the Adoption Promotion Act of 1997, and I commend my colleagues DAVE CAMP and BARBARA KENNELLY for their work in fashioning this important bipartisan legislation.

This bill is designed to fix some very troubling problems in our Nation's adoption and foster-care programs by striking a balance between the goals of keeping families intact where possible, and, when necessary, moving kids quickly into permanent, loving homes.

Under current law, States are required to make reasonable efforts both to keep maltreated children from being unnecessarily removed from their families, and, if children are removed, to reunify them with their families.

Keeping families intact when possible, is preferable. But in the absence of clear laws or regulations defining reasonable efforts, there has been considerable confusion about when to bypass or discontinue such efforts, and place a child up for adoption. In other words, the reasonable efforts provision has sometimes served to keep kids in foster homes, instead of in permanent adoptive homes, longer than necessary.

H.R. 867 represents a well-crafted refinement of current law. Under its provisions, States would no longer be required to attempt reunification of families in cases where aggravated circumstances such as chronic or sexual abuse exist. The bill also creates a clear timetable with binding time limits for the initiation of adoption proceedings once a child has been placed in foster care. In an important clarification, the bill provides foster parents the opportunity to be heard at child placement hearings. Finally, the bill creates a set of incentives for States to successfully place children in permanent adoptive homes.

Mr. Chairman, as the mother of four children, I feel very strongly that a stable, permanent, loving family is vital to a child's development. This bill will remove an obstacle between kids and adoptive parents, and help move kids into a long-term nurturing environment. I can think of few issues more important, and I urge my colleagues to support passage.

Mr. CARDIN. Mr. Chairman, I rise today in support of this legislation promotion adoption for the children of this Nation who most desperately require our care and protection.

The neglected or abused children whom we are seeking to assist today are tragic cases and our hearts go out to them. Reflecting the importance of this bill and the concern we all have for these innocent children, the cooperative, bipartisan procedures with which the Ways and Means Committee handled this bill could be a model for Congress. My colleagues, Representatives CAMP and KENNELLY who shaped this bill, Chairmen ARCHER and SHAW, and Mr. RANGEL are all to be congratulated.

This bill strikes a balance as the Government steps into these most difficult, tragic family situations to separate children permanently from abusive and/or neglectful parents. We all want to see these children moved through foster care into loving, adoptive families as quickly as possible.

At the same time, through the timely provision of social services—whether substance abuse treatment, counseling, or other means of support—many families may be reunified successfully. This bill provides a chance for States to investigate often complex family circumstances and attempt corrective actions through support services, but limits their time so that children do not spend their youths moving between foster homes.

There will be debate today as to whether we have found the correct balance between reunifying families, and providing permanent, loving homes to our most troubled children—but we all share the same goals.

I urge my colleagues to join me in support of this bill.

Mr. PACKARD. Mr. Chairman, it pains me to know that our children in foster care are being reunited with abusive families. Our current broken system places more importance on returning children to the natural parents, despite circumstances such as abandonment and chronic physical or sexual abuse, over placing these chldren in strong, loving families. This is not right. The Adoption Promotion Act will correct this inequity. It is the right thing to do for America's foster children.

Today, there are over 500,000 children in custody of various State foster-care programs. However, fewer than 50,000 children per year move from foster care into permanent homes. Less than 10 percent of our foster children are adopted each year, not for lack of adoptive families, but because Washington bureaucracy is preventing these families from making foster children a permanent part of thier life.

Mr. Chairman, the adoption process needs to be swift and efficient. The Adoption Promotion Act will amend current law to expedite the movement of children into permanent and loving homes. It will make the interests of the child the primary concern. We need to ensure that foster children are placed in loving homes and not with abusive families.

The strength of our Nation is based on strong families. This bipartisan legislation empowers those who know the best way to move children from foster care into loving, stable families. Returning these children to abusive families strips these children of the hopes and dreams they have for themselves. This bill will place more children in loving homes and give them the fighting chance that they so deserve.

Mr. Chairman, by streamlining the adoption process and cutting the Washington bureaucracy, we will take the first steps toward increasing the number of happy and healthy children with good families and promising futures. America's foster children deserve the very best and this legislation will help them to reach their goals. I am proud to support the Adoption Promotion Act.

Mrs. MINK of Hawaii. I rise in opposition to the enactment of H.R. 867 because I object to the removal of the safeguards which now protect the rights of parents whose children have been placed in foster care.

I agree that we all can recite a litany of cases of children who have been abused, and neglected by parents and for whom expedited adoption is fully justified.

Still since the enactment of the most punitive bill ever to pass Congress in the name of welfare reform, we all know that there will be parents who will lose their cash benefits and be unable to feed and house their small children. State child welfare agencies will move to take custody of these unfortunate children because the parents no longer have any funds to provide for them and are not able to find work. Because of the welfare law children will undoubtedly be found living in abandoned car bodies, and other unhealthful conditions without running water or heat or cooking facilities. Under these circumstances, as predictable, State child welfare agencies will be compelled to move these children from their parents and place them in foster homes.

Poverty, I do not believe is a justifiable reason for terminating parental rights over their children.

The temporary best interests of the child may be to move him or her into a foster home. But, I do not believe, that move justifies the national Government to establish adoption as a penalty due to poverty of the parents.

If conditions of adoption exist, it should be left to the States to make these determinations. A Congress that has repeatedly argued States rights should not abandon that principle and enact legislation whose title in section 3 provides: States required to initiate or join proceedings to terminate parental rights for certain children in foster care, entering foster care after October 1, 1997.

The committee report states, ''in the case of children under age of 10 who have been in foster care at least 18 of the past 24 months, the bill requires States to move toward terminating parental rights under most circumstances.''

Prior to the enactment of the welfare reform this bill might have been supportable.

But in combination with the welfare reform bill enacted last August 1996, I find that circumstances of poverty and lack of work, could not under H.R. 867 become the sole basis for the termination of parental rights. This offends my fundamental beliefs about the inherent rights of parents and the inalienable rights of children to the love and protection of their natural parents which should not be terminated except when there is serious debilitating circumstances such as drug abuse, physical brutality, torture, and sexual abuse.

Reading the bill and committee report provides no assurance that the rights of poor parents are protected.

It is easy enough to state that adoption will be in the best interests of the child, who will have a better home to live in and a higher quality material environment than the one from which they came. This however ignores that basic undifferentiable family value of the love of a parent.

I cannot vote for a bill that takes welfare reform one step closer to the final penalty of poverty: The loss of one's children by edict of the Government.

First you take their money away. Then you force them into desperate conditions of poverty. Then you deem them unfit to raise their children and you remove them from the home and place them in foster homes. Then after 18 months you put the children up for adoption.

Whose family values do we stand for?

Mr. KUCINICH. Mr. Chairman, I rise today to address the issue of international adoption. Though I will not be offering any amendments to the Adoption Promotion Act, I hope to work with the sponsors of this bill, Representatives DAVID CAMP and BARBARA KENNELLY, to address an issue brought to my attention by two of my constituents, David and Carolyn Steigman.

Mr. and Mrs. Steigman of Bay Village, Ohio, adopted their daughter, Rayna, from India. But the Internal Revenue Service has ruled that only Social Security numbers can be used for proof when taking tax credits for dependent children. This ruling is unfair to families that adopt children from outside of this country since children do not arrive here with a Social Security number.

Depending on the State of residence, the delay in obtaining a Social Security number can be anywhere from 2 to 3 years. Meanwhile, these families—which have gone to considerable length and expense to provide a home for a needy child—are unable to take advantage of the tax credits for adoption expenses that the President and Congress have enacted.

I hope to work with the sponsors of the Adoption Promotion Act, Representatives CAMP and KENNELLY, to address the issue of international adoption; specifically, to consider the idea raised by Mr. and Mrs. Steigman to allow adoption and guardianship papers to be used as adequate proof for the purposes of taking tax exemptions.

Mr. Chairman. I include my constituents' letter and a letter to the IRS for the RECORD.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington DC, April 30, 1997.

MS. MARGARET MILNER RICHARDSON,
Commissioner, Internal Revenue Service, Washington, DC.

DEAR MS. RICHARDSON: An unintended consequence of a recent Internal Revenue Service ruling has come to my attention by two of my constituents, David and Carolyn Steigman.

The IRS has recently ruled that only a Social Security number can be used to take tax exemptions for children. This ruling has become an undue burden on families that want to adopt a child from a foreign country since children from a foreign country do not arrive here with a Social Security number. Depending upon the state, adoptive parents have to wait a period of time before they can file for a domestic adoption. Once the family has filed, they have to wait for a court date. Once the domestic adoption is approved, the family must apply to the Internal Revenue Service for their child's citizenship. All of this red tape could potentially add up to several years before a Social Security number is given.

As Mr. and Mrs. Steigman point out in their letter, it seems ironic that at the same time the President and Congress have passed tax credits for adoption expenses, the IRS is throwing up barriers to the tax credits that adoptive families are legally entitled to. And considering that adoption and guardianship papers are legal documents, it seems reasonable that this problem could be addressed by accepting this documentation as proof of a dependent child for the purposes of taking tax credits.

I appreciate your consideration in this matter.

Sincerely,

DENNIS J. KUCINICH,
Member of Congress.

DAVID AND CAROLYN STEIGMAN,
Bay Village, OH.

CONGRESSMAN DENNIS J. KUCINICH,
Cleveland, OH.

DEAR CONGRESSMAN KUCINICH: We are writing to bring to your attention a situation which we believe is unfair and unlawful. It involves a serious financial hardship that the IRS has recently decided to impose on the families of children adopted from foreign countries.

Specifically, the IRS has now decided that it will disallow any exemption for a child without a social security number. No other proof regarding your dependent child is acceptable. If a child is from a foreign country they, of course, do not have a social security number. In many cases, such as children being adopted from India, obtaining one is not a quick or easy matter.

Adoptive parents have legal guardianship (and therefore, under federal law, are entitled to a tax exemption) when the child enters the home. Ohio law requires that the family wait at least six months before they can even file for a domestic adoption. After filing, the family must wait for an available court appointment. After the domestic adoption is approved by the court, the parents

must apply to INS for their child's citizenship. The naturalization process can take another four to six months. After citizenship is granted, they can apply for a social security number. If everything goes smoothly, the process takes about 18 months. If it doesn't, which is very possible, the wait can be much longer.

The IRS has stated that after the social security number has been obtained, the adopting family may file amended returns to get the exemptions. But in the case of a family adopting a sibling group of two, that means the IRS will be holding on to thousands of the family's dollars for two years or more.

Foreign adoptions are very expensive. We had to take out a second mortgage on our home to adopt our daughter, Rayna. This new policy hits adoptive families at the end of the process, when they can least afford it.

It seems ironic that at the same time the President and Congress have passed generous tax credits for adoption expenses, the IRS is trying to withhold or delay tax exemptions that adoptive parents are legally entitled to.

In February, when we filed our federal tax return, we did not yet have Rayna's social security number. We have enclosed a copy of the letter sent to us by the IRS, denying the exemption. We are fortunate—we have recently received her social security number, and are now filing an amended return. If all goes well, we will ''only'' be short $750 for three or four months, plus the cost of our tax preparer filing an amended return. Families just now adopting foreign children may lose much more, especially if they have adopted more than one child.

Anything you can do to get the IRS to change this illegal new policy that runs counter to the intent of both Congress and the Administration will be greatly appreciated by ourselves and adoptive families throughout the country.

Sincerely,

DAVID AND CAROLYN STEIGMAN.

Mr. PAUL. Mr. Chairman, unfortunately for this country, few Members of the 105th Congress have received word that the era of big government is over. While I rise today in opposition to passage of H.R. 867, The Adoption Promotion Act, I could be referring to any number of bills already passed by this Congress.

As a medical doctor, I share with other Members of Congress the strong distaste for the needless suffering of helpless, displaced, and orphaned children. As a U.S. Congressman, I remain committed to returning the Federal Government to its proper constitutional role. Fortuitously, these two convictions are not incongruous.

This country's founders recognized the genius of separating power amongst Federal, State, and local governments as a means to protect the rights of citizens, maximize individual liberty, and make government most responsive to those persons who might most responsibly influence it. This constitutionally mandated separation of powers strictly limited the role of the Federal Government and, at the same time, anticipated that matters of family law would be dealt with at the State or local level.

Legislating in direct opposition to these constitutional principles, H.R. 867 would impose additional and numerous Federal mandates upon the States; appropriate $138 million over the next 5 years to be paid to States that obediently follow Federal mandates; and further expand the duties of the Health and Human Services Department to include monitoring the performance of States in matters of family law.

Even as a practical matter, I remain convinced that the best interests of children are optimally served to redirecting tax dollars—which under this legislation would be sent to Washington in an attempt to nationalize child adoption procedures and standards—to private charities or State and local child advocacy organizations.

For each of these reasons, I oppose passage of H.R. 867, the Adoption Promotion Act.

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

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

The CHAIRMAN. All time for general debate has expired.

The committee amendment in the nature of a substitute printed in the bill, modified as specified in House Report 105–82, shall be considered by sections as an original bill for the purpose of amendment. Pursuant to the rule, each section is considered as having been 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 as read.

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; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Adoption Promotion Act of 1997''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Clarification of the reasonable efforts requirement.
Sec. 3. States required to initiate or join proceedings to terminate parental rights for certain children in foster care.
Sec. 4. Adoption incentive payments.
Sec. 5. Earlier status reviews and permanency hearings.
Sec. 6. Notice of reviews and hearings; opportunity to be heard.
Sec. 7. Documentation of reasonable efforts to adopt.
Sec. 8. Kinship care.
Sec. 9. Use of the Federal Parent Locator Service for child welfare services.
Sec. 10. Performance of States in protecting children.
Sec. 11. Authority to approve more child protection demonstration projects.
Sec. 12. Technical assistance.
Sec. 13. Coordination of substance abuse and child protection services.
Sec. 14. Clarification of eligible population for independent living services.
Sec. 15. Effective date.

Mr. CAMP. Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the committee amendment in the nature of a substitute, as modified by House Report 105–82, is as follows:

SEC. 2. CLARIFICATION OF THE REASONABLE EFFORTS REQUIREMENT.

(a) IN GENERAL.—Section 471(a)(15) of the Social Security Act (42 U.S.C. 671(a)(15)) is amended to read as follows:

''(15)(A) provides that—

''(i) except as provided in clauses (ii) and (iii), reasonable efforts shall be made—

''(I) before a child is placed in foster care, to prevent or eliminate the need to remove the child from the child's home; and

''(II) to make it possible for the child to return home;

''(ii) if continuation of reasonable efforts of the type described in clause (i) is determined to be inconsistent with the permanency plan for the child, reasonable efforts of the type required by clause (iii)(II) shall be made;

''(iii) if a court of competent jurisdiction has determined that the child has been subjected to aggravated circumstances (as defined by State law, which definition may include abandonment, torture, chronic abuse, and sexual abuse) or parental conduct described in section 106(b)(2)(A)(xii) of the Child Abuse Prevention and Treatment Act, or that the parental rights of a parent with respect to a sibling of the child have been terminated involuntarily—

''(I) reasonable efforts of the type described in clause (i) shall not be required to be made with respect to any parent of the child who has been involved in subjecting the child to such circumstances or such conduct, or whose parental rights with respect to a sibling of the child have been terminated involuntarily; and

''(II) if reasonable efforts of the type described in clause (i) are not made or are discontinued, reasonable efforts shall be made to place the child for adoption, with a legal guardian, or (if adoption or legal guardianship is determined not to be appropriate for the child) in some other planned, permanent living arrangement; and

''(iv) reasonable efforts of the type described in clause (iii)(II) may be made concurrently with reasonable efforts of the type described in clause (i); and

''(B) in determining the reasonable efforts to be made with respect to a child and in making such reasonable efforts, the child's health and safety shall be of paramount concern;''.

(b) CONFORMING AMENDMENT.—Section 472(a)(1) of such Act (42 U.S.C. 672(a)(1)) is amended by inserting ''for a child'' before ''have been made''.

SEC. 3. STATES REQUIRED TO INITIATE OR JOIN PROCEEDINGS TO TERMINATE PARENTAL RIGHTS FOR CERTAIN CHILDREN IN FOSTER CARE.

(a) IN GENERAL.—Section 475(5) of the Social Security Act (42 U.S.C. 675(5)) is amended—

(1) by striking ''and'' at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting ''; and''; and

(3) by adding at the end the following:

''(E) in the case of a child who has not attained 10 years of age and has been in foster care under the responsibility of the State for 18 months of the most recent 24 months, the State shall file a petition to terminate the parental rights of the child's parents (or, if such a petition has been filed by another party, seek to be joined as a party to the petition), unless—

''(i) at the option of the State, the child is being cared for by a relative;

''(ii) a State court or State agency has documented a compelling reason for determining that filing such a petition would not be in the best interests of the child; or

''(iii) the State has not provided to the family of the child such services as the State deems appropriate, if reasonable efforts of the type described in section 471(a)(15)(A)(i) are required to be made with respect to the child.''.

(b) LIMITATION ON APPLICABILITY.—The amendments made by subsection (a) shall apply only to children entering foster care on or after October 1, 1997.

SEC. 4. ADOPTION INCENTIVE PAYMENTS.

(a) IN GENERAL.—Part E of title IV of the Social Security Act (42 U.S.C. 670–679) is amended by inserting after section 473 the following:

''SEC. 473A. ADOPTION INCENTIVE PAYMENTS.

''(a) GRANT AUTHORITY.—Subject to the availability of such amounts as may be provided in appropriations Acts, the Secretary shall make a grant to each State that is an incentive-eligible State for a fiscal year in an amount equal to the adoption incentive payment payable to the State for the fiscal year under this section, which shall be payable in the immediately succeeding fiscal year.

''(b) INCENTIVE-ELIGIBLE STATE.—A State is an incentive-eligible State for a fiscal year if—

''(1) the State has a plan approved under this part for the fiscal year;

''(2) the number of foster child adoptions in the State during the fiscal year exceeds the base number of foster child adoptions for the State for the fiscal year;

''(3) the State is in compliance with subsection (c) for the fiscal year; and

''(4) the fiscal year is any of fiscal years 1998 through 2002.

''(c) DATA REQUIREMENTS.—

''(1) IN GENERAL.—A State is in compliance with this subsection for a fiscal year if the State has provided to the Secretary the data described in paragraph (2) for fiscal year 1997 (or, if later, the fiscal year that precedes the 1st fiscal year for which the State seeks a grant under this section) and for each succeeding fiscal year.

''(2) DETERMINATION OF NUMBERS OF ADOPTIONS.—

''(A) DETERMINATIONS BASED ON AFCARS DATA.—Except as provided in subparagraph (B), the Secretary shall determine the numbers of foster child adoptions and of special needs adoptions in a State during each of fiscal years 1997 through 2002, for purposes of this section, on the basis of data meeting the requirements of the system established pursuant to section 479, as reported by the State in May of the fiscal year and in November of the succeeding fiscal year, and approved by the Secretary by April 1 of the succeeding fiscal year.

''(B) ALTERNATIVE DATA SOURCES PERMITTED FOR FISCAL YEAR 1997.—For purposes of the determination described in subparagraph (A) for fiscal year 1997, the Secretary may use data from a source or sources other than that specified in subparagraph (A) that the Secretary finds to be of equivalent completeness and reliability, as reported by a State by November 30, 1997, and approved by the Secretary by March 1, 1998.

''(3) NO WAIVER OF AFCARS REQUIREMENTS.—This section shall not be construed to alter or affect any requirement of section 479 or any regulation prescribed under such section with respect to reporting of data by States, or to waive any penalty for failure to comply with the requirements.

''(d) ADOPTION INCENTIVE PAYMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the adoption incentive payment payable to a State for a fiscal year under this section shall be equal to the sum of—

''(A) $4,000, multiplied by amount (if any) by which the number of foster child adoptions in the State during the fiscal year exceeds the base number of foster child adoptions for the State for the fiscal year; and

''(B) $2,000, multiplied by the amount (if any) by which the number of special needs adoptions in the State during the fiscal year exceeds the base number of special needs adoptions for the State for the fiscal year.

''(2) PRO RATA ADJUSTMENT IF INSUFFICIENT FUNDS AVAILABLE.—If the total amount of adoption incentive payments otherwise payable under this section for a fiscal year exceeds $15,000,000, the amount of the adoption incentive payment payable to each State under this section for the fiscal year shall be—

''(A) the amount of the adoption incentive payment that would otherwise be payable to the State under this section for the fiscal year; multiplied by

''(B) the percentage represented by $15,000,000, divided by the total amount of adoption incentive payments otherwise payable under this section for the fiscal year.

''(e) 2-YEAR AVAILABILITY OF INCENTIVE PAYMENTS.—Payments to a State under this section in a fiscal year shall remain available for use by the State through the end of the succeeding fiscal year.

''(f) LIMITATIONS ON USE OF INCENTIVE PAYMENTS.—A State shall not expend an amount paid to the State under this section except to provide to children or families any service (including post adoption services) that may be provided under part B or E. Amounts expended by a State in accordance with the preceding sentence shall be disregarded in determining State expenditures for purposes of Federal matching payments under section 474.

''(g) DEFINITIONS.—As used in this section:

''(1) FOSTER CHILD ADOPTION.—The term 'foster child adoption' means the final adoption of a child who, at the time of adoptive placement, was in foster care under the supervision of the State.

''(2) SPECIAL NEEDS ADOPTION.—The term 'special needs adoption' means the final adoption of a child for whom an adoption assistance agreement is in effect under section 473.

''(3) BASE NUMBER OF FOSTER CHILD ADOPTIONS.—The term 'base number of foster child adoptions for a State' means, with respect to a fiscal year, the largest number of foster child adoptions in the State in fiscal year 1997 (or, if later, the 1st fiscal year for which the State has furnished to the Secretary the data described in subsection (c)(2)) or in any succeeding fiscal year preceding the fiscal year.

''(4) BASE NUMBER OF SPECIAL NEEDS ADOPTIONS.—The term 'base number of special needs adoptions for a State' means, with respect to a fiscal year, the largest number of special needs adoptions in the State in fiscal year 1997 (or, if later, the 1st fiscal year for which the State has furnished to the Secretary the data described in subsection (c)(2)) or in any succeeding fiscal year preceding the fiscal year.

''(h) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—For grants under this section, there are authorized to be appropriated to the Secretary $15,000,000 for each of fiscal years 1999 through 2003.

''(2) AVAILABILITY.—Amounts appropriated under paragraph (1) are authorized to remain available until expended, but not after fiscal year 2003.''.

(b) DISCRETIONARY CAP ADJUSTMENT FOR ADOPTION INCENTIVE PAYMENTS.—

(1) SECTION 251 AMENDMENT.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new subparagraph:

''(I) ADOPTION INCENTIVE PAYMENTS.—Whenever a bill or joint resolution making appropriations for fiscal year 1999, 2000, 2001, or 2002 is enacted that specifies an amount for adoption incentive payments for the Department of Health and Human Services—

''(i) the adjustments for new budget authority shall be the amounts of new budget authority provided in that measure for adoption incentive payments, but not to exceed $15,000,000; and

''(ii) the adjustment for outlays shall be the additional outlays flowing from such amount.''.

(2) SECTION 606 AMENDMENT.—Section 606 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

''(f) ADOPTION INCENTIVE PAYMENTS ADJUSTMENT.—

''(1) IN GENERAL.—(A)(i) When the Committee on Appropriations reports an appropriation measure for fiscal year 1999, 2000, 2001, 2002, or 2003 that specifies an amount for adoption incentive payments for the Department of Health and Human Services, or when a conference committee submits a conference report thereon, the chairman of the Committee on the Budget of the Senate or House of Representatives (whichever is appropriate) shall—

''(I) make adjustments for the amounts of new budget authority provided by that appropriation measure for such payments, which shall be the amount of new budget authority provided in that measure for adoption incentive payments, but not to exceed $15,000,000; and

''(II) make adjustment for outlays, which shall be in an amount equal to the additional outlays flowing from such amount.

''(ii) If the adjustments referred to in the preceding sentence are made for an appropriations measure that is not enacted into law, then the chairman of the Committee on the Budget of the House of Representatives shall, as soon as practicable, reverse those adjustments.

''(iii) The chairman of the Committee on the Budget of the House of Representatives shall submit any adjustments made under this subparagraph to the House of Representatives and have such adjustments published in the Congressional Record.

''(B) The adjustments referred to in this paragraph consist of adjustments to—

''(i) the discretionary spending limits for that fiscal year as set forth in the most recently adopted concurrent resolution on the budget;

''(ii) the allocations to the Committees on Appropriations of the Senate and the House of Representatives for that fiscal year under sections 302(a) and 602(a); and

''(iii) the appropriate budgetary aggregates for that fiscal year in the most recently adopted concurrent resolution on the budget.

''(C) The adjusted discretionary spending limits, allocations, and aggregates under this paragraph shall be considered the appropriate limits, allocations, and aggregates for purposes of congressional enforcement of this Act and concurrent budget resolutions under this Act.

''(2) REPORTING REVISED SUBALLOCATIONS.—Following the adjustments made under paragraph (1), the Committees on Appropriations of the Senate and the House of Representatives may report appropriately revised suballocations pursuant to sections 302(b) and 602(b) of this Act to carry out this subsection.

''(3) DEFINITION.—As used in this section, the term 'adoption incentive payments' shall have the same meaning as provided in section 251(b)(2)(I) of the Balanced Budget and Emergency Deficit Control Act of 1985.''.

SEC. 5. EARLIER STATUS REVIEWS AND PERMANENCY HEARINGS.

Section 475(5)(C) of the Social Security Act (42 U.S.C. 675(5)(C)) is amended—

(1) by striking ''eighteen months after'' and inserting ''12 months after'';

(2) by striking ''dispositional'' and inserting ''permanency''; and

(3) by striking ''future status of'' and all that follows through ''long-term basis)'' and inserting ''permanency plan for the child (including whether (and, if applicable, when) the child will be returned to the parent, the child will be placed for adoption and the State will file a petition to terminate the parental rights of the parent, a legal guardian will be appointed for the child, or the child will be placed in some other planned, permanent living arrangement, including in the custody of another fit and willing relative)''.

SEC. 6. NOTICE OF REVIEWS AND HEARINGS; OPPORTUNITY TO BE HEARD.

Section 475(5) of the Social Security Act (42 U.S.C. 675(5)), as amended by section 3 of this Act, is amended—

(1) by striking ''and'' at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting ''; and''; and

(3) by adding at the end the following:

''(F) the foster parents (if any) of a child and any relative providing care for the child are provided with notice of, and an opportunity to be heard in, any review or hearing to be held with respect to the child, except that this subparagraph shall not be construed to make any foster parent a party to such a review or hearing.''.

SEC. 7. DOCUMENTATION OF REASONABLE EFFORTS TO ADOPT.

Section 475(5) of the Social Security Act (42 U.S.C. 675(5)), as amended by sections 3 and 6 of this Act, is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting ''; and''; and

(3) by adding at the end the following:

''(G) in the case of a child with respect to whom the State's goal is adoption or placement in another permanent home, the steps taken by the State agency to find an adoptive family or other permanent living arrangement for the child, to place the child with an adoptive family, a legal guardian, or in another planned permanent living arrangement (including in the custody of another fit and willing relative), and to finalize the adoption or legal guardianship are documented, and such documentation shall include documentation of child specific recruitment efforts such as the use of State, regional, and national adoption information exchanges, including electronic information exchange systems.''.

SEC. 8. KINSHIP CARE.

(a) REPORT.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall—

(A) not later than March 1, 1998, convene the advisory panel provided for in subsection (b)(1) and prepare and submit to the advisory panel an initial report on the extent to which children in foster care are placed in the care of a relative (in this section referred to as ''kinship care''); and

(B) not later than November 1, 1998, submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a final report on the matter described in subparagraph (A), which shall—

(i) be based on the comments submitted by the advisory panel pursuant to subsection (b)(2) and other information and considerations; and

(ii) include the policy recommendations of the Secretary with respect to the matter.

(2) REQUIRED CONTENTS.—Each report required by paragraph (1) shall—

(A) include, to the extent available for each State, information on—

(i) the policy of the State regarding kinship care;

(ii) the characteristics of the kinship care providers (including age, income, ethnicity, and race);

(iii) the characteristics of the household of such providers (such as number of other persons in the household and family composition);

(iv) how much access to the child is afforded to the parent from whom the child has been removed;

(v) the cost of, and source of funds for, kinship care (including any subsidies such as medicaid and cash assistance);

(vi) the goal for a permanent living arrangement for the child and the actions being taken by the State to achieve the goal;

(vii) the services being provided to the parent from whom the child has been removed; and

(viii) the services being provided to the kinship care provider; and

(B) specifically note the circumstances or conditions under which children enter kinship care.

(b) ADVISORY PANEL.—

(1) ESTABLISHMENT.—The Secretary of Health and Human Services, in consultation with the Chairman of the Committee on Ways and Means of the House of Representatives and the Chairman of the Committee on Finance of the Senate, shall convene an advisory panel which shall include parents, foster parents, former foster children, State and local public officials responsible for administering child welfare programs, private persons involved in the delivery of child welfare services, representatives of tribal governments and tribal courts, judges, and academic experts.

(2) DUTIES.—The advisory panel convened pursuant to paragraph (1) shall review the report prepared pursuant to subsection (a), and, not later than July 1, 1998, submit to the Secretary comments on the report.

SEC. 9. USE OF THE FEDERAL PARENT LOCATOR SERVICE FOR CHILD WELFARE SERVICES.

Section 453 of the Social Security Act (42 U.S.C. 653) is amended—

(1) in subsection (a)—

(A) by striking ''or enforcing child custody or visitation orders'' and inserting ''or making or enforcing child custody or visitation orders''; and

(B) in paragraph (1)—

(i) by striking the comma at the end of subparagraph (C) and inserting ''; or''; and

(ii) by inserting after subparagraph (C) the following:

''(D) who has or may have parental rights with respect to a child,''; and

(2) in subsection (c)—

(A) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(B) by adding at the end the following:

''(4) a State agency that is administering a program operated under a State plan under subpart 1 of part B, or a State plan approved under subpart 2 of part B or under part E.''.

SEC. 10. PERFORMANCE OF STATES IN PROTECTING CHILDREN.

The Secretary of Health and Human Services, in consultation with the American Public Welfare Association, the National Governors' Association, and persons or organizations devoted to child advocacy, shall—

(1) develop a set of outcome measures (including length of stay in foster care, number of foster care placements, and number of adoptions) that can be used to assess the performance of States in operating child protection and child welfare programs pursuant to parts B and E of title IV of the Social Security Act to ensure the safety of children;

(2) to the maximum extent possible, the outcome measures should be developed from data available from the Adoption and Foster Care Analysis and Reporting System;

(3) develop a system for rating the performance of States with respect to the outcome measures, and provide to the States an explanation of the rating system and how scores are determined under the rating system;

(4) prescribe such regulations as may be necessary to ensure that States provide to the Secretary the data necessary to determine State performance with respect to each outcome measure, as a condition of the State receiving funds under part E of title IV of the Social Security Act;

(5) on May 1, 1999, and annually thereafter, prepare and submit to the Congress a report on the performance of each State on each outcome measure, which shall examine the reasons for high performance and low performance and, where possible, make recommendations as to how State performance could be improved.

SEC. 11. AUTHORITY TO APPROVE MORE CHILD PROTECTION DEMONSTRATION PROJECTS.

Section 1130(a) of the Social Security Act (42 U.S.C. 1320a–9(a)) is amended by striking ''10'' and inserting ''15''.

SEC. 12. TECHNICAL ASSISTANCE.

(a) IN GENERAL.—The Secretary of Health and Human Services may, directly or through grants or contracts, provide technical assistance to assist States and local communities to reach their targets for increased numbers of adoptions and, to the extent that adoption is not possible, alternative permanent placements, for children in foster care.

(b) LIMITATIONS.—The technical assistance provided under subsection (a) shall support the goal of encouraging more adoptions out of the foster care system, when adoptions promote the best interests of children, and shall include the following:

(1) The development of best practice guidelines for expediting termination of parental rights.

(2) Models to encourage the use of concurrent planning.

(3) The development of specialized units and expertise in moving children toward adoption as a permanency goal.

(4) The development of risk assessment tools to facilitate early identification of the children who will be at risk of harm if returned home.

(5) Models to encourage the fast tracking of children who have not attained 1 year of age into pre-adoptive placements.

(6) Development of programs that place children into pre-adoptive families without waiting for termination of parental rights.

(c) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated to the Secretary of Health and Human Services not to exceed $10,000,000 for each of fiscal years 1998 through 2000.

SEC. 13. COORDINATION OF SUBSTANCE ABUSE AND CHILD PROTECTION SERVICES.

Within 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services, based on information from the Substance Abuse and Mental Health Services Administration and the Administration for Children and Families in the Department of Health of Human Services, shall prepare and submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report which describes the extent and scope of the problem of substance abuse in the child welfare population, the types of services provided to such population, and the outcomes resulting from the provision of such services to such population. The report shall include recommendations for any legislation that may be needed to improve coordination in providing such services to such population.

SEC. 14. CLARIFICATION OF ELIGIBLE POPULATION FOR INDEPENDENT LIVING SERVICES.

Section 477(a)(2)(A) of the Social Security Act (42 U.S.C. 677(a)(2)(A)) is amended by inserting ''(including children with respect to whom such payments are no longer being made because the child has accumulated assets, not to exceed $5,000, which are otherwise regarded as resources for purposes of determining eligibility for benefits under this part)'' before the comma.

SEC. 15. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this Act shall take effect on October 1, 1997.

(b) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—In the case of a State plan under part B or E of title IV of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this Act, the State plan shall not be regarded as failing to comply with the requirements of such part solely on the basis of the failure of the plan to meet such additional requirements before the 1st day of the 1st calendar quarter beginning after the close of the 1st regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

The CHAIRMAN. Are there any amendments?

AMENDMENT NO. 6 OFFERED BY MR. TIAHRT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. TIAHRT:

Strike the matter proposed to be added by section 3(a)(3) of the bill and insert the following:

''(E) in the case of a child who has been in foster care under the responsibility of the State during 12 of the most recent 18 months, and a child in such foster care who has not attained 13 years of age (or such greater age as the State may establish) and with respect whom reasonable efforts of the type described in section 471(a)(15)(A)(i) are discontinued or not made, the State shall seek to terminate all parental rights with respect to the child, unless—

''(i) at the option of the State, the child is being cared for by a relative; or

''(ii) a State court or State agency has documented a compelling reason for determining that filing such a petition would not be in the best interests of the child.''.

□ 1245

Mr. TIAHRT. Mr. Chairman, I have an amendment that is what I would consider a positive addition to the bill that we have before us. I will explain briefly what the amendment does, and I would like others to have a chance to express their concerns with the bill. Then I will withdraw the amendment.

Mr. Chairman, the first thing that I would like to address that the bill does is that it reduces a timeframe for the State to seek to terminate parental rights from 18 to 12 months.

The reason that we had made this determination, as I said earlier in the debate, is that some children languish in foster care and the State is unable to come to that conclusion, whether they should stay with their birth parents or move into an adoptive home.

There are others who agree with this philosophy. In Patrick Fagan's article of July 27, 1995, published in the Heritage Foundation's report, he also recommends that a 12-month timeline for education of long-term parental status be included.

Justin Matlick also reminds us that 12 months should be the ceiling on final reunification decisions in his Pacific Research Institute study titled ''Fifteen Years of Failure: An Assessment of California's Child Welfare System.''

In Conna Craig's Policy Review article entitled ''What I Need Is A Mom,'' she recommends that biological parents receive no more than 12 months to prove their fitness to resume custody. Incidentally, she is president of the Institute for Children in Boston, MA.

Also, the Kellogg Foundation in their Families for Kids programs has stated at a hearing before the Subcommittee on Human Resources of the Committee on Ways and Means, on February 27 of this year, that benchmarks for progress is 1 year for permanent replacement.

One year to permanency has emerged as the driver of reform. That is why, Mr. Chairman, we had moved to try to get 12 months.

Mr. Chairman, I understand that there is some consideration given in the report language that the intent of the legislation, it says under the reason for change that the committee fully expects that final permanency decisions will be at 12 months. But yet the language says 18 months, which is an improvement. But the 12 months right now today, without any incentive, 70 percent of the children are moved into that decision that they will move to an adoptive home out of the biological parents' home.

Mr. Chairman, I think it is the design that both a man and a woman be the parents of children. I think it is easiest in that situation. After having a teenaged daughter, I think I really came to that conclusion, because it does take two to really balance out the raising of a child. However, in some situations it is impossible for that two-parent situation to exist, and in compelling reasons, they should be moved into adoption.

I think that decision should be made at 12 months, because it is not up to the State to determine whether this parent is going to rehabilitate themselves. That has to be something that is done by the individual.

The second part of this legislation or this amendment to the legislation removes an exception which would allow States to avoid seeking to terminate parental rights, because the way the language reads it says, ''* * * unless the State has not provided to the family of the child such services as the State deems appropriate.''

In an article written by Conna Craig in Policy Review in the summer of 1995, she said, ''Public agencies are paid for the number of children they prevent from being adopted.'' What I would like to see, Mr. Chairman, is what has occurred in Kansas. In Kansas they have removed the financial incentive for State agencies to keep kids locked into the system. They have gone to a flat fee for adoptive services, and contract out to private agencies. In the first 3 months of this year they have seen a 67-percent increase in the amount of adoptions that have occurred in Kansas. I think that is a dramatic improvement.

I have these two concerns, Mr. Chairman, that I have put into this amendment. I would like others to talk about these principles. This is what I consider a loophole that I hope States can close. It is a loophole big enough for a bus to drive through. I am concerned that that bus will be filled by children going back into foster care when they could be moving into an adoptive home.

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

Mrs. KENNELLY of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. CAMP. I yield to the gentlewoman from Connecticut.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I agree with the author of the amendment that the current child welfare system sometimes errs on the side of the parent without significant regard for a child's safety. Obviously, that is one of the reasons why the gentleman from Michigan [Mr. CAMP] and I did introduce this bill. However, I feel that the legislation before us makes it clear that a child's safety has to be the paramount concern, and it requires States to move more quickly in finding permanent homes for children. But if the current system sometimes overemphasizes family reunification, the Tiahrt amendment would swing, I feel, the pendulum too far the other way by not giving States enough opportunity to restore families.

However, as we have talked today, I really look forward to working with the gentleman from Kansas [Mr. TIAHRT] and with the gentleman from Michigan [Mr. CAMP] to see if we can resolve this. I understand that he has these concerns, and I think it is very important that we look at them, but I do not think today is the time. I thank the gentleman from Kansas for his consideration.

Mr. CAMP. Mr. Chairman, I would state that I would like to work with the gentleman from Kansas to address his concerns.

Mr. Chairman, I yield to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I would like to acknowledge the interest of my colleagues, the gentleman from Kansas [Mr. TIAHRT], in this issue, the work that he has put in, and the concern that he holds. I am pleased that he has withdrawn his amendment.

Mr. Chairman, I think this Congress has to be very mindful, and I think the underlying bill is mindful of what it means to terminate a parent's right to their own child, what it means to the parent and what it means to the child, and what lifelong repercussions that decision has.

Having worked hard on permanency placement the many years that I was in the State Senate in Connecticut, and on foster care and adoption issues since that time, I agree with my colleague, the gentlewoman from Connecticut, and those who worked so hard on this bill, that we are leaving children in abusive situations far too long. We are not dealing honestly with the fact that parents are acting so remarkably irresponsibly toward their children that we have to have a law that can act more promptly and terminate rights more aggressively to protect children.

I do also urge, however, that we be mindful as we make a change, of the nature of termination decisions and of their ramifications for both adults and children over decades.

So I strongly support the underlying structure of the bill, which does force

States to make a permanent plan by 12 months, and to initiate termination proceedings at 18 months. I would urge States to move forward in those cases where they see rehabilitation is not going to be possible.

However, I think it is incumbent upon us both to recognize the complexity of pressures on families in America today, the need for appropriate services, and yet, the need for protection of the child and for abrogation of parental rights when adults do not take their responsibilities seriously and do not aggressively involve themselves in fixing the problems in their families that so deeply affect their children.

Mr. Chairman, I am glad the gentleman withdrew his amendment. I support the underlying structure of this bill. I think it is truly a very significant step forward, but it is a balanced, thoughtful step, and I support the bill strongly, and commend both the gentleman from Michigan [Mr. CAMP] and the gentlewoman from Connecticut [Mrs. KENNELLY] for their leadership in writing this legislation.

It took a lot of courage, frankly, to begin rethinking what reasonable means. It is true that reasonable has become unreasonable for the circumstances that many of our children face. The Members have rebalanced that and repositioned us to fight for our children and their lives, while also looking at families and their interests.

Mr. CAMP. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. RAMSTAD], a fellow member of the Committee on Ways and Means.

Mr. RAMSTAD. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I would like to also thank my colleagues, the gentleman from Michigan, Mr. DAVE CAMP, and the gentlewoman from Connecticut, Mrs. BARBARA KENNELLY, FOR THEIR LEADERSHIP ON THIS BILL. NO CHILD SHOULD BE DENIED THE OPPORTUNITY TO GROW UP IN A LOVING ENVIRONMENT. THAT IS WHY I STRONGLY SUPPORT THEIR LEGISLATION.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. CAMP] has expired.

(By unanimous consent, Mr. CAMP was allowed to proceed for 1 additional minute.)

Mr. RAMSTAD. Mr. Chairman, if the gentleman will continue to yield, my own family has been blessed through adoption. I am the proud uncle of three beautiful adoptive children. I cannot imagine my life without them or my four adopted cousins. There is nothing more important than for a child to grow up in a loving home. I know there are 500,000 children in foster care, many of them awaiting adoption by a loving family. So something must be done to reform the system.

Last year we gave States and localities more authority to run social programs than they have had in 50 years. That is why I was concerned about the amendment offered by my colleague, the gentleman from Kansas [Mr. TIAHRT] and my colleague, the gentleman from Indiana [Mr. BURTON], and I am very, very pleased that they withdrew the amendment.

I understand that the authors of this amendment were trying to help children get into loving, adoptive homes as soon as possible, but I wanted to point out that nothing in this legislation prohibits the State from freeing children for adoption before 18 months. State agencies and courts need flexibility to ensure the most appropriate response can be developed for each individual child.

This amendment would have established an absolute trigger that I believe is unrealistic. So we need to let those who know best, those who administer programs at the State and local levels, have the flexibility to do their job and the authority to do what is best for children.

I thank my colleagues for withdrawing this amendment.

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

Mr. Chairman, I understand that there is controversy over whether we go to 12 months or 18 months. When I was a boy, I was in a welfare agency home, a foster, and a setting of the type we are discussing today; and I can tell my colleagues I met a lot of young people that had been in that system for years and it had a very debilitating impact on their lives. I know some of them ended up in jail.

Those are things that we need to take into consideration. The longer a child is in the foster care system, the more likely he or she is going to be a burden on society. Some of the statistics the gentleman from Kansas [Mr. TIAHRT] did not mention in his statement, but he told me of a foster child who had been in over 100 foster homes. Now we can imagine what that does to the child's psyche. It has got to have a very devastating impact.

Each year 15,000 children graduate from foster care with no permanent home. Fifteen thousand. What does that do to those kids? The ACLU reports, and I do not quote them very often, but the ACLU reports that among these graduates, 40 percent, 40 percent become dependent on AFDC, 46 percent dropped out of school, 51 percent were unemployed, and 60 percent of the women had out-of-wedlock births within 2 years from graduating from foster care.

The Bureau of Justice reports that former foster children are nearly 30 times more likely to be incarcerated than individuals who never spent any time in foster care. So the problem is we want to get them out of there as quickly as possible.

I agree that severing parental rights is a very important thing to consider. I mean, we do not want to do it lightly. But within a year, it seems to me that that is time enough to make a case as to whether or not a child should stay in that home. If the child is not going to be going back into their home, to keep them in foster care beyond that time period causes some serious problems for the child.

So while I do not want to belabor the point, the gentleman from Kansas [Mr. TIAHRT] is obviously going to withdraw his amendment, I hope in conference my colleagues will give these arguments some serious consideration. I think we are all after the same thing. We want to do what is best for the child because it has an impact on society that is very, very great. It involves AFDC. It involves crime. It involves children born out of wedlock. So all of these things need to be taken into consideration and what is best for the child.

If the gentleman from Kansas [Mr. TIAHRT] wants me to yield, I am happy to yield to the gentleman from Kansas.

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from Indiana for yielding. I know there is some concern, it is a very big decision to move children away from their birth parents into an adoptive situation. I do not think the States should take it lightly or we should take it lightly. But in some situations, as the gentleman from Indiana has pointed out so adeptly, we have some parents that just choose not to be good parents by their very actions. The way the system is, there is no incentive to move them unless the States take initiative, like Kansas has, to move them into a situation.

I am reminded of a young girl named Halie, who was 2 years old, who refused to eat her dinner and her parents tied her to an electric heater; and once she got caught into that system, they went through every different family service available, and she did not get out of foster care until she was 18 years old, 16 years caught into the system.

We must provide incentives to move these children out of this kind of situation into adoptive homes when the parents, by their very actions, choose not to be good parents.

□ 1300

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

Mr. Chairman, before the gentleman withdraws his amendment, I want to compliment the gentleman from Kansas for a most thoughtful amendment and really addressing the subject which is the heart of this bill. That is, how long are we going to allow the children to stay in foster care?

I would point out to the House that there is report language in the bill that I feel will pretty much accomplish what the gentleman from Kansas is after. As chairman of the subcommittee, we will be monitoring this whole matter very, very closely. We are going to see that the intent of this bill is met and that we are, indeed, getting these kids out of foster care and into an adoptive setting and into permanent homes.

Again, I compliment the gentleman for bringing this to the attention of the

House. I think it underscores what we are trying to do.

Mr. TIAHRT. Mr. Chairman, with the fine statements made by the subcommittee chairman, the gentleman from Florida [Mr. SHAW], I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

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. . PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.

(a) IN GENERAL.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available under this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

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, I have explained several times the amendment. The amendment basically states that any funds that are made available pursuant to the passage of this act, that in the expenditure of those funds, wherever practicable, they be expended to buy American-made goods and products and that the amendment basically states that a notice of the intent of Congress, wherever the expenditure of funds are made to buy American-made products wherever possible, shall be given when any of those funds in fact are released.

I would appreciate the support of the amendment.

Mr. Chairman, I yield to the distinguished gentlewoman from Connecticut [Mrs. KENNELLY], coauthor of the amendment, and compliment her for her fine work.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I thank the gentleman for putting forth this amendment. I will support it.

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

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

Mr. CAMP. Mr. Chairman, I thank the gentleman for yielding to me. I would concur with the gentlewoman from Connecticut. We also do not object to the amendment.

Mr. TRAFICANT. Mr. Chairman, I would like to say again that I want to compliment the gentlewoman from Connecticut [Mrs. KENNELLY], who has steadfastly been a fighter on behalf of children over the years. I want to thank her on behalf of children in my district and thank the gentleman from Michigan [Mr. CAMP] for his efforts and to the chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. MORELLA

Mrs. MORELLA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. MORELLA:

At the end of the bill, add the following:

SEC. . KINSHIP CARE DEMONSTRATION PROJECTS.

(a) IN GENERAL.—Part E of title IV of the Social Security Act (42 U.S.C. 670–679) is amended by inserting after section 477 the following:

"SEC. 478. KINSHIP CARE DEMONSTRATION PROJECTS.

''(a) PURPOSE.—The purpose of this section is to allow and encourage States to develop effective alternatives to foster care for children who might be eligible for foster care but who have adult relatives who can provide safe and appropriate care for the child.

''(b) DEMONSTRATION AUTHORITY.—The Secretary may authorize any State to conduct a demonstration project designed to determine whether it is feasible to establish kinship care as an alternative to foster care for a child who—

''(1) has been removed from home as a result of a judicial determination that continuation in the home would be contrary to the welfare of the child:

''(2) would otherwise be placed in foster care; and

''(3) has adult relatives willing to provide safe and appropriate care for the child.

''(c) KINSHIP CARE DEFINED.—As used in this section, the term 'kinship care' means safe and appropriate care (including long-term care) of a child by 1 or more adult relatives of the child who have legal custody of that child, or physical custody of the child pending transfer to the adult relative of legal custody of the child.

''(d) PROJECT REQUIREMENTS.—In my demonstration project authorized to be conducted under this section, the State—

''(1) should examine the provision of alternative financial and service supports to families providing kinship care; and

''(2) shall establish such procedures as may be necessary to assure the safety of children who are placed in kinship care.

''(e) WAIVER AUTHORITY.—The Secretary may waive compliance with any requirement of this part which (if applied) would prevent a State from carrying out a demonstration project under this section or prevent the State from effectively achieving the purpose of such a project, except that the Secretary may not waive—

''(1) any provision of section 422(b)(10), section 479, or this section; or

''(2) any provision of this part, to the extent that the waiver would impair the entitlement of any qualified child or family to benefits under a State plan approved under this part.

''(f) PAYMENTS TO STATES; COST NEUTRALITY.—In lieu of any payment under section 473 for expenses incurred by a State during a quarter with respect to a demonstration project authorized to be conducted under this section, the Secretary shall pay to the State an amount equal to the total amount that would be paid to the State for the quarter under this part, in the absence of the project, with respect to the children and families participating in the project.

''(g) USE OF FUNDS.—A State may use funds paid under this section for any purpose related to the provision of services and financial support for families participating in a demonstration project under this section.

''(h) DURATION OF PROJECT.—A demonstration project under this section may be conducted for not more than 5 years.

''(i) APPLICATION.—Any State seeking to conduct a demonstration project under this section shall submit to the Secretary an application, in such form as the Secretary may require, which includes—

''(1) a description of the proposed project, the geographic area in which the proposed project would be conducted, the children or families who would be served by the proposed project, the procedures to be used to assure the safety of such children, and the services which would be provided by the proposed project (which shall provide, where appropriate, for random assignment of children and families to groups served under the project and to control groups);

''(2) a statement of the period during which the proposed project would be conducted, and how, at the termination of the project; the safety and stability of the children and families who participated in the project will be protected;

''(3) a discussion of the benefits that are expected from the proposed project (compared to a continuation of activities under the State plan approved under this part);

''(4) an estimate of the savings to the State of the proposed project;

''(5) a statement of program requirements for which waivers would be needed to permit the proposed project to be conducted;

''(6) a description of the proposed evaluation design; and

''(7) such additional information as the Secretary may require.

''(j) STATE EVALUATIONS AND REPORTS.—Each State authorized to conduct a demonstration project under this section shall—

''(1) obtain an evaluation by an independent contractor of the effectiveness of the project, using an evaluation design approved by the Secretary which provides for—

''(A) comparison of outcomes for children and families (and groups of children and families) under the project, and such outcomes under the State plan approved under this part, for purposes of assessing the effectiveness of the project in achieving program goals; and

''(B) any other information that the Secretary may require;

''(2) obtain an evaluation by an independent contractor of the effectiveness of the State in assuring the safety of the children participating in the project; and

''(3) provide interim and final evaluation reports to the Secretary, at such times and in such manner as the Secretary may require.

''(k) REPORT TO THE CONGRESS.—Not later than 4 years after the date of the enactment of this section, the Secretary shall submit to the Congress a report that contains the recommendations of the Secretary for changes in law with respect to kinship care and placements.''.

(b) CONFORMING AMENDMENTS.—Title IV of the Social Security Act (42 U.S.C. 601 et seq.) is amended—

(1) in section 422(b)—

(A) by striking the period at the end of the paragraph (9) (as added by section 544(3) of the Improving America's Schools Act of 1994 (Public Law 103–382; 108 Stat. 4057)) and inserting a semicolon;

(B) by redesignating paragraph (10) as paragraph (11); and

(C) by redesignating paragraph (9), as added by section 202(a)(3) of the Social Security Act Amendments of 1994 (Public Law 103–432, 108 Stat. 4453), as paragraph (10);

(2) in sections 424(b), 425(a), and 472(d), by striking ''422(b)(9)'' each place it appears and inserting ''422(b)(10)''; and

(3) in section 471(a)—

(A) by striking ''and'' at the end of paragraph (17);

(B) by striking the period at the end of paragraph (18) (as added by section 1808(a) of the Small Business Job Protection Act of 1996 (Public Law 104–188; 110 Stat. 1903)) and inserting ''; and''; and

(C) by redesignating paragraph (18) (as added by section 505(3) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2278)) as paragraph (19).

Mrs. MORELLA. Mr. Chairman, I offer an amendment to the Adoption Promotion Act of 1997.

This amendment would encourage kinship care families, which are families in which adult relatives are the preferred placement options for children separated from their parents.

My amendment would give all States the flexibility to create a new type of foster care, kinship care, as a demonstration project whereby they could examine and test how their child protection system could incorporate safe, cost-effective kinship care placements.

States would have increased flexibility to waive portions of the IV-E foster care program in order to provide services and payments to kinship care placements. Without these payments, many grandparents simply cannot afford to care for their grandchildren.

We clearly need this legislation. Increasingly grandparents are being called upon to raise grandchildren of all ages. Between 1986 and 1990, the number of foster care children under the care of relatives jumped from 18 percent to 31 percent. Between 1985 and 1990, the number of children in foster care increased by 47 percent while the number of foster families decreased by 27 percent. Furthermore, when a child must be removed from his or her parents, placing the child with a caring relative helps keep the family together and limits disruption to the child's life.

The overwhelming majority of grandparents raising children must do so on limited incomes. Ironically, relatives who want to care for the child often find themselves burdened with legal and bureaucratic paperwork and regulation, and they lack the support services available to regular foster care families.

Kinship care could be considered a long-term placement option for the States. In order to be considered an eligible family for kinship care placements under this bill, certain criteria must be met. The child must be removed from the home as a result of a judicial determination that continuation in the home would be contrary to the welfare of the child, the child would otherwise be placed in foster care and that there are adult relatives willing to provide safe and appropriate care for the child.

CBO examined this amendment and it is revenue neutral, because States would incorporate kinship care into their child welfare system. States would evaluate their kinship care system for outcomes for children and families, safety of the children, and cost savings.

At the end of 4 years the Secretary of Health and Human Services would evaluate the State kinship care demonstrations and recommend legislative changes based on their evaluations. My State of Maryland is one of the four States that already has a kinship care waiver and the reports have been quite positive.

I have heard from grandparents who desperately want to provide their grandchildren a loving, supportive and safe home, and I am sure that my colleagues have. Because of burdensome regulations, these children end up in the expensive foster care system. This amendment would allow any State, by going through the waiver process, to help families to rely on their own family members as resources when a child is legally separated from his or her parents.

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

I do not oppose the amendment but there are some additional considerations that should be taken into account. The committee has been very concerned about kinship care for several years. In many cases kinship care is an excellent response to a child's situation. But kinship care does come with great cost and there is reason to wonder if kinship care placements are always the best for children. We need more information about the reasons for kinship care, the characteristics of the kinship settings in which children are placed, and the impact those settings have on children's development.

To get more information, we ask for a study in this legislation. Demonstrations of the type the gentlewoman from Maryland [Mrs. MORELLA] is seeking also have the potential to provide valuable information. The committee bill authorizes 5 new waiver demonstration projects, and why do we not require that at least one of those be addressed to kinship care?

Mrs. KENNELLY of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. CAMP. I yield to the gentlewoman from Connecticut.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I take this opportunity to compliment the gentlewoman from Maryland on her work in this area in this body and the work she has done in her own State of Maryland. I also would like to compliment her because she personally in her life has understood the importance of family in these types of situations, as she provided a loving home for her nieces and nephews. I want to compliment her for taking this work in her own life and her own family out into the United States of America.

Mrs. MORELLA. Mr. Chairman, will the gentleman yield?

Mr. CAMP. I yield to the gentlewoman from Maryland.

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman from Connecticut [Mrs. KENNELLY] for her very kind words and for the work that she has done on this committee, and the gentleman from Michigan [Mr. CAMP] for the wonderful work he has done.

I do want to announce that as of a week and a half ago I became a grandmother for the 15th time, so I can understand certainly grandparents who really want to have an involvement in bringing up and a need to bring up their children's children.

I want to, in light of what the gentleman from Michigan [Mr. CAMP] has said, I will ask unanimous consent to withdraw my amendment and to offer a new amendment that would add language to section 11 to require that at least one of the five new waiver demonstrations be addressed to kinship care.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

Mr. CAMP. Mr. Chairman, I move to strike the last word, and I yield to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentleman for yielding to me.

I thank the gentlewoman from Maryland [Mrs. MORELLA] for withdrawing her amendment and bringing forward an amendment to dedicate one of the demonstration projects in the bill to kinship care. There are six States that have Federal waivers to demonstrate innovative approaches to providing child welfare services, including through kinship care. Indeed, there has been a lot of work on this matter and in many States and some creative programs developed which deserve the attention of the committee.

I also would like to call attention to another matter that is related to that brought up by this amendment. That is the option of independent living programs as a kind of placement for older children who have been in foster care for many years. My colleague, the gentleman from Indiana [Mr. BURTON], talked about the scarring that bouncing from foster care home to foster care home can leave on a young person, and indeed that scarring is deep and debilitating and can destroy their opportunity to pursue life in a way that would realize their abilities and their dreams.

Nonetheless there are many children in the system at this time. He pointed

to 15,000, but there are many children in the system at this time who have been in foster care for many years who have bounced from home to home. Some of these children are finding a new opportunity in what we call the independent living program that provides a stipend, guidance, education, and helps these young people at a high school age learn to live on their own and enjoy the support of one another as they make that transition from high school into the work force. We need to extend this program. We need to recognize it, I think, with the same validity that we recognize foster care placements or even adoptive placements and give it the kind of support and investment that it deserves.

In many instances as they look at kinship care and the opportunities that it provides within the foster care and adoption system, I would urge that they look also at the independent living program as another alternative to adoption and/or reunification because it is for many adolescents the best option and deserves our support. I yield back to the author of the bill.

Mr. CAMP. I thank the gentlewoman for her comments.

AMENDMENT OFFERED BY MRS. MORELLA

Mrs. MORELLA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MORELLA:

Section 11 is amended to read as follows:

SEC. 11. AUTHORITY TO APPROVE MORE CHILD PROTECTION DEMONSTRATION PROJECTS.

Section 1130(a) of the Social Security Act (12 U.S.C. 1820a–9(a)) is amended—

(1) by striking ''10'' and inserting ''15''; and

(2) by adding at the end the following: ''At least 1 of the demonstration projects approved on or after October 1, 1997, shall address kinship care.''.

Mrs. MORELLA (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 gentlewoman from Maryland?

There was no objection.

Mrs. MORELLA. Mr. Chairman, my explanation is shorter than the language of reading the amendment. It is a new amendment that would simply add language to section 11 that would require that at least one of the 5 new waiver demonstrations be addressed to kinship care.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Maryland [Mrs. MORELLA].

The amendment was agreed to.

□ 1315

AMENDMENT OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. EDDIE BERNICE JOHNSON of Texas:

At the end of section 12(b), add the following:

(7) Assistance in establishing outreach programs to help States better identify and recruit minority families to adopt children.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I offer this amendment, and I will pull it down at the end of the discussion, to add a section that allows the development of programs for outreach for informing special minority families about the opportunities to adopt. Very, very frequently this information is not known and many times they do not know where to get it to see about adoption.

When I was growing up, which was a long time ago, my parents brought in three extra children. We never got them adopted. I am a second child, and after me they did not have another child for 8 years, and after that another one after another 8 years. But in the meantime, between these births, we had at least three children in the home and never formally adopted them.

When I became an adult and had one child and could not have another child, I wanted to adopt but I did not have the information, was not quite sure what it meant, and so we went to an orphan home and brought a young child home each weekend. If I had had access to information that would inform and allay fears and say what some of the expectations are, adoptions could have taken place.

I think there are a number of minorities in that position, that really want to adopt but are a little fearful, not quite sure how to get started, and this just adds another development onto the six that simply allows the development of programs that would do outreach. It could be in the form of a brochure or an 800 number or any other type of outreach activity, such as radio announcements.

Mr. Chairman, I simply wanted to call that to Members' attention.

Mrs. KENNELLY of Connecticut. Mr. Chairman, will the gentlewoman yield?

Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentlewoman from Connecticut.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I agree that we should do more to help minority families adopt children. I commend the gentlewoman for the amendment that she was going to put forth and for her willingness to withdraw the amendment.

It has been understood today that the bill we have before us will provide a statute, a basis on which we can continue to improve the foster care and permanent adoption situation in these United States, and I look forward to working with the gentlewoman from Texas on her amendment, which then can be part of a future bill that addresses this very important situation. And I thank the gentlewoman for her understanding today.

Mr. CAMP. Mr. Chairman, will the gentlewoman yield?

Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentleman from Michigan.

Mr. CAMP. Mr. Chairman, I would again echo the comments of my colleague from Connecticut and appreciate the gentlewoman's willingness to withdraw the amendment and look forward to working with her regarding her efforts in this matter.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, reclaiming my time, I thank the gentleman, and allow me to thank the author of this legislation and the gentlewoman from Connecticut [Mrs. KENNELLY] for bringing this piece of legislation forward.

It is the best piece of legislation I have seen that addresses adoptions. I appreciate it.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Add at any appropriate place the following:

SEC. CRIMINAL RECORDS CHECKS FOR PROSPECTIVE FOSTER AND ADOPTIVE PARENTS AND GROUP CARE STAFF

Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(1) in paragraph (18), by striking ''and'' at the end;

(2) in paragraph (19), by striking the period and inserting ''; and ''; and

(3) by adding at the end the following:

''(20) at the option of the State, provides procedures for criminal records checks and checks of a State's child abuse registry for any prospective foster parent or adoptive parent, and any employee of a child-care institution before the foster care or adoptive parent, or the child-care institution may be finally approved for placement of a child on whose behalf foster care maintenance payments or adoption assistance payments are to be made under the State plan under this part, including procedures requiring that—

''(A) in any case in which a criminal record check reveals a criminal conviction for child abuse or neglect, or spousal abuse, a criminal conviction for crimes against children, or a criminal conviction for a crime involving violence, including rape, sexual or other assault, or homicide, approval shall not be granted; and

''(B) in any case in which a criminal record check reveals a criminal conviction for a felony or misdemeanor not involving violence, or a check of any State child abuse registry indicates that a substantiated report of abuse or neglect exists, final approval may be granted only after consideration of the nature of the offense or incident, the length of time that has elapsed since the commission of the offense or the occurrence of the incident, the individual's life experiences during the period since the commission of the offense or the occurrence of the incident, and any risk to the child.''.

Ms. JACKSON-LEE of Texas (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 gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Chairman, first of all let me thank the gentleman from Michigan [Mr. CAMP] certainly for the persistence on legislation that is so extremely crucial to putting our children first.

Let me acknowledge also the ongoing and continuous leadership of the gentlewoman from Connecticut [Mrs. KENNELLY] on this issue that has been an abiding issue with her for many, many years.

I am very pleased and appreciate very much the staff of both Members working with me, as a member of the House Committee on the Judiciary, on an issue that we see in other forms, and that is to assist this process of protecting our children by providing for criminal record checks for prospective foster and adoptive parents and group care staff.

It is well known that adoption is only surpassed by the Government's recognition and sanction of marriage as a publicly recognized function of Government and the procreation of families in our society. In fact, in 1994, 442,218 of our Nation's children lived in the foster care system. In 1994, 3.1 million cases of abused and neglected children were reported in the United States, and an estimated 1 million cases were confirmed.

In 1993, the data indicated 49 percent of the children abused were neglected, 24 percent were physically abused, 14 percent were sexually abused, 5 percent suffered emotional mistreatment, and 2 percent suffered medical neglect. This legislation in and of itself will thwart some of these tragic occurrences. In 1993 an average of five children died each day, another 140,000 were seriously injured and many were disabled for life.

Having, however, chaired the Foster Parent Retention and Recruitment Committee for Harris County in Texas, I know the good people that are foster parents and the good people who seek to adopt. This is not an amendment that speaks to them, but it does speak to the safety of our children.

According to the American Public Welfare Association, 450,000 live in foster care at any given moment, and as many as 600,000 children live in foster care during the course of any given year. Certainly this major legislation today will help diminish that number. However, we want to make sure that these caretakers have the kinds of background checks that will ensure the safety of our children.

Let me conclude by saying in my home State of Texas the number of children under the age of 18 living in foster care in 1993 was 10,880. This represents an increase of 62.4 percent from 1990, and the number continues to climb.

This amendment, which is by State option and therefore does not incur any additional cost to this legislation, will allow States to have the option to check the backgrounds of the individuals who will be the caretakers for our most precious resources in the United States.

Mr. Chairman, I ask my colleagues to support this amendment, and I thank the ranking member, and I thank the chairlady of the particular subcommittee, I am giving her that title because that is what she is to me, the gentlewoman from Connecticut, but I thank the chairperson, the gentleman from Michigan [Mr. CAMP] for his kindness.

Mr. Chairman, I rise today to speak in favor of the institution of adoption.

Adoption is only surpassed by the Government's recognition and sanction of marriage as a publicly recognized function of Government and the procreation of families in our society.

The work that Congresswoman BARBARA KENNELLY has done in bringing H.R. 867 to the floor, only highlights the well established role that Government has in the facilitation of adoptions in this country.

In 1995, 494,000 of our Nation's children lived in the foster care system.

As we work to address the need to find and place these children with parents and families who will love and care for them, we must be sure to address the need to protect these children from unforseen dangers.

Requiring criminal records checks for prospective foster and adoptive parents and group care staff will go a long way to ensure that adoptive parents are prepared and suitable parents.

Adoption is not a right in our society, but an honor. The children in foster care or who are being placed for adoption, deserve the extra care that can be demonstrated by conducting criminal background checks on perspective parents.

In 1994, 3.1 million cases of abused and neglected children were reported in the United States, and an estimated 1 million cases were confirmed.

The 1993 data indicated that 49 percent of the children were neglected, 24 percent were physically abused, 14 percent were sexually abused, 5 percent suffered emotional mistreatment, and 2 percent suffered medical neglect.

In 1993 an average of 5 children died each day, and another 140,000 were seriously injured while many were disabled for life.

This amendment would ensure that prospective adoptive parents were suitable caregivers and safe adoptive parents for children.

According to the American Public Welfare Association [APWA], about 450,000 children live in foster care at any given moment, and as many as 600,000 children live in foster care during the course of any given year.

In my home State of Texas, the number of children under the age of 18 living in foster care in 1993 was 10,880. This represents an increase of 62.4 percent from 1990, and the number continues to climb. Similarly, the number of children living in a group home in 1990 was 13,434. Approximately one-half of these 13,434 children are minorities. Studies have shown that minority children wait longer to be adopted than do white children.

I hope that my colleagues can support this effort to strengthen a very strong measure to open the avenue of adoption and placement of children who are in need of families.

Mrs. KENNELLY of Connecticut. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentlewoman from Connecticut.

Mrs. KENNELLY of Connecticut. I agree with the gentlewoman from Texas, Mr. Chairman, and as she states, she wants to make sure that troubled children get into foster homes, and I would like to join with her. As I have said earlier today, we cannot emphasize enough the number of people who are involved in foster care and the very good jobs they are doing, but they more than anybody else want to make sure that every foster care home is a safe home.

I do want to thank the gentlewoman from Texas, and I also want to thank the Committee on the Judiciary, and I will take this opportunity to thank the gentleman from Massachusetts, Mr. [WILLIAM DELAHUNT], for his work on an amendment which also will be looked at in the future.

I appreciate the concern and the involvement of other Members of this body who wanted amendments but made it possible for us to keep this very, very important balance today, to have a new beginning in looking at foster care and the protection of children.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank all those that have worked with me on this amendment.

Mr. SHAW. Mr. Chairman, I rise in support of the amendment, but I want to address this question to the author of the amendment:

As I understand the printed amendment, the typed amendment has been modified to provide that this is at the option of the State; is that correct?

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Absolutely.

Mr. SHAW. Mr. Chairman, reclaiming my time, I bring that up only because the House now has rulings pertaining to unfunded mandates. And even though I think this is a very good amendment, and one that adds to the bill, I just wanted to be sure that we did not fall into that trap.

I compliment the gentlewoman for her amendment and urge its support.

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

Mr. Chairman, I wanted to comment on this amendment and the fact that it is critical that foster homes be safe for children. States already have the discretion to conduct background checks and licensing of foster parents, and many States do conduct background checks for people who work with children.

I want to point out for the RECORD that the amendment is permissive. It is at the option of the State. But if it were not, if it were mandatory, the cost to the State, according to the General Accounting Office, is about $20 for each check; and States could be, if this were mandatory, required to spend hundreds or thousands of dollars because of this amendment.

I know that activities are ongoing through Federal, State and local law enforcement agencies to improve the quality of the data they receive in these background checks, but I think the change that was made is a positive one and I would, for the RECORD, state that I support the amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the requisite number of words.

I rise to address a question to the gentleman from Michigan relating to elderly caregivers. I need to ask the question as to whether or not there is protection for older caregivers who have retired or who are disabled and taking care of minor children where they might need aid to dependent children.

What provision do we find anywhere in the law that protects them from having the 2-year limit on aid to dependent children?

Mr. CAMP. Mr. Chairman, will the gentlewoman yield?

Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentleman from Michigan.

Mr. CAMP. Mr. Chairman, I thank the gentlewoman for yielding.

States already, in the first year, would be able to exempt 75 percent of their case load from the work requirement and would be able to make the decision as to which individuals, if it is grandparents or elderly caregivers, would be able to be exempt from that work requirement.

When the work requirement is fully implemented, it will still be 50 percent of the case load that States will be able to make the decision to exempt. They have the authority to do that now. Even under the 5-year time limit, which is a separate part of the welfare bill, States would be able to exempt up to 20 percent of their case load from the time limit requirement. So it is going to be up to States to make that decision on which individuals.

I appreciate the gentlewoman's bringing this to the floor and expressing her concern to the House over this issue, but there are provisions in the bill giving quite a bit of discretion with the State government to make those decisions.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, reclaiming my time, I think that explanation really takes care of my concern that there will not be 50 or 75 percent. So I think that will be enough percentage to allow them to be protected.

I thank the gentleman for that response.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas [Ms. JACKSON-LEE].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MRS. MALONEY OF NEW YORK

Mrs. MALONEY of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY of New York:

At the end of the bill, add the following (and conform the table of contents accordingly):

SEC. 16. STANDBY GUARDIANSHIP.

It is the sense of the Congress that the States should have in effect laws and procedures that permit any parent who is chronically ill or near death, without surrendering parental rights, to designate a standby guardian for the parent's minor children, whose authority would take effect upon—

(1) the death of the parent;

(2) the mental incapacity of the parent; or

(3) the physical debilitation and consent of the parent.

Mrs. MALONEY of New York (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 gentlewoman from New York?

There was no objection.

Mrs. MALONEY of New York. Mr. Chairman, this sense of Congress resolution addresses the needs of 85,000 to 125,000 children who will be left motherless by AIDS by the end of this decade. The tragedy is enormous, but even worse, many of these children will be forced into foster care homes at the most vulnerable moment of their lives simply because most State laws prevent parents from naming guardians for their children in advance of their death.

□ 1330

As the Journal of the American Medical Association noted in December 1992, ''Every State should review its existing guardianship laws, many of which leave children in legal limbo at the time of a parent's death, even when a guardian has been named in the parent's will.''

Standby guardianship laws would require just such a review by closing legal gaps which have failed vulnerable children and their families and allowing parents to choose standby guardians without giving up their parental rights. Using a simple process, standby guardians can be pre-approved by the courts and take on the responsibility of caring for their charges immediately upon the death or incapacitation of the ill parent.

This sense of Congress, if enacted into law, could save States and the Federal Government money by reducing the amount of time children spend in the incredibly expensive and sometimes destructive foster care system. But very importantly it provides peace of mind to desperate parents by resolving custody issues while they can have their input into the future of their children and, most importantly, it will keep children out of foster care and move them into permanent homes with their parents' input.

AIDS is now the leading cause of death among women aged 15 to 44. By the end of this century, current studies estimate that as many as 125,000 children will be orphaned by AIDS. I think these numbers indicate clearly that the scope of this problem is nationwide and the need for standby guardianship laws is growing.

It is now time for this issue to be addressed at a national level. This sense of Congress resolution is a start.

The resolution would recommend that all States amend their custody laws to allow for standby guardianship designation. Custody issues remain the province of each individual State. Standby guardianship is a timely concept for a difficult time. Standby guardianship laws present a unique opportunity to act proactively against a growing problem in child welfare. That is why I am urging all of my colleagues to support this bipartisan sense of Congress. I hope that it will be supported.

I would like to compliment the gentlewoman from Connecticut [Mrs. KENNELLY] and the gentleman from Michigan [Mr. CAMP] for their very important work on this bill.

Mrs. KENNELLY of Connecticut. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY of New York. I yield to the gentlewoman from Connecticut.

Mrs. KENNELLY of Connecticut. I thank the gentlewoman for yielding.

Mr. Chairman, I agree we need to remove legal barriers that might prevent children from going to a caring guardian when a parent dies. I therefore support the sense of Congress on urging States to adopt standby guardians and thank the gentlewoman from New York [Mrs. MALONEY] for her work.

Mrs. JOHNSON of Connecticut. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY of New York. I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I commend the gentlewoman from New York [Mrs. MALONEY]. This is a very important sense of Congress. It is imperative that States recognize the seriousness of the problem of AIDS, women and children, 125,000 children to be orphaned by AIDS. Indeed we need to know that, we need to deal with that and States need to modernize their laws to address this issue.

The 50 States at this time do deal with guardianship as well as custody issues in different fashions. Sometimes radically different mechanisms are used to govern these difficult situations. Therefore, it is hard at this time to write a Federal statute, even if it were desirable, to deal with such delicate and personal situations. But it is important to recognize the criticalness of these arrangements and the forethought that must be given where death of a parent is a real, tragic possibility.

I am sure that the gentleman from Michigan [Mr. CAMP] and his subcommittee will oversee the response of the States to this sense of Congress, because if they do not move forward with modernizing their guardianship statutes, then indeed we will have to look how do we do this from Washington, DC. These are very delicate arrangements, they are hard to develop,

they need forethought, they need a good structure of law to protect the interests of the children and other family members. I think it is better done from the State, but we must oversee that this does happen from Washington.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Again, Mr. Chairman, I would like to thank the gentlewoman from New York [Mrs. MALONEY] and the gentlewoman from Connecticut [Mrs. JOHNSON] and would like to join them in this sense-of-Congress resolution on this very important issue and again thank the gentlewoman from Connecticut [Mrs. Kennelly], the gentleman from Michigan [Mr. CAMP], and the gentleman from Florida [Mr. SHAW] for their leadership on the overall issue of the protection of our children.

I rise today in support of the sense-of-Congress resolution allowing parents to choose standby guardians for their children in advance of their death. This is an important and compassionate piece of legislation. If I might add a personal anecdote as a practicing lawyer in the family courts of Texas, this is a rising crisis that we face. It is a great tragedy in the life of a small child to lose a parent through illness. AIDS is certainly a nationwide epidemic and confronting young parents on a daily basis.

Often the child is too young to understand anything other than the fact that the person who has been the center of their world, their caretaker, is gone. It is at this time in their lives that children most need a caring and supportive environment. Unfortunately, this is too often a time when a young child is taken from his home and placed in a foster family. In many cases, this is because State law prevented the child's parents from naming a guardian for their child in advance of their death.

In speaking to the gentlewoman from New York [Mrs. MALONEY], it was evident that in many jurisdictions this happens far too frequently, and it certainly happens frequently in the crisis that occurs when loved ones are stricken with AIDS.

This legislation will provide a caring guardian for the child upon the death of that child's parents. In so doing, it will ease the child's trauma at their parent's death by allowing the child's guardian to establish a relationship before the parent's death and to be there while that child is grieving.

Standby guardianship will also allow the parent the comfort and knowledge of providing a safe future for their children. It must be terribly painful to experience for a parent to leave their young child behind. We can help to ease that pain by letting the parent be an active participant in resolving the custody of their children.

According to the Journal of the American Medical Association, noted in December 1992, many States ''leave children in legal limbo at the time of a parent's death, even when a guardian has been named in that parent's will.''

So we see that that is not a solution. I therefore encourage my colleagues to support this sense of Congress resolution.

As I close, Mr. Chairman, let me also state that I look forward to working with the gentlewoman from Connecticut [Mrs. KENNELLY], with the gentleman from Michigan [Mr. CAMP], and the gentleman from Florida [Mr. Shaw], along with the Congressional Children's Caucus, on issues to provide for treatment for those parents, foster parents, adoptive parents who tragically may have had a bout with drug abuse, and also then to as well ensure that we look favorably at making sure that diversity in this country is received in the adoptive process and that the child's cultural background be part of our sensitivity.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York [Mrs. MALONEY].

The amendment was agreed to.

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

Mr. Chairman, people who are observing this meeting today probably think they have the wrong parliamentary body when they see the great agreement that this House has risen to by unanimously supporting this and by working out the various amendments. This did not come by happenstance, I would like to say, however. It came from very close work from the Democrat and the Republican side of the aisle, with the gentleman from Michigan [Mr. CAMP] taking the reins for the Republican side and the gentlewoman from Connecticut [Mrs. KENNELLY] the Democrat side.

It shows, I think, when you find that there is a problem out there and you decide that we are not going to be running down the road on a partisan horse trying to press our will upon each other, what we can do. It also, I think, shows the tremendous amount of good staff work that we have had going into this bill.

I would like to compliment the staffs on both sides of the aisle. I would particularly like to point out Dr. Cassie Bevan for the tremendous work that she has done on this bill. She has a reputation of herself, a well-deserved reputation. She has done many writings and is recognized as an expert on this particular subject nationwide. We are very fortunate, I think, to have staff with particularly background information. We have seen this with other bills that have been passed, and I recognize other members of the staff on both sides of the aisle in being able to bring bills to the floor, being able to dig through the process and be sure that what we pass here is a good product, but this particularly with the Camp-Kennelly bill. We are going to be able to pass a bill today that is really going to help the most fragile among us, and those are the kids that are lingering in foster care, which is a national tragedy.

Again, we have 500,000 children across this country who are hungering for a home and a life-style and some structure in their life. This is a tremendous step forward, and I think that it is one of the finest hours of this Congress. I compliment all of the people who were involved in putting this bill together, and I urge its adoption.

The CHAIRMAN. Are there any further amendments?

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

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

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mrs. MORELLA) having assumed the chair, Mr. ROGAN, 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. 867) to promote the adoption of children in foster care, pursuant to House Resolution 134, 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.

Mr. CAMP. 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 416, nays 5, not voting 12, as follows:

[Roll No. 96]

YEAS—416

Abercrombie	Barcia	Berman
Ackerman	Barr	Berry
Aderholt	Barrett (NE)	Bilbray
Andrews	Barrett (WI)	Bilirakis
Archer	Bartlett	Bishop
Armey	Barton	Blagojevich
Bachus	Bass	Bliley
Baesler	Bateman	Blumenauer
Baker	Becerra	Blunt
Baldacci	Bentsen	Boehlert
Ballenger	Bereuter	Boehner

Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—5

Campbell
Manzullo
McIntosh
Mink
Paul

NOT VOTING—12

Allen
Bonior
Engel
English
Green
Herger
John
Lewis (GA)
Porter
Schiff
Stump
Wexler

□ 1404

Mr. JACKSON of Illinois and Mr. EVANS changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I was unavoidably detained during the rollcall vote on H.R. 867, the Adoption Promotion Act of 1997. If I had been present, it was my intention to vote ''aye'' because I strongly support the legislation.

I ask that my statement appear in the RECORD after the vote.

PERSONAL EXPLANATION

Mr. GREEN. Mr. Speaker, I was unavoidably detained in my district both yesterday and this morning. On rollcall votes 92, 93, 94, 95, and 96, if I had been present, I would have voted ''aye'' on 92, ''aye'' on 93, ''aye'' on 94, ''aye'' on 95, and ''aye'' on 96.

I ask that my statement appear in the RECORD immediately following the recorded votes.

GENERAL LEAVE

Mr. CAMP. Madam 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. 867, the bill just passed.

The SPEAKER pro tempore (Mrs. MORELLA). Is there objection to the request of the gentleman from Michigan?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 867, ADOPTION PROMOTION ACT OF 1997

Mr. CAMP. Madam Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 867, the Clerk be authorized to correct section numbers, punctuation, and cross references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

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

There was no objection.

HOUSING OPPORTUNITY AND RESPONSIBILITY ACT OF 1997

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 133 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 133

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state the Union for consideration of the bill (H.R. 2) to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, 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 2(l)(6) of rule XI of clause 7(b) or 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 Banking and Financial Services. 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 Banking and Financial Services 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. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 5(a) of rule XXI are waived. Before consideration of any other amendment it shall be in order to consider the amendment printed in the Congressional Record of April 29, 1997, pursuant to clause 6 of rule XXIII, if offered by Representative Lazio of New York or his designee. That amendment shall be considered as read, shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against that amendment are waived. If that amendment is adopted, the bill, as amended, shall be considered as the original bill for the purpose of further amendment. During further consideration of

the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business: *Provided*, That the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. YOUNG of Florida). The gentleman from California [Mr. DREIER] is recognized for 1 hour.

(Mr. DREIER asked and was given permission to revise and extend his remarks and include extraneous material in the RECORD.)

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from South Boston, MA [Mr. MOAKLEY], my very good friend and the ranking minority member. Pending that, I yield myself such time as I may consume. Let me say that all time that I will be yielding will be for debate purposes only.

Mr. Speaker, in the tradition of past housing rules, this rule provides an open rule for the consideration of H.R. 2, the Housing Opportunity and Responsibility Act of 1997. However, the rule does waive points of order against consideration of the bill for failure to comply with House rules regarding the 3-day availability of committee reports or CBO cost estimates.

The main committee report has been available for 3 days, but because it did not include a CBO cost estimate, a supplemental report containing that estimate was filed yesterday, thus requiring these waivers.

The rule makes in order an amendment in the nature of a substitute as an original bill for the purpose of amendment, which shall be read by title. It contains a minor waiver of points of order for appropriating in a legislative bill, but I understand that the Committee on Appropriations is not opposed to the waiver, Mr. Speaker.

The rule further makes in order an amendment by the gentleman from New York [Mr. LAZIO] before other amendments are considered, which will be considered as read, shall be debatable for 10 minutes, equally divided between the proponent and an opponent, and shall not be subject to a demand for the division of the question. All points of order against the Lazio amendment are waived.

If adopted, the bill, as amended, shall be considered as an original bill for the purpose of further amendment, thus ensuring an open amendment process.

Finally, the rule strongly encourages preprinting of amendments in the RECORD, and allows the Chair to postpone votes and reduce votes to 5 minutes on a postponed question if the vote follows a 15-minute vote.

The rule also provides for one motion to recommit, with or without instructions.

Mr. Speaker, this is a bona fide open rule. Over the years I have had the great honor of referring to the former chairman of the Committee on Banking and Financial Services [Mr. GONZALEZ], who is sitting right here on the floor now, as Mr. Open Rule because of his strong commitment to major housing bills and bringing them under an open amendment process.

It is a distinction that, after 2 years of experience, I am now transferring from Chairman GONZALEZ to the current chairman of the Subcommittee on Housing and Community Opportunity, the gentleman from New York [Mr. LAZIO], and I know that the gentleman from Texas [Mr. GONZALEZ] would strongly support me in that action. While an open rule on a bill of this nature will be time-consuming and contentious, it is essential that we proceed in this nature.

Housing policy must be seen in the context of broader welfare policy. Members have strong feelings about the impact of Federal housing programs on low-income families and how these programs should be reformed. An open rule will allow all issues to be debated and will strengthen public confidence in whatever program changes we collectively decide to move ahead with in the House.

Quite frankly, Mr. Speaker, the changes called for in the bill are long overdue. Our public housing programs are a failure, and those failures have been known to us now for nearly two decades. Yet, until now, Congress has failed to offer effective solutions to addressing the housing and economic needs of poverty-level families.

Instead, we have continued to spend hundreds of billions of dollars on costly and inefficient public housing programs that encourage waste, fraud and abuse, while destroying urban communities and relegating tenants to second class status in Third World living conditions.

□ 1415

Mr. Speaker, H.R. 2 will improve housing conditions and economic opportunity for tenants by substantially deregulating public housing and giving authorities the flexibility they need to operate efficiently and effectively.

While H.R. 2 does not fundamentally alter the Federal Government's intrusion into the housing market, nor does it reduce the size of the HUD's bureaucracy, it will go a long way toward reforming our failed public housing programs. For that I applaud the chairman, the gentleman from New York [Mr. LAZIO], for his successful efforts in bringing this bill forward.

I look forward to working with him to bring about similar reforms to the remainder of HUD's bureaucracy so we can enhance local control, reduce administrative overhead and cost burdens, maximize the direct flow of housing assistance, and promote our ultimate objective, which is the achievement of economic self-sufficiency for our low-income families.

Mr. Speaker, H.R. 2 is a good bill that deserves our support. A similar bill passed the House 1 week short of a year ago. More important, this rule provides for an open amendment process, as I have said, that will allow all of the policy issues that we will be considering to come forward with a free debate.

Mr. Speaker, I urge support of the rule, and I reserve the balance of my time.

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

Mr. Speaker, I am very pleased to see this open rule come to the floor. It is a welcome change, and I urge my colleagues to support the rule. This rule waives points of order against failure to allow Members 3 days to review the committee report. This is the fourth time, Mr. Speaker, in the last few weeks that the committee has waived this rule. I hope that this trend would stop very soon, because Members really need time to review the bills before they actually come to the floor.

This bill, Mr. Speaker, is another matter entirely. This bill takes public housing away from the poor and hands it over to the people who can afford better. It replaces our housing programs with block grants. It entices richer tenants into public housing and pushes poorer tenants into homelessness.

Mr. Speaker, that is not what public housing is all about. Public housing is about giving families a chance to live on their own, no matter how much money they make. It is about reducing the number of homeless children and helping low-income parents give their children the kinds of lives they deserve.

Mr. Speaker, a long time ago, when I was a young boy growing up in South Boston, I lived in the first public housing ever built in the country: the Old Harbor Village, which is today called the Mary Ellen McCormack. Back then my family's moving into the project was upward mobility for me. There was no stigma, there was no crime in public housing. The Old Harbor Village was part of the community in every sense of the word. In fact, up until then, it was probably the nicest place we ever lived.

Growing up in the projects, you had a strong sense of community, a strong sense of pride, and everybody looked after everybody else. You lived for the guy upstairs, downstairs, and over the back fence. We were all treated as citizens and not subjects, and when a person is respected, they respond accordingly.

Mr. Speaker, there is no doubt about it, public housing has slipped a long way since then. It has slipped a long way since I was a tenant. But that is no reason not to try to get it back where it was. That is no reason to change Federal housing from a program that is targeted to the poorest of the poor to a program for everyone else. That is what the bill will do, Mr. Speaker. This bill takes housing away from those in most need, and pushes them further towards the fringes of society. It will widen the already enormous gulf between the rich and poor in this country at a time when the American children need all the help we can give them, no matter how much money their parents make.

Mr. Speaker, there are some good ideas in this bill. There are some provisions for flexibility and for administrative reforms that we badly need, but the rest of the bill just goes too far. My Democratic colleagues will propose a bill to improve our housing program by implementing ideas that everybody agrees to. But the Democratic substitute eliminates that risky block grant program which takes funding away from housing and does absolutely nothing to ensure that the funding will be available to operate and maintain the current units. The Democratic bill keeps public housing on the side of poor people. The Democratic bill keeps public housing on the side of the children.

Mr. Speaker, I urge my colleagues to support this open rule and oppose the bill. Public housing should be a leg up for those who need it, and not for everyone else.

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

Mr. DREIER. Mr. Speaker, I am happy to yield 2 minutes to the gentlewoman from Columbus, OH [Ms. PRYCE], a valued member of the Committee on Rules.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the distinguished vice chairman of the committee, the gentleman from California [Mr. DREIER] for yielding me this time.

Mr. Speaker, I rise to express my support for both this open rule and the Housing Opportunity Responsibility Act. First, I want to commend the chairman, the gentleman from New York [Mr. LAZIO], and the Subcommittee on Housing and Community Opportunity of the Committee on Banking and Financial Services for crafting legislation that follows our basic principles of, No. 1, making the American dream of affordable housing more attainable; No. 2, empowering individuals to improve their lives; No. 3, returning more decisionmaking authority to States and localities where it belongs.

Mr. Speaker, H.R. 2 does all of these things, fundamentally changing the public housing in section 8 rental assistance programs and allowing the Federal Government to support local communities in their decisions.

Under this bill, the emphasis is placed on providing the most service for the least cost, and tailoring Federal assistance to fit local needs, so the limited Federal resources are invested in ways that are likely to achieve the greatest return.

Fundamental to the bill is the belief that those who receive Federal assistance share a responsibility and an obligation to pursue self-sufficiency. H.R. 2 would remove disincentives to work, while linking continued Federal assistance to a modest amount of community service each month.

While I support this legislation, I am concerned that H.R. 2 falls short of fully addressing the issue of national occupancy standards. This year I cosponsored legislation introduced by the gentleman from Florida [Mr. MCCOLLUM] to give States the authority to set their own occupancy standards. In the absence of State law, it would allow of a standard of two persons per bedroom plus infants. As I understand it, the so-called McCollum language was originally included, but was later scaled back significantly during the markup.

In my view, the housing bill offers us the perfect and appropriate opportunity to give States the flexibility and authority to set their own standards and to implement a reasonable standard in their place when States fail to take action.

A major housing reform bill like H.R. 2 should take advantage of the experience and expertise of those who deal with these issues on a daily basis. I hope this might be addressed at some point in the process.

Mr. Speaker, promoting safe, clean, and healthy housing is central to the American dream, especially for low-income persons. I believe this legislation is critical to reducing the concentration of power at the Federal level that has stifled innovation and kept local housing authorities out of the decisionmaking process. I urge support of the bill and the rule.

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

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Surfside Beach, TX [Mr. PAUL].

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

Mr. PAUL. Mr. Speaker, I appreciate very much the gentleman's yielding time to me.

Mr. Speaker, I am very pleased to be able to support this rule coming to the floor, and pleased that it is an open rule. We will have a chance to debate housing. I think it is a very important debate. We have had this debate going on now for several weeks in the Subcommittee on Housing and Community Opportunity. Unfortunately, as far as I am concerned, the debate has not keyed in on the real important issue of whether or not public housing is a good idea.

This particular piece of legislation does very little more than juggle the bureaucrats in hopes that it will do some good. Public housing started in 1937 with the U.S. Housing Act, and we have been living with public housing ever since. In 1965 HUD was created, and since that time, we have spent literally hundreds of billions of dollars.

We have no evidence of any sort to show that public housing is a good idea. It causes a great deal of problems and actually takes housing away from many, many poor people. But it costs a lot of money and costs a lot of hardship to a lot of people. The principle of public housing is what needs to be debated. Hopefully, in the general debate and in the debate over the amendments, we will be able to direct a debate in that area.

One thing that I think our side, the side that I represent, that is the free market and the constitutional approach to housing, we have, I would grant you, done a very poor job in presenting the views on how poor people get houses in a free society. Since we have had 30 years of experience and there is proof now that it leads to corruption and drug-ridden public housing projects that do not last very long and it costs too much money, we ourselves who present the market view have not done a good job, emphasizing lower tax, less regulation and growth economy, sound monetary policy, low interest rates; this is what will eventually give housing to the poor people.

But I think it is very important that we not construe anybody who opposes this bill as being one that has endorsed the notion or rejects the idea.

Mr. Speaker, the one other point that I would like to make is one of the arguments in favor of this bill is that it is going to be saving some money in the bureaucratic process. But if this is the case, one must look very closely at the CBO figures, because last year the HUD budget took $25-plus billion. This year, with this wonderful new program, we will be asking, according to CBO, $30.4 billion, an increase of about $5 billion. And this is not the end, it is just the beginning. So this is an expansion of the spending on public housing.

By the year 2002, it goes up to $36 billion. So the best I can tell is we were working on the fringes, we are not dealing with the real issues, we are not dealing with the principle of whether or not public housing is a good program.

I, for one, think we can do a lot more for the poor people. There are more homeless now, after spending nearly $600 billion over these last 20 years, than we had before. So I am on record for saying we must do more but we can do more by looking more carefully at the market.

Mr. DREIER. Mr. Speaker, we have a couple Members who are very enthusiastic in expressing their desire to speak, but I am having a challenging time to educate them right now; and I do not know if my friend, the gentleman from South Boston, MA [Mr. MOAKLEY] has anyone.

Mr. MOAKLEY. Mr. Speaker, if it makes the gentleman from California [Mr. DREIER] feel any better, after we pass the rule, I would be glad to listen to their conversation seated here in the Chamber.

Mr. DREIER. Mr. Speaker, I urge an ''aye'' vote on the rule.

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

Mr. DREIER. Mr. Speaker, I urge strong support of this rule, which will allow for a free and fair debate under an open amendment process.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 133 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2.

The Chair designates the gentleman from Virginia [Mr. GOODLATTE] as Chairman of the Committee of the Whole, and requests the gentleman from Illinois [Mr. LAHOOD] to assume the chair temporarily.

□ 1430

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. 2) to repeal the United States Housing Act of 1937, deregulate the public housing program, and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes, with Mr. LAHOOD (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Iowa [Mr. LEACH] and the gentleman from Texas [Mr. GONZALEZ] each will control 30 minutes.

The Chair recognizes the gentleman from Iowa [Mr. LEACH].

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

I rise today in support of H.R. 2, the Housing Opportunity and Responsibility Act of 1997. I want to thank the gentleman from New York [Mr. LAZIO] for his extraordinary leadership on this bill as well as the constructive commentary of the gentleman from Massachusetts [Mr. KENNEDY], who is the ranking member on the subcommittee, as well as the distinguished ranking member of the full committee, the gentleman from Texas [Mr. GONZALEZ].

H.R. 2 is the product of numerous hearings that were held by the Committee on Banking and Financial Services as well as 4 days of markup which included more than 70 amendments, with some 20 amendments from the minority side adopted.

H.R. 2 was reported by the committee by a vote of 28 to 19. In the last Congress, a similar bill, H.R. 2406, was reported out of the committee and passed the full House by a bipartisan vote of 315 to 107.

Reforming our Nation's public housing programs, regardless of one's philosophical beliefs, is a priority both for the Congress and the administration. The committee was encouraged when Secretary Cuomo appeared before the Subcommittee on Housing and Community Opportunity on March 6 and stated that he will work night and day to enact historic public housing reform legislation. Likewise, the committee has been committed to working with Secretary Cuomo to reform rather than eviscerate HUD and the programs under its jurisdiction. Members may recall that 2½ years ago many in the administration and some in this body favored elimination of HUD. The Committee on Banking and Financial Services prefers to maintain a credible public housing commitment, recognizing that moneys are short and that disappointments in some areas may be significant.

Nevertheless, we believe that reform and rehabilitation are preferable to stultification and decay.

Virtually all interested parties agree that the current public housing system does not serve the tenants of public housing well, nor does it efficiently or effectively utilize taxpayer dollars that are appropriated for public housing programs.

Quite simply, H.R. 2 is as much about improving the lives of low-income families and individuals as it is about fiscal responsibility and Government accountability.

H.R. 2 replaces outdated laws and programs with a new empowering approach for communities designed to be relevant to the 21st century. Along with welfare reform efforts, this bill is a critical step on the path to revitalizing empowerment programs that were crafted decades ago in a different social, legal, and economic environment.

Without question, there are a number of important issues where the majority and minority part ways on philosophical grounds. These issues were debated and considered in an open forum at the Committee on Banking and Financial Services, and I am pleased that the rule for this bill provides for the same opportunity in the full House.

While I do not wish to review all the issues where there are disagreements at this time, I would like to briefly touch upon one issue where there appears to be an inconsistency within the ranks on the congressional minority and the Democratic administration. H.R. 2 provides that each adult member of a family residing in a public or assisted housing project contribute not less than 8 hours per month in community service activities. Individuals who would be exempt from this requirement include the disabled, the elderly, persons who are employed and others who are otherwise physically impaired from performing such services.

Also, the provision is structured so as not to duplicate community work requirements under local welfare reform efforts.

This provision is generally based upon the long held American precept that those who receive assistance from a community should give back to that community in some way. Some of our Democratic colleagues argue that this provision is punitive and demeaning. Yet it is worth noting that the administration's public housing bill that was provided by Secretary Cuomo and introduced by the gentleman from New York [Mr. LAZIO] and the gentleman from Massachusetts [Mr. KENNEDY] by request included the same provision to require 8 hours of community service. Also, the public housing bill that passed the House in the last Congress by a resounding 315 to 107 vote, which was submitted by former HUD Secretary Henry Cisneros, included the same community service requirements to which our colleagues on the other side are now raising objections.

It is true there could be a slight administrative cost increase in this work component, but it would be our hope that this cost could in part be borne by those asked to fulfill a work commitment. In the larger picture, the bill is deregulation oriented with the CBO estimating administrative savings of $100 million over 5 years.

As for funding, this bill matches the administration request for fiscal year 1998 and is consistent with the fiscal year 1997 enacted levels. In other words, our approach represents a freeze on spending with greater administrative discretion allowed at the housing authority level.

Given efforts to balance the budget, this bill represents an administration congressional consensus. The minority is correct that the bill moves to more mixed income housing with housing authorities, at their strong request, allowed to provide housing to the near poor as well as the poor. While all poor currently in housing are legislatively protected, it must be understood that there are many aspects of current public housing programs which have been judged by experts as well as the public as a failure. To concentrate the very poor alone in public housing, particularly high-rise housing, is to condemn them in many instances to poverty segregation.

Single dimension, lowest income housing simply has not worked. For the sake of decent standards of housing for the poor, more local discretion is needed.

Mr. Chairman, I urge consideration of this reform approach as common sense.

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

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

Mr. Chairman, I first want to begin my remarks by complimenting the gentleman from Massachusetts for his superb leadership that he has demonstrated in housing issues. He knows the subject matter, which is complex, very well. Equally important, though, he does deeply and sincerely care about the people who depend on public housing. He seeks to create a positive reform and works tirelessly on behalf of people who have few advocates and really no political resources.

He is a model of decency and compassion. I salute his courage, his energy, his imaginative efforts, all of which reflects great credit to him, the people that he represents and serves, and this House.

The bill before us, H.R. 2, can best be described as a series of good slogans but unworkable or undesirable policies. The bill before us is no more likely to be enacted than last year's failed effort, which it very closely resembles, incidentally. We will offer a substitute that makes, I believe, far more sense and which deserves the support of our Members.

I will predict that in the final analysis, any bill that is enacted will look very much like the substitute that we will offer.

H.R. 2 creates strong incentives for local housing authorities to stop renting available units to those who are in the greatest need of them. Under the bill, housing authorities will henceforth rent units only to people who can afford to pay more. The reason for this is simple: The Congress has cut operating subsidies far below what the housing authorities need, so the only way to keep public housing units from falling into ruin is to rent fewer units to the poorest class of applicants.

To be perfectly frank, this bill abandons those who are in the greatest need and for whom this whole thing was intended in the beginning.

I sincerely believe, as I have all along, that it is possible to maintain sound housing authorities without taking the radical and callous steps provided in H.R. 2. The substitute that we will offer will target housing assistance in what I believe is a sensible and humane way.

H.R. 2 imposes huge new bureaucratic burdens on local housing agencies but provides no money for these schemes. The authors of H.R. 2 apparently believe that residents of public housing are defective or derelict and in need of social engineering. Therefore, they require that tenants sign and adhere to a personal improvement contract. If these agreements are to have any meaning or effect, they will need to be individually and expertly designed. The tenants would have to be carefully monitored, and there would have to be resources available to carry out the various components of the self-improvement plan.

But there is no money provided in this bill for any of this, nor is it clear how the housing authorities are supposed to do a better job for free than schools and social welfare agencies can do with actual money.

Likewise, the bill requires public housing residents to do at least 2 hours a week of community service. No doubt this is a well-intended thing, but, again, the bill provides no money to carry out this mandatory public service. Somebody will have to provide and create and keep the records to be sure that the residents do the required work. Somebody will have to check to be sure the work is being done, and somebody will have to be sure that the work is actually beneficial to the community.

Without some kind of administrative support, this mandatory work scheme will collapse in a welter of confusion and fakery.

These prescriptions on H.R. 2 make fine slogans but they are unworkable. There is no money for them. They are not in any way integrated with any other program or policy. They ignore the complex reality of life at the bottom of the heap. The sad reality is that H.R. 2 represents a further and a much faster retreat from efforts to provide decent and affordable housing to the millions who desperately need help. Those most in need of help will be turned away. And those who get help will pay more for it.

I have highlighted only a few of this bill's defects. There are, of course, many more. I urge my colleagues to study the Democratic substitute. They will find that it is sensible and workable. The Democratic substitute is a realistic, good-faith effort to reproduce a bill that both parties can and should be able to agree on. I urge support of the substitute.

Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Massachusetts [Mr. KENNEDY], ranking member of the Subcommittee on Housing and Community Development, and I ask unanimous consent that he be allowed to control the time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LEACH. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. LAZIO], and I ask unanimous consent that he be allowed to control the time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LAZIO of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, over the next several days we will be discussing two different visions for the American community. One vision will be a portrait of the failed past. Imagine in this portrait mile after mile of 20-story projects stained by age, crumbling from neglect, isolated from jobs and business. The entry doors to the buildings are wide open, security locks punched out. Inside only the red light of an exit sign illuminates the hallway revealing an accumulation of debris. Outside after dark, the court yard is silent, and moms and dads trapped in their apartments instruct their children to stay away from windows for fear of stray bullets. Such a portrait is an all too familiar picture of life in public housing. It exists even here in our Nation's Capital.

There is another vision of the American community. This vision is one filled with neighbors working together to create an environment where children can grow up safely, surrounded by working role models and with the hope that one day, one day they can climb their own economic ladder to success.

□ 1445

Mr. Chairman, during the next several days, some here will talk of efforts to deprive our most vulnerable populations of affordable housing opportunities. Some will express outrage at involvement in community while ignoring the reciprocal relationships that exist throughout the rest of society. Mr. Chairman, it is fair to ask where these defenders were when communities and neighborhoods were falling into disrepair and neglect in their very own backyards.

With this bill, Mr. Chairman, we end the practice of looking the other way in the name of compassion when we see failure. To condemn another generation to a life without hope, a life without any sense of community, a life without the rewards of individual achievement or success, to defend this status quo mocks compassion and it is unacceptable.

Mr. Chairman, we are at a critical point in the debate over how we define the relationship of the Federal Government with local communities and neighborhoods. We begin today to end the cruel process of rewarding failure and punishing success. We cannot and we will not force children to grow up in an environment of violent crime where they are isolated from the economic and social opportunities of mainstream America.

And let me be clear. This legislation, this debate, is not about money. Our efforts over the next several days, no matter what we do, cannot alter the fiscal realities of the world. Money has not solved the problems of Chicago, of New Orleans, of San Francisco. It is the system itself that is broken.

Let us commit today on the floor to refuse to accept as legitimate the thinking that money is the answer to everything. But within those parameters let me strongly suggest that with the implementation of these reforms,

we will begin to be able to serve an even greater number of low-income Americans than we do today.

And so we begin. H.R. 2, the Housing Opportunity and Responsibility Act is, I believe, the embodiment of three central themes.

First, it removes Federal rules that punish working families in public housing. It removes rent requirements that discourage work and encourage the breakup of families. Families with the opportunity to earn more income are able to enjoy the full rewards of their efforts, and vulnerable residents are protected from harmful increases in rent.

This bill permanently eliminates regulations that have concentrated the poorest families in the very worst housing, and this is the second theme. Decades of warehousing poor families in high-rise projects have destroyed neighborhoods and condemned generations to live in a world much different than that which many Americans enjoy.

Our legislation allows for the creation of mixed-income environments where working people who serve as role models live alongside unemployed families. Instead of stark isolation from the economics of society, families become engaged in the activities of their neighborhoods, afforded a sense of accountability and responsibility for their own lives. And we are able to accomplish this without, and I repeat, without shutting out the poorest of American families from affordable housing opportunities.

Third, this legislation is about demanding accountability and performance from the thousands of housing authorities across the country. For those housing authorities that have chronically failed in their mission to provide affordable housing to low-income families, we contract out the management of the agency, take over the authority, or petition for a court-appointed receiver.

For too many years we have preserved and defended environments where drugs, rape, and murder proliferate throughout our neighborhoods. Today we say no more. We ask this: Should we allow this way of life to continue for our Nation's poor, or should low-income families expect no less than any one of us here expects in terms of the basic values of life: an opportunity to improve our own lives, a home where our children are safe and grow up learning the rewards of success.

Last year, Mr. Chairman, this House moved dramatically into the future by adopting, by an overwhelming majority, a housing overhaul that captured many of the reforms that are in the bill before us today. Last year's bill was supported by almost 100 Democratic Members and virtually all Republicans who saw the desperate need to break with the status quo and embrace positive reform.

Mr. Chairman, this legislation is less about shelter than it is about the creation of an environment where we can begin to successfully address poverty. Instead of a world of broken doors, broken windows, broken promises and broken dreams, we say to families in public housing, ''We respect you, and we will provide you with the opportunities and incentives to succeed.'' And in return, we expect responsibility and a contribution to the binding fabric of society. This is a fair deal.

Our goal is plain. We work to build a Nation of communities where every neighbor and every neighborhood can rise above the expectations of mediocrity and isolation to success. We promote civic responsibility that emphasizes we rather than me, an affirmation of rights, and the assumption of responsibility. Our efforts in this Chamber will seek inspiration for honesty and hard work and reflect the timeless values of discipline and respect.

I would like to thank the chairman of the Committee on Banking and Financial Services, the distinguished gentleman from Iowa [Mr. LEACH], for his guidance, for his help and for his support, as well as thank all the members of the committee who have participated in the consideration of this bill.

I would also like to thank the majority leader who scheduled this time and allowed this bill to come to the floor in an expeditious manner, and I wanted to thank my good friend whom I greatly appreciate, the gentleman from Massachusetts [Mr. KENNEDY], the ranking Democratic member of the Subcommittee on Housing and Community Opportunity, for his constructive additions to this bill.

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

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

First of all, let me return the compliment to my good friend from New York, Mr. LAZIO, who has worked very hard on trying to fashion the bill. I believe very strongly that it is time for the Congress of the United States to get a bill passed. The question is which bill we get passed.

We heard a lot of talk and rhetoric about the fact that one view on how we ought to deal with public housing is to continue the policies of the past, and another view, which is a new vision of the future. I do not believe that that is, in fact, an accurate representation of the Democratic view as a continuation of the policies of the past.

Everyone is very clear that we need real reforms of public housing, of assisted housing in this country, and that we need to give HUD and local housing authorities a great deal of additional flexibility. Those are contained in the Democratic view on how we should handle housing issues.

Before we get into the guts of the bill, I would like to personally acknowledge and thank the former chairman of this committee, who was chairman of the Housing Committee in the Congress of the United States for perhaps longer than any other Member in the history of this country, someone who has dedicated his life to assisting the poorest people in our country and helping them attain decent and affordable shelter, who knows perhaps more than any other Member ever has about the issues pertaining to housing policy in this country. I would like to acknowledge the contributions of our great former chairman, the gentleman from Texas, HENRY B. GONZALEZ.

I also want to thank the gentleman from Ohio [Mr. LEACH], for the leadership that he has shown in trying to make certain that this bill has had the open and honest debate that I think did occur, although perhaps the votes ultimately fell short by one or two on a number of very important issues at the full committee level.

Let me take a brief moment to also thank the wonderful contributions of the staff of this committee in Nancy Libson, Armando Falcon, Angie Garcia, Rick Maurano, Eric Olsen, and, of course, Kelsay Meek, who has guided us through so many of these fights in the past. I want to thank them very much for the efforts they have made, as well.

Mr. Chairman, when we look at the housing policies of this country, there is no question that we need change. We have not had a new housing bill in this Congress in over 6 years. It is time we get a housing bill and it is time we get a fair housing bill. It is time we get a housing bill that recognizes that we need to do an awful lot to change the way housing works in this country.

There are 3,400 public housing authorities in the United States of America. Over 100 of those 3,400 are in trouble, and we ought to take action and give the Secretary the authority to move in and take over those badly run housing authorities and do so immediately. In addition, within well-run housing authorities, we ought to give the Secretary the flexibility of moving in and taking control of badly run housing projects within well-run housing authorities.

What we ought not to do is condemn the entire public housing of our country simply because it has become fashionable for politicians to identify some God-awful monstrosity where we have warehoused the poorest of the poor, never provided the necessary subsidies to, in fact, take care of those poor people, then walk in front of these awful buildings and say, ''Gosh, this is a terrible condemnation of the Lyndon Johnson Democratic commitment to the poor and it obviously does not work.''

So what is the basic solution that we have come to in the Congress of the United States to deal with this problem? Our solution is very simple. Our solution says what we ought to do is we ought to cut funding. So we have cut the funding that goes to public housing in this country and that goes to HUD from about $28 billion to about $19 or

$20 billion, a 25-percent cut across the board in housing spending.

Now, if that is supposed to solve our housing problems, it is going to be news to a lot of the poor people that live in that housing. It will be news to a lot of the housing authorities that have to take care of those poor people.

So what does the housing authority do? The housing authority, in order to stay solvent itself, says our only solution, obviously, is to throw out the very poor people that we are taking care of and to try to jack up the rents that we are going to receive that will stick to our back pocket by taking in wealthier individuals, by raising rents on those people that are currently paying and thereby allowing the housing authority to stay solvent.

Well, that is not accomplishment and, by God, we might end up with nicer public housing, but the price of that nicer public housing will have been very simply to throw more and more poor people out on the street. Now, we never hear from them. They do not vote. They do not participate in American society in too great a number. But it is unconscionable, it is unconscionable that the Congress of the United States, in view of its solutions or attempts to find solutions to our Nation's housing policy, is to simply throw more poor people out on the street and say that they do not count, we do not care, but as long as we can stand up before the American people and say, ''Gosh, we have gotten rid of all this bad public housing,'' we have a victory.

It is a hollow victory. It is a victory that is defined by ignoring the victim. At a certain point we have to reach inside ourselves, within our own consciences, and say to ourselves that we believe that our Nation's commitment to housing the poor is fundamental. It is fundamental to the basic principles that are laid out in our Constitution and in our Bill of Rights. It is what makes us the envy of the rest of the world. It is our commitment to compassion and to caring for others.

That is what I believe is really at work in this housing bill. It is an abandonment of that commitment.

Now, we have seen additional approaches. We have seen where, obviously, we have cut the funding in the budget by 25 percent. We are now saying that in terms of the number of poor people that are going to be targeted to live in public and assisted housing, where 75 percent of those individuals today live with incomes below 30 percent of the median income, we are going to raise that to 80 percent of the median income.

Eighty percent of the median income in many of the cities of this country are incomes of $40,000 a year or more. Now what will we do? Will we solve the housing problem by taking in people that are earning $40,000 a year into public and assisted housing, and that will solve the housing problems of the very poor?

It will not solve the housing problems of the very poor. It will make us look good as legislators because we are going to eliminate the very awful public housing dinosaurs that ought to be eliminated in both the Republican as well as in the Democratic bills.

We have this ridiculous mandatory work requirement. All I say is, listen, if we are going to establish a new policy in this country that anybody that gets a Federal benefit ought to contribute and volunteer in terms of America's future, I say that is great. Let us start with the oil and gas industry. Let us ask those boys, when they get a big tax write-off on their oil and gas leases, let us ask them to do a little volunteering.

Let us start with the people that invest in project-based section 8's. Let us say to every investor that makes money off of the HUD programs, let us see them volunteer as well.

Why do we just pick on the poor? Why do we just target these instances of saying we are going to wag our finger at the very poor and say they are the problem in America. They are not the problem in America. We spend less money helping poor people than any other account of the Government.

I would just say to my fellow Members of Congress that whether it is the personal improvement program or the accreditation boards or even the block grant process, these are not real reforms to getting at changing the public housing policies of this country. These are window dressing that enable us to stand up and make fancy dancy speeches to make us look like we have changed policy, when we have done nothing but get at the very poor by saying to them that we are no longer going to make them eligible for these programs. We will throw them out on the street and leave them to rot so we can look good before the American people.

That is the truth of what is behind the Republican bill, and that is why I offer the Democratic substitute and look forward to gaining support for that over the next few days.

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

□ 1500

Mr. LAZIO of New York. Mr. Chairman, I yield 30 seconds to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. Mr. Chairman, I would just like to make 3 quick points to clarify the Record. One, no one for reasons of poverty alone will be eliminated from public housing, only for violations of terms of the lease, such as criminal behavior.

Second, the money in this bill is precisely the same as the administration requested. Third, we have to be very careful about this, but experience has shown, verified by experts as well as public consensus, that to concentrate the very poor alone in public housing is to condemn them to a kind of poverty segregation. Single dimension, lowest income housing simply has not worked anywhere in America, particularly high-rise housing.

Finally, I would say that to object to reform is to endorse the status quo. This of all Federal programs is one in which there is virtual consensus that the failure rate has been very high.

Mr. KENNEDY of Massachusetts. I yield myself 30 seconds to respond, Mr. Chairman.

First and foremost, when we raise the eligibility standards and we create an incentive by the public housing authorities to go out and take wealthier people in because more money sticks to the local housing authority, we do in fact displace poor people. That is the net result of the policies that my colleagues are pursuing.

Second, it is nice to say that we ought to have mixed income communities. It was my amendment at the full committee level that allowed us to do that under this legislation. It was opposed by the chairman of the committee. We end up in a negotiation achieving an accommodation on that issue, but I am glad to see that the chairman now supports that.

I would just say to the gentleman that in no way am I suggesting that we continue the status quo. I suggested in my opening remarks that we need to change dramatically those that live in public housing, but we cannot do it by simply turning our back on the poor, and you are right in pointing out the administration's funding levels are far too low for this bill as well.

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

Mr. LAZIO of New York. Mr. Chairman, I yield myself 30 seconds.

We are going to hear in this Chamber the same litany of things, that we are throwing the poor out. There are no poor people who are going to be thrown out because of this bill. The half of the Democratic Caucus that opposed this bill the last time may oppose it again this time, but they are doing exactly what the gentleman from Iowa said they were going to do, which is to defend the status quo, the super concentrations of poverty that destroy jobs, destroy hope, and destroy opportunity. Why anybody would stand for that and align themselves and associate themselves with that level of failure is beyond this Member. That is exactly what we are fighting against.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. GOODLATTE, 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. 2) to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes, had come to no resolution thereon.

MAKING IN ORDER ADDITIONAL TIME FOR GENERAL DEBATE ON H.R. 2, HOUSING OPPORTUNITY AND RESPONSIBILITY ACT OF 1997

Mr. LAZIO of New York. Mr. Chairman, I ask unanimous consent that there be an additional 20 minutes of general debate on H.R. 2, equally divided between myself and the gentleman from Massachusetts [Mr. KENNEDY], at the request of the minority.

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

There was no objection.

HOUSING OPPORTUNITY AND RESPONSIBILITY ACT OF 1997

The SPEAKER pro tempore. Pursuant to House Resolution 133 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2.

□ 1505

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 further consideration of the bill (H.R. 2) to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes, with Mr. GOODLATTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, 30½ minutes remained in general debate.

Pursuant to the order of the House of today, each side will control an additional 10 minutes. Therefore, the gentleman from New York [Mr. LAZIO] has 26 minutes remaining, and the gentleman from Massachusetts [Mr. KENNEDY] has 24½ minutes remaining.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. LAFALCE].

Mr. LAFALCE. Mr. Chairman, I rise in opposition to H.R. 2. I know that the bill is extremely well intentioned. I have the highest professional respect and personal regard for its principal author, but I do think that this legislation will in fact undermine both our Nation's 60-year commitment to assisting the very poor and also the effective administration of our public housing programs.

The issue before us today has been miscast. It is not whether you are for reform or the status quo. That is a false dichotomy that the majority has attempted to perpetrate. We are all for reforming this present situation. We all believe that reforms are necessary. In fact, reform of every program must in fact be a constant. But what kind of reform? Reform is just another word for change. We can have good changes or bad changes. We happen to think that the changes you have proposed are very, very bad.

We are proposing a substitute to the status quo, significant reform, significant change. And so the battle is not as you have tried to cast it between your bill and the status quo. The battle is between the substitute that we offer and your main bill.

I believe the substitute we offer will make the changes in a manner consistent with the core values and purposes of public housing. I believe that the changes you propose will divert public housing resources to serve a broader political agenda.

I have serious concerns about many, many aspects of H.R. 2. First, the fact that it summarily repeals the 1937 Housing Act, on which Federal housing programs have been based for 60 years with little, if any, attention to the disruption this may cause for current housing assistance and the litigation that may well ensue because of it. I further see no reason, as H.R. 2 proposes to burden public housing authorities and staff and residents with new work, immigration and welfare reform responsibilities, all of which are unfunded, all of which are unenforceable, all of which are in my judgment discriminatory.

The gentleman from Massachusetts [Mr. KENNEDY] makes a good point. If we are going to have these work requirements, why not for the investors in oil shelters? Why not for the investors in section 8? Why not for those who receive public subsidies through the Tax Code? No, we discriminate.

I also strongly oppose the abrupt change in public housing admission and income targeting requirements.

They will permit diversion of the best public housing facilities for mixed income housing and the warehousing of very poor families into the worst public projects.

In addition, I must strongly oppose those provisions that could further politicize public housing administration. These include providing huge unfettered block grants of most remaining housing assistance to local mayors rather than independent housing authorities, withdrawing needed CDBG funding from cities that have troubled housing authorities, and allowing Governors to allocate capital improvement funding among smaller public housing authorities within their States. Each of these proposals offers the potential for the diversion of scarce housing funds for political objectives rather than the needs of our poorest families.

I would hope that we can proceed in a bipartisan manner. That is not what happened in the reporting of the bill. Most amendments were adopted or rejected on partisan grounds. I think it is only possible to achieve a housing bill, and we have not seen a housing bill passed in over 6 years now, if we proceed in a bipartisan fashion. Hopefully at some point in time we will come to that realization.

Mr. LAZIO of New York. Mr. Chairman, I yield myself such time as I may consume.

I just found it curious, Mr. Chairman, that there is a discussion about alternatives now when this bill is on the floor and ready for action, the son of status quo that is now being discussed or the status quo substitute that is being discussed that even negates the reforms that the Clinton administration would put forward. It appears that there are some Members in this body that are clinging on desperately to the failure that exists in certain areas. I think again that mocks compassion. What we need to do is create environments where people can make it.

Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. NEY], the distinguished vice chairman of the Subcommittee on Housing and Community Opportunity.

Mr. NEY. I thank the gentleman from New York [Mr. LAZIO] for yielding me this time.

Mr. Chairman, I guess we have heard it all today. The people I assume we are saying are investors make money. The people who are building projects, the people who are building housing should in fact, I guess, volunteer some time also? So I am assuming that the union working people that work for those companies should also volunteer time because they are working on the projects? Is that what we are saying? Is this some type of great philosophy we have today? We are talking about the residents.

I have got plenty of residents in my district who would like to put in a little time, 2 hours a week, to feel productive, to do something toward the housing that in fact the Government is cooperating with them to provide some living situations for their family. That is all we are talking about. To stretch this out to who builds it and maybe the workers for that company should in fact put in some volunteer time, that is not what this is about. This debate is occurring today because let me tell you what the U.S. Government did from 1937 forward, when the poor of this country, the people that needed some housing, needed some assistance, came to their Government and said, ''Help me. I need some help for my family.''

The Government looked at those individuals and said, ''OK, we're going to put you all in one category, we're going to consider you all the same, we'll build something called a project, then we'll create a bureaucracy to oversee that project. We won't try to help you out in neighborhoods. We'll just take you to a high-rise. We'll warehouse you. We'll make it effectively easy for drug dealers and thieves to have a captive audience to get at your families.''

That was the philosophy. I think we should have had the attitude in 1937 to put people in neighborhoods, just like we were raised, in neighborhoods with rich and with poor, and with middle-class working Americans.

We will probably, Mr. Chairman, see some pictures shown on this floor today of some nice housing community projects, and there are some in the country. Let us look at the realities. In October 1994 in Chicago, IL, a 5-year-old boy was tossed to his death from a 14th floor window at the Ida B. Wells public housing project by two other young boys.

Mr. Chairman, there are other nightmare stories, and there are some good housing units and projects in this country but it is time for a change. It is a big difference of how we are going to approach helping people that need help from their Government. The way we are going to do it is to give more flexibility to be able to tell drug dealers that they are not going to come into these projects, to be able to defend families that are living there, to have a voucher system to try to eventually have people go into neighborhoods and for the Government to cooperate with them, for the Government to help them, for the Government to help them up the economic ladder. But there are nightmare stories. All is not good in paradise across the United States in these projects. We need to help the people of this country.

□ 1515

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan [Ms. KILPATRICK], a good friend and a new member of the committee and a wonderful contributor.

Ms. KILPATRICK. Mr. Chairman, first let me say that we are in change and want change on both sides of the aisle in public housing. We all agree that something needs to happen and that there needs to be changes made.

I have to point out that prior to 1992 there was very little investment on the Federal side in public housing around our country, and that is why much of the decay that we see today exists. H.R. 2 in its present form does not address those needs. There is not a single line in this legislation that provides more funding for the building of more housing, affordable housing, for poor people. There is not a single line in this legislation that provides the demolition of unsafe and unsanitary housing. There is no requirement to serve the poor in public housing or beyond. This legislation, Mr. Chairman, is not in the interests of our country, and it is certainly not in the interests of poor people. As has been mentioned, the homeless population will grow. Currently there exists a grievance procedure, for those who are in public housing for minor infractions, to go before a committee of their peers to address those concerns as has been eliminated in H.R. 2, and now these people must go right to court with little resources, with the public defenders office overburdened.

H.R. 2 in its present form will not create what we want in America. It will not allow for the poorest of the poor to have decent housing, for those children of those poor people to have adequate housing and a decent education. It should not be called and is called the Housing Opportunities and Responsibility Act. If it were that in fact, we would be addressing some of the evils, some of the concerns of this American society that we live in.

Unfortunately, H.R. 2 does not do that. We have got to go to the drawing board. We offered several amendments in full committee to try to address some of these needs to make a way so these poor people could have safe and decent housing. We, too, want complexes, and this is a picture that has now been moved. Decent housing complexes all over America, all of them are not infested. Some of them are, and we need to weed them out. This legislation in its current form does not address much of that.

We want good public housing, we want to take care of the people in America who are the poor and the poorest and have the least effect, but this legislation does not do it.

Mr. Chairman, I ask my colleagues to vote down H.R. 2 in its present form.

Mr. LAZIO of New York. Mr. Chairman, I yield 3½ minutes to the distinguished gentleman from Louisiana [Mr. BAKER], an active member of the Committee on Banking and Financial Services.

Mr. BAKER. Mr. Chairman, this really goes back to the debate of 1937 when under the leadership of President Roosevelt, the Housing Act was adopted. But even beyond that vision that the President had, there was the Civilian Conservation Corps which was enacted during a very difficult and economic period of our country. The act set up a $30-a-month stipend for young men. Interestingly enough, no women could go to work for the CCC. And if they had a family, of the $30, $25 automatically went back to the family, while $5 stayed with the worker who lived in tents while they labored in national forests to preserve our great heritage. No one viewed that program as degradation or that it created shame or that it demeaned the esteem of man, and yet we look back with great pride at the days of CCC as an innovative and bold program.

Today we find our current housing circumstance in much the same as our Nation in 1937. We indeed face a crisis, not as a result of a cataclysmic event, but erosion-like, slow process of erosion where our building inventory has gradually deteriorated. Unfortunately it has ruined a great deal more than just structures. It has taken the character and spirit of our people.

How so? Through the best of intentions we set out to help people, to give them food and shelter and what was necessary to survive. But children grow up. Where there is no dad, mom cannot read, she does not go to school, there is no job for dad if he were there, and the only free enterprise in the neighborhood one can see is the drug dealer trying to protect his market share. Some might call that slavery today, because when one goes in they simply do not come out.

But today we hear the same voices, the voices fighting to preserve this system, the dehumanizing system that manufactures kids who know nothing of the world's opportunities and even have disdain for everything that would make them successful. These same voices defend the warehousing of people like used tires and care little about their avenue to escape. Maybe I do not understand, but as a father I know placing in the hands of my own children the things that they need is the most satisfying thing in life. There is much to achieve in life, but no goal is more worthy than caring for one's own.

So what is our plan to cure the problems of our fellow man? Simply not to build a retirement community where the Government assures one has a place to stay for life, but to build an opportunity. Few Americans resent helping one another, but we do expect those individuals who receive that bounty to do something for themselves.

The Welfare Reform Act, which a majority of my friends on the other side of the aisle voted for last year, requires 20 hours of work a week. This act simply proposes to require 2 hours of work per week. This proposal exempts those who are disabled and those who are elderly, those who happen to be subject to the Welfare Reform Act, and interestingly enough those who have a job. But it then is only 2 hours per week.

Why is this important? Because this is a process to enable a person to gather the skills they need to go out and work in the workplace with the strange idea that money is the cure to poverty.

We are not going to guarantee the world will change if this is passed, but let me read the words of President Roosevelt. The country needs, and unless I mistake its temper, the country demands bold persistent experimentation. It is common sense to take a method and try. If it fails, admit it frankly and try another, but above all try something.

No doubt Roosevelt had a grand vision when the 1937 act was passed, but if he stood here today, he would no doubt be deeply troubled by what he sees. He would not stand for despair, degradation and poverty, and he would not stand for it today, and neither will I.

Mr. LAZIO of New York. Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentleman from Ohio [Mr. NEY] and that he may be able to yield such blocks of time as he may deem necessary.

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

There was no objection.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I want to congratulate the gentleman from

Massachusetts [Mr. KENNEDY] for his leadership in this area.

Let me just make a few brief points. No. 1, at a time when this U.S. Congress provides $125 billion a year in corporate welfare tax breaks and subsidies to large multinational corporations who do not need them, at a time when we are spending billions on B–2 bombers that we do not need, at a time in which we are giving huge tax breaks to the richest people in America who do not need them, I am not impressed by a policy which over the last 4 years has cut back on public housing by 25 percent. We seem to always have funds available to help the wealthy and corporate America, but when it comes to the need of working people and low-income people, suddenly it is on their backs that we are asked to balance the budget.

The economic facts are very clear. Just the other day we read in the papers that the CEO's of major corporations now make 207 times what their workers make, while the new jobs that are being created are low-wage jobs keeping people in poverty after 40 hours of work. In my State of Vermont and throughout the country there are millions of people who are working 40 hours a week, and then they are being asked to pay 40, 50, 60 percent of their limited incomes for housing. There is a housing crisis in this country, and the way to solve the housing crisis is not to cut back on funding and not build more affordable housing.

Now my friends here say on the Republican side we do not want to warehouse people. OK, do not warehouse them. Then why do they cut back on section 8 funding so that we can spread people out throughout the community? There are many types of models for affordable housing other than public housing projects, but they do not support those. So those are just words; that is not reality.

Now in terms of public housing we hear these horror stories, and I really think that that is not a nice thing to say. Sure there are problems, some serious problems within the projects, but to give grotesque examples of what one family does is to cast aspersions on all of the people who live in public housing.

So let me tell my colleagues I was mayor of the city of Burlington. We have public housing, and it serves its purpose well. It provides safe, affordable, clean housing for hundreds and hundreds of people, and it helps people. It allows them to get a footing in their lives.

I resent the fact that we talk about horror stories from public housing. Do my colleagues know what? Rich people kill their kids, too. It is not just poor people. Furthermore, in terms of this work requirement, one of the points that was made during the discussion in committee was that we have a home interest mortgage deduction which allows multi-multimillionaires to deduct the interest up to a million dollars on the mansions, on the fancy houses that they are living in. So we have a public policy which provides a tax break for multimillionaires who own mansions.

Now that is an interesting housing policy when at exactly the same time we are cutting back on housing for working people and poor people, and I think the suggestion was made that if we got to have a work requirement for poor people who get a subsidy, what about the millionaires who get a subsidy?

Mr. NEY. Mr. Chairman, I would like to inquire how much time is left for the debate.

The CHAIRMAN. The gentleman from Ohio [Mr. NEY] has 19 minutes remaining, and the gentleman from Massachusetts [Mr. KENNEDY] has 15 minutes remaining.

Mr. NEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I would like to begin by commending the gentleman from New York [Mr. LAZIO] and the gentleman from Iowa [Mr. LEACH] and their staffs for hard work on this legislation and for their commitment to improving the future of the residents of public housing. In particular I would also like to thank Chairman LAZIO for addressing my recommendations to improving H.R. 2, especially my concern that the performance of well-run housing authorities be taken into consideration in determining the formula allocation.

Mr. Chairman, if housing authorities are going to be able to best serve the interests of their residents, they will need flexibility in managing Federal funds. Most important, we need community-based solutions.

On the one hand, public housing officials must aim to rid residents in overcoming poverty and unemployment. At the same time they must work to preserve the interests of the elderly and disabled who rely on safe and well-managed housing. H.R. 2, the Housing Opportunity and Responsibility Act, is a big step in the right direction in empowering housing authorities to meet these diverse needs.

H.R. 2 would empower local authorities by deregulating Federal public and assisted housing programs and substantially increasing local control over those programs and decisions about who benefits from them. This bill will allow well-run housing authorities, such as the ones we have in the State of Delaware, the authority to develop creative ownership programs that allow for more flexible solutions for residents and communities. The bill deregulates and decontrols housing authorities to create environments that are fiscally sound and physically safe, and eliminates the disincentive to work.

This bill also addresses the financial crisis plaguing the Nation's most distressed authorities by providing the new management structures and effective Federal and State partnerships. The long term success of public housing will depend upon the housing authorities' ability to work with local governments and community organizations to better allocate the Federal resources available for community and economic development.

I support this legislation and look forward to the continuing debate on the floor. I hope we can come closer to a meeting of the minds with respect to it because I happen to think it is as important as anything that we can in Congress this year do other than balancing the budget, and I thank the sponsor again for the yielding of the time.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 2½ minutes to the distinguished gentlewoman from New York [Ms. VELÁZQUEZ].

Ms. VELÁZQUEZ. Mr. Chairman, I rise today in fierce opposition to H.R. 2, the so-called Housing Opportunity and Responsibility Act of 1997. Let me just say that the only thing accurate about that title is the date.

Although reform is necessary to meet today's public housing needs, H.R. 2 is not the answer. Sixty years ago the Housing Act of 1937 began our commitment to provide safe, clean, affordable housing for our Nation's poorest families. This bill abolishes that law and abandons that commitment.

H.R. 2's provisions read like a litany of injustice. One of its harshest proposals chips away at the cornerstone of public housing, targeting on their income, targeting on this bill. It will take years before public housing authorities will have to accept families earning less than $10,000 a year. These are the very families public housing was created to serve.

Mr. Chairman, there are over 5 million families that do not have access to decent and affordable housing, yet H.R. 2 pours salt on the wounds of the poor by setting minimum rents between $25 and $50. That may not sound like much, but it will force many poor families to choose between food and shelter for their children.

As if the targeting and minimum rent provisions were not heartless enough, H.R. 2 also imposes a time limit on how long tenants may remain in public housing. Once this limit is reached, families will be evicted even if they still are living in poverty.

□ 1530

Coupled with the welfare reform laws passed last year, families will be forced out into the street. It is hard to believe, but the list continues.

Instead of providing opportunities for job creation, this legislation will also force the poor into unpaid community service. How can we expect people to make the transition from welfare to work if we force them into unpaid labor? We should be creating real jobs with living wages, not threatening families with eviction.

Mr. Chairman, we must reform public housing, but we must do so in a fair

and reasonable way. We must make safe, affordable housing available to those in need, and we must provide real economic opportunities so that public housing can help families become self-sufficient.

Last year, the Republicans called our Nation's public housing system the last bastion of socialism. If H.R. 2 becomes law, we may recall our new system the first bastion of heartlessness.

Mr. NEY. Mr. Chairman, I yield 1 minute to the gentleman from Kansas [Mr. SNOWBARGER].

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

I rise in support of H.R. 2, the Housing Opportunity and Responsibility Act. H.R. 2 provides comprehensive overhaul of the currently troubled public housing system. It eliminates the disincentives to work, increases accountability of public housing accountability authorities and balances the privileges and responsibilities of residents. In particular, I am supportive of the community work and self-sufficiency requirements that are central components to the bill.

H.R. 2 requires that public housing residents spend 8 hours each month volunteering in their community. Their assistance is an invaluable resource in ensuring that public housing communities are safe, clean, and healthy places to live. Furthermore, residents must set a target date for obtaining self-sufficiency and moving out of public housing.

Mr. Chairman, several weeks ago I visited the Olathe Salvation Army Family Lodge in my district. The lodge currently provides housing for 11 families who in exchange for their housing participate in a self-sufficiency program. The lodge has an 82 percent success rate in residents finding permanent private sector housing. This high success rate is attributed to the work requirements built into the program. I believe this type of success is a model for public housing authorities across America.

I urge my colleagues to support H.R. 2 and the community work requirements.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 2½ minutes to the gentleman from Chicago, IL [Mr. JACKSON].

Mr. JACKSON of Illinois. Mr. Chairman, I thank the gentleman for yielding me this time.

Let me first begin by congratulating the gentleman from Iowa [Mr. LEACH], the gentleman from Texas [Mr. GONZALEZ] and the gentleman from New York [Mr. LAZIO] for working together on this bill.

Mr. Chairman, I rise today in opposition to H.R. 2, a bill which I fear will add to the millions of Americans who are currently homeless, at risk of being homeless, or suffering under severe housing conditions.

If H.R. 2 is passed in the form it was reported out of the Committee on Banking and Financial Services, it will, in essence, destroy the last remnant of the social safety net constructed to protect our Nation's most vulnerable citizens. While we all agree that comprehensive reform of our public and assisted housing system is of paramount importance, this bill, unfortunately, is not the vehicle to meet the needs of our Nation's housing needs. In fact, H.R. 2 will make worse an already bad condition.

H.R. 2 will fundamentally repeal the underlying premise and principle of the Housing Act of 1937, legislation which encompassed President Franklin Delano Roosevelt's righteous position that safe, sanitary, and adequate housing is a human right and not a privilege. The abandonment of this 60-year commitment is a travesty for this technologically advanced industrial country, which is considered to be an economic superpower among nations.

Mr. Chairman, I intend to offer amendments to this bill which will enable us to protect against one of its more onerous and demeaning consequences: the community work provisions of section 105, which I might add are uniformly opposed by virtually every housing authority in the Nation because in the first year alone it will cost $65 million and create the contradictory requirement of mandated volunteerism, an oxymoron. By requiring public housing residents to perform 8 hours of community work on top of the rent that they already pay or risk eviction from public housing, we are imposing a burden on low-income recipients of housing assistance that we do not likewise impose on middle and upper class recipients of housing subsidies like the millions of Americans who receive the benefit of a homeowner deduction each year. My amendments will ensure that H.R. 2 does not force tenants from their homes if they fail to meet this requirement.

Mr. Chairman, if we mandate volunteerism in exchange for government assistance in the form of public housing, why not require the same for those who receive any form of Federal assistance, foreign subsidies, corporate welfare, Social Security, Medicare, Medicaid, WIC, food stamps, mortgage deductions or mining rights.

Mr. Chairman, H.R. 2 vilifies public housing residents solely because they are poor. In the final analysis, we measure ourselves as a society by how we treat the least of these and the most vulnerable.

Mr. Chairman, I rise in opposition to H.R. 2, a bill which I fear will add to the millions of Americans who are currently homeless, at risk of being homeless, or suffering under severe housing conditions. If H.R. 2 is passed in the form it was reported out of the Banking Committee, it will, in essence, destroy the last remnant of the social safety net constructed to protect our Nation's most vulnerable citizens.

While we all agree that comprehensive reform of our public and assisted housing system is of paramount importance to this nation, this bill unfortunately is not the vehicle to meet the magnitude of our housing needs. In fact, H.R. 2 will only make worse an already bad situation.

H.R. 2 will fundamentally repeal the underlying premise and principle of the Housing Act of 1937—legislation which encompassed FDR's righteous position that safe, santiary, and adequate housing is a human right and not a privilege. The abandonment of this 60-year commitment is a travesty for this technologically advanced industrial country which is considered to be an economic superpower among nations.

Without a firm commitment to this principle, we will never attain our stated objective of adequately housing our citizens, as is demonstrated by our history. In the late 1960's a White House conference on housing and urban issues called for 26 million new housing starts over the next 10 years in order to meet the housing needs of our Nation. That goal translated into 2.6 million housing starts each year, with 600,000 of those starts to be federally subsidized each year. The Nation has never even approximated that goal, and currently, the figure is only slightly over 1.5 million new housing starts annually.

We know that we face an affordable housing crisis in this Nation—5.3 million Americans live under worst case housing needs scenarios—that is they are forced to pay more than 50 percent of their income in rent and/or live under deplorable conditions. H.R. 2 will exacerbate this crisis through making public housing available to higher income residents who can pay higher rents at the expense of thousands of low income families.

When we talk about our priorities of enabling mixed income communities—which I believe is a laudable goal under ideal circumstances—we must be sure not to pull the housing safety net out from underneath the poorest and most vulnerable Americans. Over the course of this debate, we will speak at length about the dangerous targeting provisions in this bill which set aside only 35 percent of public housing units for those earning below 30 percent of area median income, leaving the remainder of units to house people who earn up to 80 percent of the area median income. In Chicago, that means 65 percent of all public housing units could be set aside for people earning $44,650. Should we be displacing full-time minimum wage workers to make room for professionals who can better afford to find housing in the private market? Even at this point, this is a false debate.

Let me be clear. When we target low-income tenants as those with incomes under 30 percent of the median income, in a large metropolitan area like Chicago we are talking about those who earn $16,312. This is $5,000 more than a full-time minimum wage worker earns in a year, and nearly $10,000 more than a welfare recipient. People who will necessarily be displaced by the proposed income-mix equation, will include vast numbers of the working poor. As a result, low wage workers and Americans who we are ostensibly encouraging to successfully make the transition from welfare to work will either be forced into homelessness or to forgo basic human necessities like health care, groceries, and clothing in order to find alternative shelter.

We must be vigilant in our efforts to ensure that just at the time that we are requiring the most from the most vulnerable among us, we do not remove the stability and security of

adequate housing—an essential resource as people attempt to move from welfare to work. When we considered this legislation in the last Congress, welfare reform had not yet been enacted; 70 percent of the residents of the Chicago Housing Authority receive public assistance and half of all residents are children. If there are not enough jobs to meet the welfare-to-work requirements, the potentially devastating implications of this bill are magnified.

Mr. Speaker, I intend to offer amendments to this bill which will enable us to protect against one of its more onerous and demeaning consequences. The community work provisions of section 105—which, I might add, are uniformly opposed by virtually every public housing authority in the Nation because in the first year alone, it will cost them $65 in the first year alone—create the contradictory requirement of ''mandated volunteerism.'' By requiring public housing residents to perform 8 hours of community work on top of the rent they pay or risk eviction from public housing, we are imposing a burden on low-income recipients of housing assistance that we do not likewise impose upon middle and upper class recipients of housing subsidies, like the millions of Americans who receive the benefit of homeownership deductions each year. My amendments will leave the section intact, yet will ensure that H.R. 2 does not force tenants from their homes if they fail to meet this requirement.

In light of the Colin Powell summit elevating a sound concept, ''volunteerism,'' why refer to such a ''mandated condition'' as ''voluntary.'' Why give volunteerism a bad name? Why not call it what it is, a mandatory condition for living in public housing? The second concern is practical. While section 105 of H.R. 2 is technically legal, where will the poor go if they are evicted from public housing? Will they join the ranks of a growing homeless community on the streets of America? Will they move in with friends or relatives, adding to those already living in overcrowded and unsafe circumstances? What are the real alternatives of the poor if they are evicted from public housing?

If we mandate volunteerism in exchange for Government assistance in the form of public housing, why not require the same from those who receive any form of federal assistance, farm subsidies, corporate welfare, Social Security, Medicare, Medicaid, WIC, Food Stamps, mortgage deductions, or mining rights? Why do we require this only from the poor living in public housing? Are public housing residents being denied equal protection under the law?

Mr. Chairman, H.R. 2 vilifies public housing residents because they find themselves in the unfortunate predicament of being poor. In the final analysis, we are measured as a society by the way that we treat our most vulnerable. Let us not require the most from those who are in the most in need. I urge a ''no'' vote on this mean-spirited and dangerous bill.

Mr. NEY. Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentleman from New York [Mr. LAZIO] and that he may be able to yield blocks of time.

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

There was no objection.

Mr. LAZIO of New York. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, I just want to make sure that we clarify a point. This bill, according to the Congressional Budget Office, saves $100 million in administrative expenses. It is a net saver. That includes the community service requirement. So any statement to the contrary is not accurate and does not reflect the Congressional Budget Office figures.

Mr. Chairman, I yield 1 minute and 15 seconds to the gentleman from Utah [Mr. COOK].

Mr. COOK. Mr. Chairman, I thank the gentleman for giving me a minute to rise in strong support of H.R. 2. Salt Lake City, Utah's capital and the largest city in my district, has a public commitment to mixing middle-income and low-income housing. Last year the city set aside $300,000 of its own money to provide developers with incentives to mix housing. City officials have been flooded with phone calls from interested developers. Soon, the city will select a middle-class development that will designate 20 percent of its projects for low-income families. I believe mixed income housing is the only way to avoid inner-city blight.

But my district can only select one or two developments for this approach because we could not find any Federal program that supported this creative approach. I say to my colleagues, this housing bill helps adopt such a creative approach. This housing bill can help preserve the dignity of their impoverished residents, the integrity of their neighborhoods, and perhaps most important of all, provide opportunities to poor young people who have for too long been isolated from the opportunities that middle-income children enjoy, opportunities that could at last break the cycle of poverty that threatens to cripple this country.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself 30 seconds for clarification purposes.

I would just like to say that the chairman of the Committee on Banking and Financial Services asked me to file a report yesterday that suggests that the cost of this work requirement would be $65 million the first year, would be $35 million each additional year. The 100 million dollars' worth of savings that is accounted for by the chairman of the Subcommittee on Housing and Community Opportunity, the 100 million dollars' worth of savings is accounted for by virtue of the fact that we are raising the income levels on the poor people in these housing projects, thereby collecting additional rents, thereby confirming the contention of the Democratic position that this bill is fundamentally flawed because we take richer people instead of poorer people into public housing.

Mr. Chairman, I yield 3 minutes to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, I rise in opposition to this bill. I am appalled at some of the representations of my colleagues from the other side of the aisle accusing us of wanting to protect the status quo. We do not like homelessness. We do not like poverty. We do not like substandard housing. We are trying to change the plight of poor people in this Nation.

Yes, we need to do something about troubled housing, but this is not the answer. Let us talk about how troubled housing became troubled housing. Not because of the attacks on the poor that were made here today but, rather, because we have had public housing with poor people concentrated in locations with no services, we have had poor people piled on top of each other in some of these city locations. There are no clinics in many of these, no child care, no job training, and guess what? Many of the local police departments do not even want to provide police services.

We are trying to correct this situation. We have had public housing with no investment for rehabilitation, no money to fix up those places. Yet we have those who stand on the floor, attack the poor, people who have two and three houses, people who live not only in Washington, DC, but houses spread perhaps all over the Nation, people who come here and talk about forcing people to do some kind of community service work, people who are getting a large paycheck. Nowhere in the contract with the people are we forced to even have to come to work, and many do not. How we can stand here and talk about forcing people to work and disrespecting the poorest of the poor, and talking about having them somehow give their time, it is not volunteering, it is forced servitude.

This bill is not worth the paper it is written on. This is a bill that does nothing for the poor. This is a bill that follows the direction of the Republicans of this House cutting HUD by over 25 percent, cutting housing by some 20 percent. We cannot support this bill. We tried to make it better with amendments. We were beaten back in committee with many of the amendments we attempted to make in order to make it a better bill.

What we have at this particular time is targeting in ways that will cause the poorest of the poor to be driven from the only housing they can afford. With welfare reform, with people with less income to purchase housing for their children, for their families, they will join the homeless on the streets of America, one of America's greatest shames.

We have Republicans on the other side of the aisle who say they care about children. Where do they think children live? Where do they think poor children live? Where do they think they are going to go when they are driven out of this housing, the only housing that they can afford?

I ask my colleagues to reject this legislation. Again, it is worse than the bill that we had last year.

Mr. LAZIO of New York. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from the great

State of Maryland [Mr. EHRLICH], a member of the Committee on Banking and Financial Services.

Mr. EHRLICH. Mr. Chairman, I rise in support of H.R. 2, and I commend the gentleman from New York [Mr. LAZIO], the chairman, for his great work again this year as he did before in the 104th Congress.

Mr. Chairman, this bill represents a bold step forward with respect to our housing policy at the Federal level. But that is not why I am getting up this afternoon. I am getting up because of some of the things I hear from the other side of the aisle.

This is not about good or bad, Mr. Chairman. It is not about who cares about the poor and who does not care about the poor; it is not about class welfare and who is middle class and what parents you came from or if you have a trust fund or not. It is about a profound philosophical difference between the parties in this town.

I see my friend from Baltimore sitting over there, he is going to speak in a minute. We served in the Maryland legislature together and we did not agree on much. We are friends. We both have a common motivation, which is to help people. We have a philosophical difference on how we get there, and that is what this debate is all about. No one is good or bad, regardless of how they come down on the philosophical side of this issue. It is about self-sufficiency and self-help, and opportunity and responsibility and accountability. It is about accountability and responsibility and how we get there.

On this side of the aisle, we think a work requirement is good for people. Some folks disagree. We all come to this in good faith.

H.R. 2 removes disincentives to work, it creates pride where pride should be, it creates healthy environments to live it, and it is consistent with the Republican philosophy that local communities should be able to propose and implement local solutions.

I understand there are folks in this town, folks over there, friends of mine, who do not share that philosophical orientation. I think they have had a lot of time to be in power. We think on this side of the aisle their solutions have not worked. We all bring good faith, Mr. Chairman.

□ 1545

Mr. Chairman, I will be glad to talk to my friend, the gentleman from Baltimore, and my friend on the third floor of the Cannon House Office Building later on this as well.

I want to commend the subcommittee, I want to commend the full committee, and I want to commend the opposition. This is a good debate. It certainly shows the different beliefs that we, each of us respectively, bring to this very important issue for the American people.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 2 minutes to my good friend, the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise in opposition to H.R. 2, the Housing Opportunity and Responsibility Act. Simply stated, the bill fails to help those whom public and assisted housing was created to serve. I urge my colleagues to oppose the bill and support the Kennedy substitute to ensure that local housing authorities serve Americans with the greatest housing needs.

Mr. Chairman, there is bipartisan consensus that public housing needs to improve. We all agree that public housing must be safer and work better. We all agree that HUD must be streamlined and refocused. But true reform, true reform, would not abandon our Nation's most vulnerable citizens, and that is what this bill does.

Not only does this bill fail in its most basic mission, helping the poorest of the poor, but it also creates new obstacles to finding shelter. The bill institutes mandated voluntarism for residents of public housing. This bill requires forced labor in exchange for subsidized shelter, a requirement that does not exist for any other Federal assistance.

The only acceptable use of forced labor is as a punishment for a crime, and it is not a crime to be poor. We do not require the CEO's of the major lumber companies to volunteer in exchange for subsidizing their logging on public lands. We do not require tobacco farmers to volunteer in exchange for Federal crop insurance. We do not force flood victims to volunteer when we help them to rebuild their communities. Public and assisted housing residents are not criminals. They hold jobs. They raise families. Many participate in residential and community activities.

H.R. 2 is bad policy. My colleague earlier talked about who is bad and who is good. The individuals are not bad or good, but there is good policy and there is bad policy. This is bad policy. It provides assistance to families with the means already available to them to find housing. It takes shelter away from the poorest of the poor. It adds mandates on local housing authorities. Be assured, this bill would keep children and elderly individuals out of public and assisted housing. Please oppose H.R. 2 and support the Kennedy substitute.

Mr. LAZIO of New York. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. PAUL].

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

Mr. Chairman, it was mentioned earlier that we have two visions about the housing program. Unfortunately, I see so little difference between these two visions. One, I see that the bureaucracy is centralized, spending a lot of money and not doing a very good job. The other vision is that if we decentralized bureaucracy and spent even more money, that somehow or another we will improve the public housing of America.

However, I do want to challenge the statements here that all of a sudden something is being cut, because the way I read the figures, actually we are increasing the amount of money. That should satisfy some opposition, but it would not satisfy me if we are spending more money. We are supposed to be spending less money. But according to the CBO figures, we spent $25 billion last year on HUD funds, most of it going into public housing, and this year the proposal is that there will be $30 billion. As we look at these figures on out, by the time we get to the year 2002 we are up to $36 billion.

So there are no cuts. There is a 20-percent increase this year. So I do not see how these funds are being slashed. I would like to see the funds cut and spent a different way. I think private enterprise is a much better way to build houses. There is no proof that this 30-year experimentation of $600 billion has been worth anything. We have spent $5 trillion on the war on poverty, and rightfully so. There are a lot of people complaining there is still a lot of poverty, still a lot of homeless, still a lot of people not getting medical care. I think that is true, but I think it represents the total failure of the welfare state.

It is coming to an end. Unfortunately, no matter how well intended, and the gentleman from New York [Mr. LAZIO] has done tremendous work, and has worked very hard to improve this situation, I wish I could share his optimism. There is no reason, Mr. Chairman, to be optimistic about this bill, if it is passed or not passed. We have to address the subject of how we deal with this problem.

Mr. LAZIO of New York. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Washington [Mr. METCALF], who also heads the housing caucus in the House of Representatives.

Mr. METCALF. Mr. Chairman, I rise in support of H.R. 2. H.R. 2 will fundamentally change public housing throughout this Nation. For too long Washington, DC, has regulated public housing authorities, tying the hands of local housing authorities with Federal preferences and excessive regulations. Today we are taking steps to deregulate, to decentralize public housing, to give local housing agencies greater flexibility and control, and reduce the concentration of the poorest families in the worst housing projects.

H.R. 2 will reward well-run public housing authorities, but will not tolerate chronically bad public housing authorities that have used taxpayers' dollars irresponsibly. This is not just a quick fix or an extreme solution, it is a real solution that will end public housing as we know it, and begin a new era of greater personal responsibility for residents and local responsibility for communities.

Without these changes now, our public housing stock will continue to deteriorate. I want to thank the chairman, the gentleman from Iowa [Mr. LEACH], and the subcommittee chairman, the

gentleman from New York [Mr. LAZIO] for their work on passing a public housing bill that works.

Transforming public housing evokes strong emotions from both sides of the aisle. Throughout this debate Members will hear about the need for compassion. Our problem is that we have measured compassion by how much money we have thrown at the problem. That does not do it. We need to fix the problem at the core, and begin helping those people in public housing move up the economic ladder.

I am fortunate to live in a district with good public housing agencies that will continue to serve those who need affordable housing. Whether it is the Everett Housing Authority or the Island County Housing Authority, they express the same message: Give us greater flexibility and less Federal interference. That is what we intend to do with this bill.

Mr. Chairman, I ask my colleagues to support commonsense legislation.

Mr. LAZIO of New York. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Chairman, I rise in support of the legislation that is at issue here today. Almost any bill, even if we did not read it, did not analyze it, or did not look at the provisions, but recognized that the committee that worked on it was attempting to improve the current situation in housing, would be acceptable if it is placed against the last 40 years of non-success.

Every single legislative congressional district in our country has a public housing unit. Almost every single one is failing to meet the stated purpose of the housing needs of the people that it is intended to serve. There are excellent public housing authorities that have done their job and have provided the needed help for housing inhabitants in every single one of the districts, but the housing authorities themselves have constantly badgered us Members of the Congress to bring about improvements, some of which are included in this bill. We must help the housing authorities help the poor in the housing arena.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I was wondering if the gentleman from New York [Mr. LAZIO] has extra time, would he yield to a question from the gentleman from Pennsylvania [Mr. GEKAS]?

Mr. LAZIO of New York. Mr. Chairman, I would say to the gentleman, if he would yield, that we started out with the same amount of time. I tried to accommodate by giving the gentleman an extra 10 minutes. We have several Members who are on their way and will need the time when they get in the Chamber. So if we have extra time at the end, I would be happy to try to yield to the gentleman.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 2 minutes to my friend, the gentleman from the great State of Maryland [Mr. CUMMINGS], a fellow who I think represents my older sister.

Mr. CUMMINGS. Mr. Chairman, for as long as I have been an elected official, my guiding principle has been to empower people to serve as a link that brings the resources of government to the people. It is because of these principles that I voted against last year's version of this bill.

This year's bill, H.R. 2, is not much better. It would repeal the United States Housing Act of 1937, which has provided the underpinning for the Department of Housing and Urban Development's basic purpose for more than 60 years.

Rather than improving upon the 1937 Housing Act, this year's bill abandons the basic tenets of the original bill to provide every American with safe, sanitary, and affordable housing. Abandoning these basic goals would be a disservice to every American who is struggling to provide adequately for his or her family.

Housing is essential if families are to be safe and if those responsible for food and shelter are to seek and find permanent employment. The Housing Opportunity and Responsibility Act lacks compassion. I believe that, in its current form, this bill will force thousands of needy persons onto the streets and leave many more teetering on the brink of homelessness. This measure will force our poorest citizens to pay increased rents to live in public housing units, while it allows individuals with higher incomes to receive increased governmental benefits.

The bill's income targeting provisions also are tilted too far in favor of higher-income families. This will exacerbate the shortage of affordable housing for every low-income family. Our Nation is already experiencing a shortage of affordable housing for low-income families.

More than 5.6 million low-income families currently pay more than 50 percent of their income for rent. We have lost 43 percent of this Nation's affordable housing supply over the last two decades. This bill in its current form will only make the problem worse by reducing the main source of housing affordable to very poor, namely public and assisted housing.

Additional resources must be provided to increase the number of housing units available to the poor. Otherwise, local housing authorities will charge higher rents to attract higher-income tenants. This will result in lower-income tenants being pushed into homelessness.

Mr. LAZIO of New York. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York [Mr. PAXON] a member of the Committee on Commerce.

Mr. PAXON. Mr. Chairman, I rise today in strong support of H.R. 2, the Housing Opportunity and Responsibility Act, which I believe addresses the last bastion of our failed experiment with the welfare state by ending our tragically broken Federal public housing system.

The public housing system created by decades of Federal micromanagement has actually harmed those it was meant to help by penalizing work and family unity and championing never-ending bureaucracy. H.R. 2 will encourage self-sufficiency, ending the rent provisions which have illogically and disasterously penalized public housing tenants for working and at the same time encouraging community involvement and responsibility by requiring 8 hours a month of community service for unemployed individuals receiving housing assistance.

I believe this legislation will create a healthier environment in public housing by admitting more working families into housing and stop the Federal Government from artificially sustaining communities mired in hopelessness and devoid of opportunity. I encourage all my colleagues to support H.R. 2, and I commend the gentleman from New York [Mr. LAZIO] for his leadership in this legislative initiative.

The CHAIRMAN. The time of the gentleman from New York [Mr. PAXON] has expired.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I would ask if the gentleman from New York [Mr. LAZIO] has any more speakers?

Mr. LAZIO of New York. Mr. Chairman, I would say we have additional speakers out of the Chamber but on the way.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman be willing to yield to me an extra 30 seconds to respond to some of the points that have been made by the gentleman from New York [Mr. LAZIO]?

Mr. LAZIO of New York. Mr. Chairman, I would say to the gentleman, again, we started out with equal time. We could debate this out, but we have x amount of time. I think we are going to be needing that time for our Members who are not yet in the Chamber.

Mr. KENNEDY of Massachusetts. Mr. Chairman, as long as the Chairman of the committee would understand that this particular amount of time is coming out of the time of the gentleman from New York [Mr. LAZIO], I would be happy.

The CHAIRMAN. The Chair does not understand that. The gentleman has not yielded the time.

□ 1600

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 2½ minutes to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. Mr. Chairman, I thank the ranking member of the Subcommittee on Housing and Community Opportunity for yielding me the time.

I want to make it clear what this debate tomorrow will not be about, because it really has surprised me what the general debate has tried to posture as an issue.

We worked very hard in the Committee on Banking and Financial Services to try to make this a better bill. And what this debate will not be about is a choice between whether we are in favor of reform or the status quo. The bill itself can be improved. And to posture this bill as the only version of reform that anybody can support and the alternative is that we are supporting the status quo is just a very, very, very bad thing to do, and I hope my colleagues on the other side will not do it.

Second, this debate is not about flexibility because, while all of us support more flexibility for local housing authorities, time after time after time in this bill we are taking away flexibility from local housing authorities by mandating that they do a number of different things, not the least of which is to require occupants in public housing to volunteer. Now, how we require somebody to volunteer and call it volunteerism, I simply do not understand.

What this debate is about is how the Republicans would like to posture the poorest people in this country against those who are also working poor or the near poor, as I will call them, because that is the dilemma that this bill will put all of us in.

What they want to do is to put more and more working poor in public housing, and that will be at the expense of the most poor people in this country and will deprive them of housing. And we are providing no funds for any additional housing under this bill.

This is a paternalistic, inflexible, so-called reform bill. I ask my colleagues to oppose it if it is not amended in this process.

Mr. LAZIO of New York. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I will say, once again, the same voices in defense of what we have now, the status quo, are opposing this bill. We had 100 Democrats who stood up last year for change and reform to recognize the failure of the system. What we have here again is defense of what exists, the failure that exists in many of our communities, the poverty, the superconcentration of poverty in the very backyards of some of the Members who are speaking out against this bill. I will tell my colleagues it is an outrage in this Chamber to talk about community service as something that is to be mocked or denigrated.

I ask, where were the voices in this Chamber when we asked for people who got medical scholarships to give their service to low income areas? Where were the voices in this Chamber to oppose the President's AmeriCorps program because the only way somebody could get education is to expect them to give back to community service.

I would say to this Chamber, where is the compassion for people who are just as poor who cannot get into public housing but have got to work 40 or 50 or 60 hours just to make ends meet?

Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. JONES], a distinguished member of the Committee on Banking and Financial Services.

Mr. WATT of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. JONES. Mr. Chairman, no, I will not yield to the gentleman from North Carolina.

Mr. JONES. Mr. Chairman, for 60 years this country has essentially run its public housing program the same way year after year. For 60 years public housing has gotten worse and worse. People living in public housing should have a right to live in clean and safe conditions, and taxpayers should have a right to know that their money is being well invested. For that to happen, we must make changes. This bill will eliminate the 60-year-old law which has given us rundown and unsafe public housing projects. It will give more local control, and it will require more responsibility from public housing residents.

Mr. Chairman, for too long we have concentrated the poorest families in the worst housing. For too long we have punished public housing residents who work. We have had generations of children who have grown up in public housing complexes and never seen a parent or anyone else get up and go to work.

They have only lived in projects that are covered with graffiti, overgrown with weeds and littered with empty wine bottles. The only business people they have ever known are drug dealers, prostitutes and food stamp hustlers.

Mr. Chairman, that is wrong. With this bill we will begin to change the reality of life for poor children across America. For the first time in many of their lives, they will live in communities with people who work and who take responsibility for their behavior. They will live in public housing complexes that are held accountable.

Mr. Chairman, this bill may not be perfect, but it makes the right changes in the right direction, and changing the way we conduct our public housing policy is the first step to getting positive results. I urge my colleagues to vote in favor of the bill.

Mr. LAZIO of New York. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. KENNEDY] has expired.

Mr. LAZIO of New York. Mr. Chairman, may I inquire how much time remains?

The CHAIRMAN. The gentleman from New York [Mr. LAZIO] has 2½ minutes remaining.

Mr. LAZIO of New York. Mr. Chairman, I yield myself the balance of my time.

Mr. WATT of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. LAZIO of New York. Mr. Chairman, I will not yield.

I say, at the outset, again, that both sides have equal amounts of time. Both sides need to manage it correctly.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield on that issue?

Mr. LAZIO of New York. Mr. Chairman, I will not yield to the gentleman. I gave the gentleman an extra 20 minutes to try and work out his time problems.

I would say to the Chamber this is about whether we are going to embrace and accept and keep and look the other way when we see failure. It is about whether we are going to continue to punish people who are working. It is about whether we are going to side with the drug dealers, with the criminals, with the abusers of the system or whether we are going to side with the decent families, with the people that want to live in peaceful enjoyment in public housing. It is about whether we are screening, and let me say something, Mr. Chairman. We are going to hear about the so-called substitute, the phantom substitute. This has been a group, the Members that are going to vote for the substitute are the same Members who have been fighting change and reform for 30 years. They are the same Members who have fought against the administration in an effort to try and take down buildings because it was a Republican Congress that gave the administration the authority for the first time to demolish vacant hulks of despair in our Nation's cities.

This is an opportunity for us to stand up with the working people, the working poor in urban areas to say, we are not going to cower, we are not going to be intimidated, we are going to stand firm for what we believe in, for the principles of work and responsibility and decency. We believe in those things. We are going to reward and incentivize people to live by the rules.

As for the people who do not live by the rules, for the people who continue to be disruptive, for the system that continues to fail, for the housing authorities that continue to waste money and to force their families to live in despair, we are going to say, that era is now over. We stand for excellence, for success. We expect no less. We expect to get value for our dollar.

I do not know where it was written, Mr. Chairman, just because we were using public dollars, that somehow we should tolerate waste, that we should look the other way when there was failure, that we should not expect the same level of competence of excellence, value that we expect when we use our own private dollars. Yet there are Members in this Chamber that say that the only thing we need now is more public dollars. Baloney. Because in Chicago, in New Orleans, in the worst housing authorities in the country, they have been taken over with money left in the bank. That money has not even been spent, tens of millions of dollars unspent while people live with broken windows, broken doors, crime infested complexes. That is the outrage. That is what lacks compassion.

Mrs. MALONEY of New York. Mr. Chairman, the purpose of my comments is to clarify the purpose of section 622 of H.R. 2, the Housing Opportunity and Responsibility Act of

1997. I think it is important that the record on this legislation reflect the considerable thought and sensitivity to the needs and concerns of residents, owners, and managers alike that accompanied the decision to include this provision in the bill. This is the third Congress in which I have worked to secure for residents of public housing the opportunity to own pets; last year, by a vote of almost 8 to 1, the House adopted an amendment based on a bill that my colleague from New York, Ms. MOLINARI, and I had introduced. I wish to thank Mr. LAZIO, my colleague from New York and the chairman of the Housing Subcommittee, for his efforts to include an expanded version of that amendment in the housing reform legislation.

For many years, residents of federally assisted housing designated for senior citizens and disabled persons have been allowed to own common household pets, such as dogs, cats, and birds. This has worked extremely well; even the Department of Housing and Urban Development has had to admit that the problems it forecast have never come to pass. Building on that success, section 622 will extend that privilege to residents of most other forms of federally assisted rental housing. It is not intended that this provision will in any way subject elderly or disabled persons who now own pets under current law to additional fees or requirements, nor will it change the terms of or otherwise jeopardize the continued ownership of those pets.

One of the purposes of H.R. 2 is to renew American neighborhoods, or, as one hearing witness put it, to create caring, cohesive communities. Pet ownership adds much to the quality of life of both families and communities. Those persons who can demonstrate that they can be responsible pet-owning tenants should not be denied that opportunity simply because their incomes limit their housing options.

At the same time, those of us who have argued for pet ownership privileges for residents of federally assisted rental housing recognize that owners and managers of that housing have an enormous responsibility to provide safe, clean, and healthy homes for their tenants and are thus rightly concerned that they have the authority to regulate the conditions of pet ownership. H.R. 2 provides that authority. Housing owners may establish pet policies appropriate to their properties. For instance, tenants wishing to keep pets may be charged a nominal fee and pet deposit. Without making the cumulative financial burden prohibitive, such a mechanism would help to defray the added expense of administering a pet policy and to cover any property damage their pets may cause.

Furthermore, it is reasonable to ask pet owners to demonstrate that they can comply with the pet ownership requirements of their housing complex and also to limit the number of animals any one resident may own or keep. Integral components of responsible pet ownership policies in federally assisted rental housing include the spaying or neutering of dogs and cats and providing pets with proper nutrition and appropriate veterinary care. It is important to emphasize, however, that residents should not be required to subject their pets to an inhumane procedure, such as debarking or declawing, as a condition for ownership.

In keeping with another of H.R. 2's goals; that is, to increase community control within the public housing program, owners and managers of federally assisted rental housing should find ways to delegate to the residents themselves the maximum possible amount of responsibility for implementing the pet policy in a given housing complex. H.R. 2 recognizes the importance of tenant participation; much like the resident councils provided for in section 234, pet committees would enable residents to take an active role in implementing a responsible pet ownership program and ensure fair consideration and a careful balancing of the needs of everyone in the complex: The housing manager, maintenance staff, and pet owners, and nonpet owners alike. Housing owners and managers would do well to emulate the components of the highly successful program in Massachusetts, developed to ease the introduction of pet ownership into State-assisted public housing. In addition to pet committees, these elements include reasonable tenant and management obligations.

Experience offers ample evidence that no-pets-allowed policies fail to keep animals out of housing complexes; they also fail to offer any constructive avenues for addressing the problems that arise. Instead, by welcoming responsible pet owners under a system based on the Massachusetts model, the owners, managers, and tenants of federally assisted rental housing complexes will be able to implement section 622 successfully.

Mr. VENTO. Mr. Chairman, I rise in opposition to H.R. 2. Although pragmatically I would like to support a public and assisted housing reauthorization bill, this bill takes the positive ideas of reform and distorts them beyond recognition. H.R. 2 starts by repealing the pivotal underpinning of all Federal housing law—the 1937 Housing Act—for the symbolism and the sake of looking like reform. This key law is referred to in approximately 650 laws. It is a foundation that should not be casually tossed aside.

But that, Mr. Chairman, is from the dry pages of statute. In the real world, H.R. 2 will toss aside the underhoused in this country in much the same way.

The basis for these reforms has been in the works in Congress since 1993. That's right. Democrats put forth a bipartisan bill in 1994 that providef for mixed income developments, restructured rents, and more flexibility for Public Housing Authorities [PHA's]. Democrats support reforming and restructuring public and assisted housing. But not at the expense of the very people it was designed to serve.

The Republican majority, however, has chosen to solve the problems of public and assisted housing not by addressing need and the population that most needs housing, but by redefining who will be served. As if it were not bad enough that the 104th Congress—the last Congress—HUD's funding, cutting HUD's baseline by some 25 percent, this bill will now renege on who we are going to serve with the ever shrinking HUD budget. More mixing of income in public housing is great. However, given the extent of the housing crisis that exists in this country, we must be judicious in our policies so that we serve those with the greatest needs. H.R. 2 retreats from the problem, wrapped in the rhetoric of reform and local control.

Mr. Chairman, this Congress may be illuminated with photos and stories of some bad public housing developments once again during this debate. Despite the rhetoric, Democrats do not support keeping bad public housing bad. This is ludicrous. It is misleading and dishonest.

I, for one, am proud of the work and results of the public housing agency in St. Paul and the others in my district. Much of it is being renewed from a 40-year contract. The majority of public housing is good, even excellent, anchoring neighborhoods and providing affordable housing opportunities for low-income people. In fact, in my area, it is the private multifamily units that represent the greatest problem and challenge. Much of public housing is housing like those shown in the photo and illustrations being presented. It is good, safe, decent and clean housing.

Most PHA's are effectively managing their units with decreasing funds. Most continue to be innovative and creative with the resources they have and the partnerships they build. For their sake and the sake of current and future tenants, we must preserve and protect the taxpayers' $90 billion public investment in public housing stock. Indeed, I would argue that because of the extraordinary need for permanent housing, we should be talking about increasing this affordable housing resource.

Currently, 1.4 million units of public housing serve only 25 percent of the people eligible for assistance. Yet analysis shows that more than 5.3 million American families are paying 50 percent or more of their income for rental housing. Over 3,300 public housing agencies in community after community in this Nation are serving those with great housing needs and serving them well.

Unfortunately, the 75 troubled public housing authorities are the highest profile and tend to be employed by some to shape a negative public perception of public housing. No one, Mr. Chairman, no one wants to permit these units to persist, nor the hardship visited upon the families who reside in such projects to continue. Under then-Secretary Cisneros, the situation in many of these cities suffering with poor housing management had begun to change dramatically. Now, Secretary Cuomo is following through with a ''can do'' HUD. However, Congress should not legislate as if all 3,400 PHA's share the same problems. While 75 PHA's are troubled and require vigilant financial and management oversight, 3,325 PHA's should not be subjected to punitive cumbersome rules and policy.

Over the past few years, policymakers have struggled with the budget deficit. HUD has not shared the political clout enjoyed by other agencies like DOD or NASA. Democratic members of the Banking Committee have strongly fought for additional funding, yet, we have had to face the budget realities. That has forced us to try to balance the goal of providing quality housing for low-income tenants with less funding, to fix deteriorating housing stock; to provide new opportunities such as home ownership; and to provide services to make the housing successful.

Public housing needs to continue its mission to provide decent, safe, and sanitary housing that is affordable to very-low and low-income tenants. However, as policymakers, we have recognized the wisdom of mixing tenant incomes and encouraging working families to live in public housing to provide role models and stable communities. We must also improve management and allow more local control of the resources while maintaining our Federal interest.

However, H.R. 2 twists the mission of public housing, creates new bureaucracies, provides for new and onerous micromanagement of PHA's and residents, adds punitive CDBG sanctions that will, in the end, further harm low-income communities, and symbolically throws out the fundamental housing law of 1937. In the name of reform, H.R. 2 goes on to basically assure that public housing will not continue to assist those with less. The measure before us insures public housing's success by abandoning the challenge and the mission of serving even a portion of the poorest of the poor.

Mr. Chairman, I have several amendments that I will offer throughout the course of the floor debate. I hope to reduce some of the duplicative bureaucracy that this bill creates by offering an amendment to strike the new accreditation board but keeping the study of ways to make public housing authorities more effective, better managers. I also have an amendment to assure that we link the homeless assistance provider community with the plans being developed by the PHA's. The answer to much of homelessness is permanent housing. And, finally, Mr. Chairman, I have refined amendments that I offered in committee to assure that legal immigrants negatively affected by the welfare reform law will not face a double whammy the first of every month, when they would be required to pay minimum rents of up to $50.

Mr. Chairman, I urge my colleagues to vote for the Kennedy substitute that preserves our promise to provide decent, safe, and sanitary housing options to our Nation's poor and should that amendment not prevail, to vote against H.R. 2 on final passage.

Mrs. KELLY. Mr. Chairman, today I rise to call for all of my colleagues from both sides of the aisle to join me in strong support for H.R. 2, the Housing Opportunity and Responsibility Act of 1997. I would like to thank Chairman LAZIO and all of the members of the House Committee on Banking for their hard work on H.R. 2 which we passed with a bipartisan vote last week.

H.R. 2 is a piece of well thought out, comprehensive legislation that will make a real difference in public housing in America. We have based this legislation upon simple goals that will move our public housing programs in a strong new direction to empower the residents.

These goals are:

First, personal responsibility that extends to a mutual obligation between the provider and the recipient. One of the ways we accomplish this is through 8 hours a month work requirements for residents, exempting the elderly, the disabled, the employed, those who are in school or are receiving training, and those who are already involved in a welfare reform program.

Second, retention of protections for the residents. One way this is accomplished is through the exclusion of income for the first few months of a new job and the income of minors from the determination of a resident's income level.

Third, removal of disincentives to work and empowerment of the individual and family tenant through choices that I believe will lead them to economic independence. One of the ways we do this is by giving residents a choice between a flat rent or a percentage of their income.

I would like to emphasize that everyone has the same, shared objective: clean, safe, affordable housing that empowers the have-nots in our society to become people who can realize their own American dream. We all want to realize this goal, but we just have different ideas on how to get us there. So, if we all keep this vitally important objective in mind, we will be able to move forward in a unified effort to make sure that the benefits of this legislation become a reality.

Mr. RILEY. Mr. Chairman, I rise today in strong support of H.R. 2, the Housing Opportunity and Responsibility Act of 1997. As a member of the Banking Committee, I would like to take this opportunity to commend the gentleman from New York for his leadership and his successful efforts in bringing this important legislation to the floor.

Families in this country have found themselves caught in a housing system designed as a short-term solution that, instead, has become a long-term problem. The Depression-era United States Housing Act of 1937 has evolved into creating a centralized housing program that is both very complex and ineffective in serving the needs of the distinct communities across the United States. It was never the intent of the Federal Government to have 57 percent of the residents of public housing to stay there for at least 5 years.

The cookie-cutter housing policy created by bureaucrats in Washington does not always successfully serve rural communities like the ones I represent in the Third District of Alabama. H.R. 2 will return the housing policy decisionmaking to the local level through the deregulation of the well-run public housing authorities.

Under this legislation, local communities and their PHA's will have the flexibility to create mixed-income environment by admitting low-income families, as opposed to only very-low-income families. Mr. Speaker, we are talking about helping working families who simply cannot afford housing without some temporary assistance.

Not only will the Federal Government help these working families by allowing income mixing, it will create an environment where a working resident may be looked upon as a role model and inspire another neighbor to seek employment. This will allow us to break the cycle of dependency on the Federal Government which has trapped so many of the residents of public housing.

I urge my colleagues to support the Housing Opportunity and Responsibility Act of 1997 so that we can, once and for all, turn the Federal housing program into a temporary assistance program instead of a permanent solution.

Mr. BEREUTER. Mr. Chairman, this Member rises in strong support of H.R. 2. As a member of the House Banking Committee and its Subcommittee on Housing and Community Development, this Member has actively participated in the drafting and consideration of this legislation. The gentleman from New York, RICK LAZIO should be complemented for the hard work and perseverance he has shown over the past 3 years as chairman of the Housing Subcommittee. His leadership has allowed this bill to come to the floor today and he should be commended.

For too long, the Nation's public housing programs have been run by a centralized bureaucracy with little to no input by local officials. H.R. 2 provides a new paradigm for the provision of Federal public housing programs. Rather than centralizing decisionmaking in Washington, the bill provides greater flexibility for local elected officials to work with public housing agencies to determine the housing needs of the community and decide the best way to meet these needs. Further, many of the Federal mandates which have been added over the years are eliminated. This again is in the spirit of moving control out of Washington. Additionally, the bill makes positive changes in the current policy of warehousing the poorest of the poor in inadequate housing by promoting mixed-income communities.

Finally, Mr. Chairman, this Member would like to read from the declaration of policy contained in H.R. 2, which clearly states the goals the bill sets, specifically:

''(1) the Federal government has a responsibility to promote the general welfare of the nation by using Federal resources to aid families and individuals seeking affordable homes that are safe, clean, and healthy and, in particular, assisting responsible, deserving citizens who cannot provide fully for themselves because of temporary circumstances or factors beyond their control; by working to ensure a thriving national economy and a strong private housing market; and by developing effective partnerships amount the Federal Government, State and local governments, and private entities that allow government to accept responsibility for fostering the development of a healthy marketplace and allow families to prosper without government involvement in their day-to-day activities. (2) The Federal Government cannot through its direct action alone provide for the housing of every American citizen, or even a majority of its citizens, but it is the responsibility of the Government to promote and protect the independent and collective actions of private citizens to develop housing and strengthen their own neighborhoods. (3) The Federal Government should act where there is a serious need that private citizens or groups cannot or are not addressing responsibly. (4) Housing is a fundamental and necessary component of bringing true opportunity to people and communities in need, but providing physical structures to house low-income families will not by itself pull generations up from poverty. (5) It is a goal of our Nation that all citizens have decent and affordable housing and our Nation should promote the goal of providing decent and affordable housing for all citizens through the efforts and encouragement of Federal, State and local governments, and by the independent and collective actions of private citizens, organizations, and the private sector.''

Again, this Member rises in support of H.R. 2 and urges his colleagues to join him in supporting this important legislation.

Mr. GILMAN. Mr. Chairman, I rise today in support of H.R. 2, the Housing and Responsibility Act of 1997 and commend its sponsor, the distinguished gentleman from New York [Mr. LAZIO] for all of his diligent work in bringing this important legislation to the floor. This bill will allow for greater community control and involvement over various housing programs. Ultimately, programs run by local officials who understand the needs of their communities, will be directed toward those individuals who need assistance the most.

In addition, I thank the committee for including language to correct the improper median income calculation for Westchester and Rockland Counties. Currently, the median incomes of Westchester and Rockland Counties are

calculated by the Department of Housing and Urban Development as a part of the primary metropolitan statistical area which includes the income data from New York City. For this reason, HUD is listing the median income of these two counties as being far less than they truly are.

Since HUD's income levels are used in calculating eligibility for almost all State and Federal housing programs, these inaccurate statistics have drastically reduced the access of both Rockland and Westchester County residents to many needed programs. A myriad of programs have artificially low income caps, thus residents, financial institutions, realtors, and builders from these two counties are at a severe disadvantage in relation to their counterparts in neighboring counties.

Mr. Chairman, I thank the committee and Chairman LAZIO for their great work in reforming the U.S. Housing Act of 1937 and attending to this extremely important local need. Accordingly, I urge my colleagues to support H.R. 2.

The CHAIRMAN. The time of the gentleman from New York [Mr. LAZIO] has expired.

Mr. LAZIO of New York. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. (BOB SCHAFFER of Colorado) having assumed the chair, Mr. GOODLATTE, 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. 2) to repeal the U.S. Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 129, COMMITTEE FUNDING RESOLUTION

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 105–84) on the resolution (H. Res. 136) providing for consideration of the resolution (H. Res. 129) providing amounts for the expenses of certain committees of the House of Representatives in the One Hundred Fifth Congress, which was referred to the House Calendar and ordered to be printed.

ELECTION OF MEMBER TO COMMITTEE ON HOUSE OVERSIGHT

Mr. BARRETT of Nebraska. Mr. Speaker, by direction of the Republican conference, I offer a privileged resolution (H. Res. 137) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 137

Resolved, That the following named Member be, and he is hereby, elected to the following standing committee of the House of Representatives: Committee on House Oversight: Mr. Mica.

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

□ 1615

SPECIAL ORDERS

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

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

[Mr. GOSS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

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

[Mr. GUTKNECHT addressed the House. His remarks wil appear hereafter in the Extensions of Remarks.]

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

[Mr. WEYGAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

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

[Mr. NEUMANN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

INTRODUCTION OF ''APPREHENSION OF TAINTED MONEY'' BILL

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

Mr. GEKAS. Mr. Speaker, today I have introduced a special piece of legislation that goes to the heart of campaign finance reform about which we hear so much.

How many will recall that during the election and immediately following there were revelations of moneys being contributed to the Democratic National Committee, and then a decision made by the Democratic National Committee to return the funds to X, Y, and Z because the Democratic National Committee determined that they were illegally contributed?

Now, the question arises, does this money go back to the people who may have violated the law in making the contribution to the Democratic National Committee?

We have a situation, for instance, of a drug dealer who took thousands of dollars from profits made in the drug business and used that money to make a $20,000 contribution to the Democratic National Committee. Now we hear announcement by the Democratic National Committee that it will return that money.

Well, is that not wonderful. That money will be returned to a drug dealer to be reused, perhaps, in the drug business or to make some other kind of contribution. Who knows what.

I have introduced a bill here today which we call the ATM bill, believe it or not. Apprehension of Tainted Money. ATM. What does it do? It says that if, indeed, a national committee, the Republican committee or the Democrat committee, should receive contributions and they are questionable donations, questionable contributions, where the committee believes it may come from a tainted source, a criminal source, some illegal contributor, then instead of returning it back for further possible illegal spending, my bill would call for this money to go to the Federal Elections Commission in an escrow account, and the Federal Elections Commission then would investigate the source of this contribution.

If it is determined that indeed this is drug money or illegal money or some other tainted source of money, then the Federal Government, our Government, can latch onto this money and use it for fines and penalties against those people who violated the law in that instance. In this way we would be preventing the possibility of impacting on our election system by foreign sources and illegal sources.

At the same time, if indeed those contributions have been illegal, we could use that money to help defray the expense of the investigation and the prosecution and the restitution that must be made by the wrongdoers.

We believe that it fills a large gap in the election process and in the question of who can contribute what to what entity. We have strong laws on the books right at this moment, as we speak, but we fail in many instances to enforce the law. We fail to bring wrongdoers to justice in the hundreds of different ways that they can violate the election laws and the criminal laws of our Nation.

We believe that this could be a gigantic step towards signaling to the American people that we will not countenance violation of the criminal laws or violation of the election laws.

Every day the news brings us more revelations—and more lurid details—about the lengths to which some people went during the 1996 election to gain victory for their candidates. Unfortunately, the lengths to which many parties went were beyond the bounds of the law.

Though the investigations into campaign finance law violations have only barely begun, and, to be sure, only scratched the surface, we know very well about some egregious violations of the law involving very large amounts

of money. Many more cases are rife with impropriety and unethical behavior, even if illegality has not yet been proven.

Let me address just a few: Mr. Johnny Chung, described as a ''hustler'' by a member of the National Security Council, made donations to the Democratic Party numerous times. Among these was a $50,000 check handed over to Margaret Williams on the White House grounds during one of his 51 visits. The Democratic National Committee has announced it will return contributions totaling $366,000 from Johnny Chung because it cannot verify the source of this money.

Mr. Charles Yah Lin Trie raised and contributed more than $½ million to the Democratic National Committee. This money has been linked to funds transferred to him from the Bank of China, which is operated by the Chinese Government. The Democratic National Committee has returned $187,000 that Mr. Trie contributed and plans to return another $458,000 that he helped raise from others.

In November, 1995, Mr. Jorge Cabrera wrote a check for $20,000 to the Democratic National Committee from an account that included proceeds from smuggling cocaine into the United States. Within 2 weeks, he met with Vice President GORE. He also attended a White House Christmas reception hosted by the First Lady. The Democratic National Committee returned his contribution almost a year later and he is now serving time in a Miami prison.

Mr. Speaker, these are just three examples, but they serve to illustrate a situation that is intolerable. The Democratic National Committee has given, and plans to give, huge sums of money back to the drug dealers, international hustlers, and foreign agents who broke the law in giving that money in the first place.

The penalty being suffered by Mr. Johnny Chung, Mr. Charlie Trie, and Mr. Jorge Cabrera is to have mountains of tainted money given back to them to use as they wish.

Mr. Speaker, these people are criminals. The American people, and particularly the people I represent, will not stand for it when the law allows them to be rewarded with hundreds of thousands of dollars in cash.

Mr. Speaker, I am introducing a bill today to remedy this extraordinary situation. The Apprehension of Tainted Money Act would require political committees that intend to return certain contributions to transfer those contributions to the Federal Election Commission.

The Commission would establish an interest-bearing escrow account, deposit returned contributions in it, and notify the Attorney General. The Commission and the Attorney General would be able to apply this money toward any fine or penalty imposed against the contributor under Federal election or criminal law. In addition, if a fine or penalty is imposed, the Commission or Attorney General could use deposited funds to cover the costs incurred in investigating the contribution. If the contributor were cleared, if the Commission and Attorney General failed to act, or if some portion of the money was used, the remaining contribution would be returned.

Mr. Speaker, my bill would prevent the Johnny Chungs, the Charlie Tries, and the Jorge Cabreras from getting their dirty money back and spending it—or making it disappear—before Federal officials have a chance to investigate them and apply appropriate fines and penalties.

Let me make one other point that I think is very important: We are seeing that, in many instances, the tainted money is being returned after an election has intervened. This means that money from an unknown, possible illegal source has been used by a campaign to influence an election. Anyone with a healthy skepticism and sense of watchfulness about our Government could not help but want to investigate whether there has been collusion between questionable campaign contributors and the individuals and parties to whom they gave. This makes the apprehension of tainted money bill all the more important.

I urge my colleagues in the House to join me in passing this legislation and getting it before the President for signature. There can be no time lost, because each returned contribution gives undue benefit to some of our Nation's most pernicious lawbreakers.

Let me briefly describe the bill in some more detail: The Apprehension of Tainted Money Act adds a new section to the Federal Election Campaign Act. the new section provides the following:

When a political committee intends to return a contribution of more than $500, it must transfer the contribution to the Federal Election Commission [Commission] and ask the Commission to return it. This requirement does not apply to contributions returned within the times set by Commission rules for return or reattribution of contributions, but it does apply to contributions that a political committee discovers to be illegal after the Commission's deadline for return of illegal and nonreattributable contributions.

The Commission must establish an interest-bearing escrow account, deposit returned contributions in it, and notify the Attorney General when it receives such contributions. Interest from the funds placed in the escrow account shall be used to cover administrative costs of the account, all excess going to the U.S. Treasury.

The Commission must consider the return of the contribution in determining whether it has reason to believe that election laws have been violated.

The Commission or the Attorney General may apply returned contributions toward any fine or penalty imposed against the contributor under Federal election or criminal law. If a fine or penalty is imposed, the Commission or Attorney General may use deposited funds to cover the costs incurred in investigating the contribution.

The Commission must return the contribution if: First, the Commission and Attorney General certify that the contribution is not the subject of an investigation; second, the contribution will not be applied to any fine, penalty, or charge for cost of investigation, or the portion to be used has been subtracted from the returnable amount; or third, for any 120-day period, neither the Commission nor the Attorney General have pursued an investigation of the contribution.

The act applies from the date it is enacted, whether or not the Commission or Attorney General have issued regulations. Notwithstanding the Administrative Procedures Act, the Commission and Attorney General must issue final regulations within 30 days of the enactment of the act.

RIGHT WELFARE REFORM'S WRONGS BEFORE IT IS TOO LATE

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

Mr. FILNER. Mr. Speaker, I want to tell all my colleagues a brief story that we here in Congress have helped write with the passage of what we called the Welfare Reform bill last year. Members of this body have written a story with a tragic ending, but it is not too late to change it.

This is the story of Marta Molina and her 24 classmates at the San Diego Center for the Blind. All are long-time legal residents of this Nation whose supplemental security income will end in a few months unless there is legislative relief or they are naturalized as citizens.

Marta, who is 44 years old, is the mother of two grown children she raised by herself following a divorce 10 years ago. She and others in her English and life skills class began studying for the citizenship test well before welfare reform was enacted. After evaluating Marta's degenerative blindness, cataracts and cataract surgery, her physician asked the INS to give Marta extra study time. Because of the rigid mandates of welfare reform, she has no more time.

Marta's situation is serious, but the predicament of some of her other classmates is even worse. They are on dialysis and they can possibly die if their Medicare ends. The INS, which should not be in the position of correcting welfare reform's cruel and arbitrary cutoff of legal immigrants' benefits, including the blind, frail, and elderly, was asked to ease the naturalization process for some of these immigrants, but the INS's new rules will not help these blind students.

The rules, which do exempt disabled immigrants from the English and civics test, provide no relief for the blind, according to the INS authorities, because their vision impairment does not prevent them from studying and taking a test. These inflexible rules do not take into account that a disability like blindness makes it very difficult to master English and civics under a strict time limit.

These students of the San Diego Center for the Blind say they are terrified, living in fear of these inflexible policies that even do not comply with the Americans with Disabilities Act. They say people are called at INS offices by a number flashing on a screen which they cannot see, and that test preparation material is not available in Braille or on tape. This situation demands our immediate intervention.

When this body passed welfare reform last year, I am sure those who voted for it did not intend to jeopardize the lives and peace of mind of thousands of long-time legal residents with disabilities. But now that the law's unintended consequences have been brought to our attention in story after story,

we must correct these wrongs. We must act to exempt the blind, frail, and elderly legal residents from the unintended effects of welfare reform, and we must give these residents the amount of time necessary to take the naturalization test.

It goes without saying that our own INS office employees should be sensitive to and comply with the dictates of the Americans with Disabilities Act.

Mr. Speaker, it is up to us to act now. We must write a new ending, one that averts senseless and most certainly lethal suffering.

THE NATIONAL PRAYER BREAKFAST

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

Mr. BARRETT of Nebraska. Mr. Speaker, earlier this year I had the distinct pleasure and the great honor of chairing the 45th annual National Prayer Breakfast here in Washington.

Now, this is an annual event that is hosted by the Senate prayer group and the House prayer group, and it represents an effort by many thousands of people to come together once a year here in our Nation's Capital in prayerful reflection. The breakfast was initially founded as an opportunity for Members of Congress to express spiritual support for the President, for the leaders of our Nation and, of course, for each other.

This year more than 4,000 people came to the breakfast from all 50 States and from over 140 countries. The personal contacts we all had from across the Nation, from around the world, were something that were impressions that will last a lifetime.

Mr. Speaker, on behalf of my colleagues on the congressional committee that planned this most recent breakfast, I provide a copy of the transcript of that breakfast to be inserted in the RECORD so that everyone might read the uplifting and inspirational messages we heard that day.

THE NATIONAL PRAYER BREAKFAST, THE WASHINGTON HILTON, THURSDAY, FEBRUARY 6, 1997

Representative BILL BARRETT: It's a special privilege for me to be able to welcome each and ever one of you here this morning to the 45th annual National Prayer Breakfast, especially our friends from around the world, as well as those of you who are attending the prayer breakfast for the first time. God created us at different times and in different places, and with the flesh of a hundred different hues, but he did set us forth with a very common purpose; to love the Lord, our God, and to love our neighbor as ourself.

We're gathered here today from six continents. I don't believe the Antarctica delegation has arrived yet. Ladies and gentlemen, there are nearly 170 countries represented here today—all 50 states are represented here today—here in this ballroom and in auxiliary rooms in which people who could not get into the ballroom are seated, viewing this on television.

We have nearly 4,000 people gathered for the 45th annual prayer breakfast. There are literally hundreds and hundreds of Republicans and Democrats, liberals and conservatives, people from all professions, all fields of service. We have laborers, we have prison parolees here, we have street people here. We have people of considerable wealth; we have people with little material wealth. There are people from all levels of society, all backgrounds, religiously and politically. There is represented here today truly a cross-section or our world.

Who we are is not the important point. The point is that we all come together to let each other know that we care. We come here to humbly beseech guidance; to further the building of humankind, recognizing and acknowledging the reliance that each of us has on Divine Providence. What a happy time it is that so many have chosen to join us this morning in the spirit of Jesus of Nazareth and to share this time together.

From the reports that we hear, read and observe, it's probably difficult to believe that members of Congress can ever agree with one another or find it possible to be perfectly united in mind and thought, as St. Paul admonished us to do. But it's my pleasant duty to bring to you greetings from the House of Representatives' Prayer Breakfast.

One of the most meaningful experiences for me since I've been a member of Congress has been to attend that prayer breakfast, in which we gather every Thursday morning in the Capitol at 8:00, in a time of fellowship and prayer with our colleagues. On these mornings, 40 to 50 Democrats and Republicans, without guests, with the exception of an occasional parliamentarian from another nation who is a member of a prayer group in that nation, or perhaps a parliamentarian who wants to come and observe our prayer breakfast, with the thought in mind of going back to his or her country and establishing a similar prayer breakfast. We meet simply to find fellowship in the spirit of Christ and to share burdens with each other.

We leave our differences outside the door. Labels remain outside the door. We get to know each other on a basis of something that transcends the labels that often divide us during the rest of the week. As a result, many special and many unlikely friendships have been born and even nurtured during that time together.

Our speaker each week—one week a Republican, one week a Democrat—is always a member of Congress, but no necessarily a member of our prayer group. We hear from that person, in which they share with us something that they want to talk about—perhaps some of the trauma in their life, some of the problems, some of the joys, some of the satisfactions, some of the triumphs. We've had some wonderful messages and, with each one, inspiration, better understanding and, of course, close friendships. And because of the seeds that were planted by the House and the Senate fellowship groups 45 years ago the National Prayer Breakfast, this prayer breakfast, has grown to include people from so many countries that we have to wonder today if we should perhaps rename the National Prayer Breakfast to "the International Prayer Breakfast."

So on behalf of both the Senate and the House prayer groups, who are hosting this breakfast, we thank you for sharing with us. We also acknowledge the hundreds of groups that are meeting simultaneously around the world as we meet here together at this particular moment—meeting around the world to praise the Lord.

Many of you know that Billy Graham has been a steadfast member of this national prayer group—I believe he has missed only three National Prayer Breakfasts in 45 years. Dr. Graham had hoped to be with us today, but his health prevents it. And I'd like to share with you a message that I received from Dr. Graham.

"I hear constantly the impact that the Prayer Breakfast is having throughout the world. Since this is one of the few times I have every missed being at a breakfast since its beginning, I will certainly be in prayer that God will make this gathering one of the most significant prayer breakfasts we've ever had. Give my warmest greetings and affection to all of those in attendance, especially the president, Mrs. Clinton, the vice president, and Mrs. Gore.

"With warmest affection in Christ, I am cordially yours, Billy Graham."

The gentleman from Missouri, the minority leader of the House of Representatives, the Honorable Richard Gephardt, will now read from the Old Testament.

Representative GEPHARDT: Our Old Testament reading this morning is from Psalms. "Make a joyful shout to the Lord, all your lands. Serve the Lord with gladness. Come before His presence with singing. Know that the Lord He is God. It is He who has made us, and not we ourselves. We are His people, and the sheep of His pasture. Enter into His gates with thanksgiving, and into His courts with praise. Be thankful to Him, and bless His name for the Lord is good. His mercy is everlasting, and His truth endures to all generations."

Representative BARRETT: Thank you, Mr. Minority Leader.

It's a tradition of the National Prayer Breakfast that a person of very special talent is chosen to present a solo at our breakfast. This morning we are thrilled to be able to present a young opera star of unparalleled prospect, a mezzo-soprano who has made a number of important debuts both here and in Europe. Please welcome Ms. Denyce Graves.

(Ms. Graves sings "Swing Low, Sweet Chariot" and "Every Time I Feel the Spirit")

Representative BARRETT: What a thrill, right? Thank you, Ms. Graves.

The Scripture from the New Testament will be brought to us by the speaker of the House of Representatives, the gentleman from Georgia, the Honorable Newt Gingrich.

Speaker NEWT GINGRICH (R–GA): Let me just say that I think all of our hearts, I hope, were touched by Ms. Graves just now. It was truly a wonderful moment.

I'm going to read from John 3, verses 12 to 21.

"If I have told you earthly things, and ye believe not, how shall ye believe if I tell you of heavenly things? And no man has ascended up to heaven but He that came down from heaven, even the Son of Man, which is in heaven. And as Moses lifted up the serpent in the wilderness, even so must the Son of Man be lifted up; that whosoever believeth in Him should not perish, but have eternal life. For God so loved the world that He gave His only begotten Son, that whosoever believeth in Him should not perish, but have everlasting life. For God sent not His Son into the world to condemn the world, but that the world through Him might be saved. He that believeth on Him is not condemned, but he that believeth not is condemned already, because he hath not believed in the name of the only begotten Son of God. And this is the condemnation: that light is come unto the world, and men loved darkness rather than light, because their deeds were evil. For everyone that doeth evil hateth the light, neither cometh to the light, lest his deeds should be reproved. But he that doeth truth cometh in the light, that his deeds made be made manifest, that they wrought in God."

Representive BARRETT: Thank you, Mr. Speaker, for that reading from the New Testament.

Vice President Al Gore was a very faithful member of the House prayer group when he was a member of the House. And when he entered the Senate, he became a very faithful member of the prayer group as well. And as a result, the Senate prayer group has asked him to represent them in delivering remarks of the Senate. And it's encouraging to know, Mr. Vice President, that one of our own can occasionally succeed.

It is with great pleasure that I present to you the vice president of the United States, Mr. Albert Gore Jr.

Vice President GORE: Thank you. Thank you very much, Bill.

Mr. President and Mrs. Clinton and Mr. Speaker; leader Gephardt, other distinguished guests at the head table; and senators, congressmen; heads of state from other countries; thank you very much for your attendance; distinguished guests, ladies and gentlemen, including those in the overflow room, we're so proud that you are here. And among those at the head table, allow me just a brief personal word.

Dr. Ben Carson—I had nothing to do with the invitation to Dr. Carson to be the main speaker this year. But after Tipper and I found out that he was going to be our speaker, we recalled that when one of our children was seriously injured and in Johns Hopkins Hospital, he was part of the medical team that consulted with us. We are among the thousands of families who are grateful to you and the others healers among us, Dr. Carson. It was a pleasure to meet your sons, Murray, Den, and Royce, in the other room.

Bill said that I was invited to bring greetings from the Senate prayer breakfast group because I was a faithful member of it. The truth is that with my travels on behalf of the president and the White House schedule, they invited me to give greetings on their behalf so that I will definitely become a faithful member of the Senate prayer breakfast. I know what they're doing. And it's true that my schedule has taken me away from it. But your ploy is going to work.

May I also refer to the many thousands of prayer groups around the United States that are represented by many of you here, and around the world. I want to acknowledge a group represented here—the Religious Partnership for the Environment. I am proud to have had a chance to meet frequently with them.

Since we met here last year, something has happened that I wanted to briefly comment upon: Churches were burned, synagogues and other houses of worship were burned, and a great outpouring of national concern took place.

Many wondered, ''How could we respond to this?'' I know the president gathered spiritual leaders from various denominations to talk about this issue. The House and the Senate took action. There was no dissent. I forget the vote in the House, but it was 100 to nothing in the Senate. It's rare that you get a vote of that kind. And the country began to come together to respond to this challenge.

Churches were rebuilt. Some of them that had been burned to the ground left the congregations just devastated. I remember visiting one, looking at the ashes covering the timbers, and the congregation expressed its determination to come back together and rebuild.

On August 19th, the president and the first lady, Tipper, and I went to a church that had been burned in Tennessee and joined in rebuilding the church. When we got there, we learned that there had been two churches burned—one with a white congregation, one with a black congregation. When the church with a white congregation burned, the first donation to rebuild it came from the black congregation just two miles away. About a year later, when the church with the black congregation burned, the first donation to rebuild it came from the church with the white congregation. On that day when we gathered with hammers and nails and paint brushes to rebuild it, all of the community leaders came. The African American pastor of this congregation made note of the fact that some of the county leaders who were present were individuals he had never met before, and the members of the white congregation who came had never met their counterparts, in many cases, before. He cited a verse from Genesis 50: ''Man intended it for evil, but God intended it for good.'' The president spoke and said, ''You can burn the building, but you cannot burn out the faith.''

I was reminded of the examples in the Bible of fires that burned but do not consume. In Exodus Chapter 3, Moses is confronted with a burning bush. ''Though the bush was on fire, it did not burn up.'' Moses thought, '''I will go over and see this strange sight, why the bush does not burn up.' God called to him from within the bush: 'Moses!' And Moses said, 'Here I am.'''

In the book of Daniel, Chapter 3, verse 19, Nebuchadnezzar orders his furnace heated up seven times hotter than usual, and commanded some of the strongest soldiers in his army to tie up Shadrach, Meshach, and Abednego, and throw them into the blazing furnace. They had refused, of course, to bow down to graven images and idols. And when they were thrown into the furnace—you know the story well—the soldiers were burned. But Nebuchadnezzar looks into the flames, and in amazement asked his advisers, ''Weren't there three men that we tied up and threw into the fire?'' They replied ''Certainly, o king.'' He said ''Look, I see four men walking around in the fire, unbound and unharmed. And the fourth looks like a son of the gods.''

The three were taken out, and they saw that the fire had not harmed their bodies, nor was a hair of their head singed. Their robes were not scorched, and there was no smell of fire on them.

In response to such challenges, we are called to be present with those who are persecuted.

Finally, when we saw the rebuilt church brought—the image of it brought in the photograph when this minister revisited the White House earlier this year, I was reminded of the famous chapter in Ezekiel 37, when Ezekiel is placed in the valley.

''And I saw a great many bones on the floor of the valley, bones that were very dry. And the Lord asked me, 'Son of man, can these bones live?' And then he said to me, 'Prophesy to these bones, and say to them, ''Dry bones, hear the word of the Lord,''' So I prophesied as I was commanded. And as I was prophesying, there was a noise, a rattling sound, and the bones came together, bone to bone. Tendons and flesh appeared on them, and skin covered them. But there was no breath in them. And then he said to me: 'Prophesy to the breath. Prophesy, son of Man. And say to it, ''This is what the sovereign Lord says, 'Come from the four winds, oh breath, and breathe into these slain that they may live.''' So I prophesied as he commanded me, and breath entered them. They came to life and stood up on their feet a vast army.''

These houses of worship have been lifted back up, and the breath of the Spirit has been breathed into them. May the same thing happen to our hurting nation.

Representative BARRETT: Thank you, Mr. Vice President.

To deliver our prayer for the national and international leaders, I would like to recognize the senator from Indiana Senator Dan Coats, who is a very faithful member of the Senate prayer breakfast. It's my pleasure to introduce the senator for the most basic purpose of this breakfast, to let our leaders know that we are praying for them.

Senator DAN COATS (R-IN): Please bow your heads with me in prayer and join your hearts with me in prayer.

Our Lord and our God, we have set aside this day of prayer to acknowledge you and you alone, as the God of men and nations; to thank you for your loving kindness toward each of us, and to humbly ask for wisdom and discernment as we seek to serve the people of our land. We ask for your mercy and divine forgiveness for our sins, for we often rely on our ways and not on yours.

We are divided by barriers of anger and suspicion. We are shamed by the commonplace violence in our nation. We have failed to protect the innocence of our children, and we have left them to moral confusion and early despair. We have misunderstood both the cause and the cure of our troubles. We see social and political problems; You see our failures of love and duty and commitment. We talk of politics and laws; You weigh the desires of our hearts. We propose solutions for others; You ask us to examine ourselves.

Lord, each of us in some way has set out to change our society. But now, today, we humbly ask you to change each of us. We are thankful, Lord, that Your mercy does not depend on our merit. We are grateful that the Gospel is a story of failure forgiven.

Lord, we pray for the leaders You have brought to this room. Preserve us from the pride of power. Guard us from self-interest and selfish ambition. May we build careers of honorable service, obeying Your command to do justice, to seek mercy, and to walk humbly with You.

We pray above all for inward surrender to Your guidance, hearts transformed by an encounter with the living God, and lives marked with Your meaning. We pray these things in the confidence and comfort given by Jesus Christ. Amen.

Representative BARRETT: Thank you so much, Senator Coats, for those words.

It's now my pleasure to present to you our featured speaker at this prayer breakfast, Dr. Benjamin Carson, who is director of pediatric neurosurgery at Johns Hopkins University. Dr. Carson is well renowned in his field—most notably, perhaps, the 1987 separation of the Binder twins in Germany, which of course were attached at the head.

Dr. Carson has led a life of struggle as well as triumph, and I know that you're going to find his remarks both interesting and very inspiring. He brings us his love for children. He's a living example of caring and compassion. Please welcome Dr. Ben Carson.

Dr. BENJAMIN CARSON: Thank you very much. It's a real pleasure and an honor to be here before so many distinguished people. I don't feel that I really belong here under these circumstances. But the nice thing is, when it comes to love that is inspired by Jesus Christ, we're all equal. And it makes you feel good. You begin to realize that He's the one who empowers us to do whatever we do and to go wherever we go.

I want to give you some little vignettes from my own life and how my relationship with God developed. Let me set my stopwatch here because I understand that if I go overtime, the Secret Service will take me away.

I always wanted to be a missionary doctor. I used to listen to the mission stories in church, and they frequently featured missionary doctors—people who, at great personal expense, would go to foreign lands and bring not only physical but mental and spiritual healing to people. It seemed like the

most noble thing a person could do. I harbored that dream from the time I was 8 years old until I was 13, at which time, having grown up in dire poverty, I decided I'd rather be rich. So at that point, missionary doctor was out and I decided I wanted to be a psychiatrist. Now I didn't know any psychiatrists, but on television, they seemed like very rich people. They lived in these big fancy mansions and drove Jaguars and had these big plush offices, and all they had to do is talk to crazy people all day. It seemed like I was doing that anyway, so I said, ''This should work out quite well,'' and started reading Psychology Today. I was the local shrink. I majored in psychology in college, did advanced psych when I went to medical school.

But that's when I started meeting a bunch of psychiatrists. Now, some of my best friends are psychiatrists. Actually, on a serious note, some of the smartest people I know really are psychiatrists and I'm a little bit miffed, as a medical professional, as to why the insurance companies and HMOs are giving psychiatrists such a hard time. I hope we'll do something about that.

I discovered that I wasn't going to be a psychiatrist and I had to stop and ask myself ''What are you really good at?'' I discovered I had a lot of eye-hand coordination, the ability to think in three dimensions. I was a very careful person, never knocked things over and said ''oops!'' and I enjoyed the brain. So I put all that together and that's how I came up with neurosurgery.

If you had seen me as a youngster, and someone had told you that I was going to grow up to be a neurosurgeon, much less chief of pediatric neurosurgery at Johns Hopkins, you would have laughed until you died, because there was unanimous agreement amongst my classmates, my teachers, and myself that I was the dumbest person in the world. I was always the first one to sit down in a spelling bee, got big goose eggs on everything that dealt with academics.

I remember one time we were taking this math quiz, and I had a major philosophical disagreement with my math teacher who seemed to think it was important to know your time tables. As far as I was concerned, why waste my time learning those when I could look them up on the back of the notebook? So you can imagine what kind of grades I got in math. But that particular day I'd been having a discussion with some of my classmates about lack of intellectual agility, one might say. In fact, they were saying I was the dumbest person in the world, and I was disputing that. We had a math quiz that day. I had about thirty questions. And in those days you would pass your test to the person behind you, and they would correct it as the teacher called out the answers, give it back to you. The teacher would call your name out loud and you would report your score out loud.

Well, I had gotten my usual zero. But, on this particular day, having had those discussions, I was looking for a way to hide that fact from my classmates, so I schemed and I said, ''When the teacher calls my name, I'm going to mumble. And maybe she will misinterpret what I said.''

So when she called my name, I said, ''Nnngn.'' And she said: ''Nine?'' Benjamin, you got nine right? Oh, this is wonderful. This is the greatest day of my life. I told you you could do it if you just applied yourself.'' She ranted and raved for about five minutes. Finally, the girl behind me couldn't take it any longer. She stood up and said, ''He said none.'' Of course the kids roared with laughter, and the teacher sat down quite embarrassed. If I could have disappeared into thin air, never to be heard from again in the history of the world, I would gladly have done so, but I couldn't.

The thing that really hurt was when I got my report card at mid-term, and my poor mother saw it, and she was just distraught. There I was failing almost every subject, and there she was, working two or three jobs at a time as a single parent, trying to raise her young sons in inner-city Detroit, realizing what a difficult time she had because of her lack of education, having had only a third-grade education herself. Then there I was going down the same path; my brother also doing quite poorly.

She did not know what to do, and she prayed and asked God to give her wisdom. What could she do to get her young sons to understand the importance of intellectual development so that they could have control of their own lives? And you know something? God gave her the wisdom, at least in her opinion. My brother and I didn't think it was all that wise because it was to turn off the TV set and let us watch only two or three TV programs during the week. With all that spare time, we read two books apiece from the Detroit Public Library and submit to her written book reports which she couldn't read, but we didn't know that. So she had pulled a fast one on us.

I was in no way enthusiastic about this program. All my friends were outside having a good time, and there I was, inside, reading. A lot of times parents come to me today, and they say: ''How was your mother able to get you and your brother to turn off the TV and read? I can't get my children to do that.'' I have to chuckle and I say, ''Back in those days, the parents were in charge of the house. They didn't have to get permission from the kids how to run it.''

Interestingly enough, because of the reading—always reading, I learned how to spell, so I wasn't the first one to sit down in a spelling bee. I learned grammar and syntax because I had to put those words together. I learned to use my imagination because I had to take those sentences and make them into concepts. Within the space of a year and a half, I went from the bottom of the class to the top of the class, much to the consternation of all those people who called me ''dummy.'' The same ones were coming to me now and saying, ''Hey, Benny, how do you work this math problem?'' I would say, ''Sit at my feet, youngster, while I instruct you.'' I was perhaps a little obnoxious but it sure did feel good to do that.

The fact of the matter is, what am I talking about? I'm talking about a person's image and self-concept. When I was in the fifth grade, I thought I was dumb, and I acted like a dumb person, and I achieved like a dumb person. When I was in the seventh grade, I thought I was smart, and I acted and achieved accordingly. Does that say a lot about the human brain, about the potential that our Creator has given us?

Think about it. There is no computer on Earth that comes close to the capacity of the normal human brain. How many people here remember your home telephone number? Okay, that's pretty good for a bunch of people in Washington. What did your brain have to do for you to react to that question? First of all, the sound waves had to leave my lips, travel through the air into your external auditory meatus, travel down to your tympanic membrane, set up a vibratory force, which traveled across the ossicles of your middle ear to the oval and round windows, setting up a vibratory force in the endolymph, which mechanically distorted the microcilia, converting mechanical energy to electrical energy, which traveled across the cochlear nerve to the cochlear nucleus at the ponto-medullary junction, from there to the superior olivary nucleus—wait a minute, we've got a ways to go—ascending bilaterally up the brain stem to the lateral lemniscus, to the inferior colliculus and the media janicular nuclei, across the thalamic radiations to the posterior temporal lobes to begin the auditory process; from there to the frontal lobes, coming down the tract of Vicq d' Azyr, retrieving the memory from the medial hippocampal structures of the mammary bodies, back to the frontal lobes to start the motor response at the Betz cell level, coming down the corticospinal tract, across the internal capsule into the cerebral peduncle, descending down to the cervicomedullary decussation into the spinal cord gray matter, synapsing, going out to the neuro-muscular junction, stimulating the nerve in the muscle so you could raise your hand. Due to our limited time, I didn't want to get into the complexities. But the fact of that matter is, you could do that, and you barely had to think about it. Can you imagine what the human brain is capable of if people actually put some time and thought into things?

This is the thing that is so disturbing to me. When I see surveys about how our young people are doing in school vis-a-vis other industrialized nations—notwithstanding the outstanding individuals that the president pointed out the other day in the State of the Union address. That's the exception and not the rule. We have to change that as we enter the information age. We have to change the tremendous emphasis on sports and entertainment, and life-styles of the rich and famous. Because there are other great nations that went that pathway: Egypt, Greece, Rome. They were all at the pinnacle, just like the U.S.A., and then they forgot about the things that made them great, and they became enamored of the things that weren't so important. Where are they today? Some people think that that can't happen here, but it can. We have a real obligation to do something to change that.

You would think that having realized that, life was going to be wonderful for me. But it wasn't. You see, I had this problem with my temper. I was one of those people who thought I had a lot of rights. Have you ever met anybody like that? It's like when you're driving in your car and somebody gets in your lane—the one you own and paid for and you begin to dictate to them how they should be driving? Well, this was me. I thought I had a lot of rights.

I remember one time a kid hit me with a pebble. It didn't hurt. I was so incensed, I grabbed a big rock and I threw it at him and broke his glasses, almost put his eye out. Another time, a kid was trying to close my locker at school. I didn't want it closed, and I hit him in the head. Unfortunately, I had my lock in my hand and put a three-inch gash in his forehead. Another time, my mother was trying to get me to wear something. I didn't want to wear it. I picked up a hammer and tried to hit her in the head with it. Other than that, I was a pretty good kid.

But it all sort of culminated one day when another kid did something I didn't like. I had a large camping knife and I tried to stab him in the abdomen. Fortunately, under his clothing, he had a large metal belt buckle and the blade struck it with such force that it broke, and he fled in terror and I ran to the bathroom and started thinking about my life.

A few years ago, I was in San Quentin—as a speaker—and I was looking out over those hardened faces, and realizing that, except for the grace of God and our Lord and Savior, I could easily have ended up in a place like that myself. Sometimes it does us good to think about that when we believe how high and mighty we are, that except for certain circumstances, things might have been quite different for us.

We need to learn how to be compassionate and how to put ourselves in other people's

places. As I was in that bathroom, thinking about my life, having turned things around academically, I realized that with that temper there was no possibility of me ever achieving my dream of becoming a physician. I fell on my knees and I began to pray. I said: ''Lord, I cannot control this temper.'' I said: ''It's up to you. I am giving it over to you.''

I picked up my Bible. I started reading from the Book of Proverbs. There were so many verses in there about anger, the trouble that people get into: ''If you deliver an angry man, you're going to have to keep doing it''; Proverbs, 19:19. ''Like a city that is broken down and without walls is the man who cannot control his temper''; Proverbs, 25:28. Also verses about how God admired people who could control their temper; Proverbs, 16:32: ''Mightier is the man who can control his temper than the man who can conquer a city.'' It seemed like, verse after verse, chapter after chapter, they were all written for me. After three hours in that bathroom, I came out of there, and the temper was gone. I've never had another problem with it since that day.

I knew that it was our Lord and Savior, Jesus Christ, who did that for me. I began to understand that we have not only a heavenly Father, but I adopted God as my earthly Father; somebody that I could go to, somebody who was a nice guy; somebody who didn't force himself upon you but someone who, if you allowed him to be in your life and to control your life, would make it something special, something wonderful, would give you perspective and understanding; the ability to look at things from other people's points of view, rather than castigating people who disagree with you putting them in a corner and throwing stones at them, like so many people are prone to do. I think the more highly civilized a society is, the less likely they are to do that; the more likely they are to be able to engage in intelligent conversation, discussing their differences and arriving at common solutions.

There is a segment of our society that I am particularly concerned about; who seem to be affected by the things that I've talked about; the temper, the outrage, the lack of intellectual development. It's the young black males in our society in America. We've all heard the young black male in this society is an endangered species. Why do people say that? Because there are more young black males in jail than there are in college.

And you know the interesting thing? My good friend Wintley Phipps told me that 90 to 95 percent of those people in prison grew up in homes without fathers. Does that tell us something? Something about what we need to be doing as a society in terms of reaching out and providing appropriate role models for individuals?

Why do we have this dismal situation occurring? Some people say: ''I am not a black male, so it doesn't affect me. It's not my problem.'' I beg to differ with you because all of our ancestors came to this country in different boats. But we're all in the same boat now. And if part of the boat sinks, eventually the rest of it goes down, too. We have to understand that.

The interesting thing is that young black males never had to become that way. Those of you who are in education know that young black males in the kindergarten, first grade, second grade, are as good a students as anybody else. Then something happens along the way. What happens? They start reading in American history about this great nation of ours and they discover that there's nobody in there who looks like them who did anything of significance. They say, ''Well, maybe next year, when I take world history.'' Then they discover there's nobody who looks like them who did anything of significance. then they come home and they turn their TV on, and they say, ''Oh! There I am. Playing football and basketball and baseball, and rapping in these baggy pants that look like you could fly in them, and acting a fool on some sitcomedy.''

You begin to develop certain self-images, certain concepts: ''That's how I'm going to make it. I'm going to become the next Michael Jordan.'' The media doesn't tell them that only seven in one million will make it as a starter in the NBA; that only one in ten thousand make it in any lasting way in sports and entertainment.

We need to emphasize the right things. I wish we had a program that came on television every day, called ''Lifestyles of the Formerly Rich and Famous,'' so that they could find out what happens to many of these people, because it's not as glamorous as we make it out to be. We need to emphasize the intellect.

But, they don't have that emphasis. And then they find out later on that they're not going to be a sports star or in entertainment. What's left? Up drives this big black BMW with tinted glass, out steps this tall gentleman, jewels and furs and women, and he says ''Wouldn't you like to have some of what I have? That society sold you a bill of goods. Let me show you how you get it.'' Hence, we have people who do some things that none of us can imagine that a human being would do, because they feel betrayed by society.

That's part of it, part of the sociology. That's not all of it, but it's part of it. It's something that should give us pause, but it never had to happen. Any of us could have taken that young man at age 6, and walked down the streets of Washington, D.C., and given him a lesson that would have thrilled his heart, a black history lesson that could have started by pointing to his shoes and saying ''It was Jan Matzlinger, a black man, who invented the automatic shoe-lasting machine which revolutionized the shoe industry throughout the world.'' Step on that clean street, they can tell him about Charles Brooks, who invented the automatic street-sweeper. Down that clean street comes one of those big refrigerated trucks and you can tell him about Frederick Jones, who invented the refrigeration system for trucks, later adopted for airplanes and trains and boats. It stops at the red light, and you can tell him about Garrett Morgan, a black man who invented the stop sign, the stop signal, and also invented the gas mask, saved lots of lives during the war.

You can tell him about Henrietta Bradbury, a black woman who invented the underwater cannon, made it possible to launch torpedoes from submarines. And a black woman is walking down the street—a black man did not invent her—but you can take that opportunity to talk about Madame C.J. Walker, a black woman who invented cosmetic products for women of dark complexion, was the first woman of any nationality in this nation to become a millionairess on her own efforts.

You walk past the hospital, and you can talk about Charles Drew and his contributions to blood banking, blood plasma, and Daniel Hale Williams, the first successful open heart surgeon. You look up at the surgical light, Thomas Edison—you didn't know he was black, did you? He wasn't, but his right-hand man, Lewis Lattimer, was. Lewis Lattimer came up with the filament that made the light bulb work, pioneered research in fluorescent lighting, diagrammed the telephone for Alexander Graham Bell. People don't even know who Lewis Lattimer was.

You walk by the railroad tracks: Andrew Beard, automatic railroad car coupler, helped spur on the industrial revolution. Elijah McCoy had so many great inventions, like the automatic lubricating machine for engines, that people were saying when something big in the industrial era came up, ''Is that a McCoy? Is that the real McCoy?'' You got racist people like David Duke running around talking about ''the real McCoy,'' don't even know who they're paying homage to.

And I'm just scratching the surface. I'm barely scratching the surface.

Here's what's interesting: I can take that same walk down the street for any group, any ethnic group in this nation, and point out tremendous contributions, because the fact of the matter is we have all made enormous contributions to this nation. That's how this nation got to be number one faster than any other nation in the history of the world, because we have people here from every place, from all corners of the earth. This is not a problem, this is a good thing.

Think about it. How many people here would want to go to the National Zoo and pay money to get in there if every animal was a Thompson's Gazelle? It wouldn't be that interesting would it? How many people would go downtown Baltimore to the National Aquarium, pay to get in there, if every fish were a goldfish? How many people want a bouquet of flowers if every one was identical? And how many people would want to get up in the morning, if everybody looked exactly like you? Think about it. In some cases, it would be a disaster.

I think we should praise our Heavenly Father for giving us diversity, and please, let's not let those people with small minds make that into a problem. We don't have to do that.

Let me close quickly by saying I really feel that we have to get this into our young people, this idea about our diversity being our strength, this ideal about developing ourselves intellectually. What if everybody in this room, with all your influence, wrote a letter to Kellogg's and General Mills, when you went home, and said, put on your cereal boxes Nobel Prize winners and people of intellect instead of just people who use sports and entertainment, and our young people could read about them when they were eating their cereal in the morning.

Just those kinds of things will make a big difference. It helped me to have a very rapid rise in my career, and it came up with my philosophy for success in life: Think big.

The ''T'' is for talent, which God gave to everybody—not just the ability to sing and dance and throw a ball. Don't get me wrong; I love sports and entertainment. I love sports stars and entertainers, but it's not the most important thing. Intellect—we need to develop that. We need to emphasize it.

Honesty—lead a clean and honest life. You won't have to worry about skeletons in the closet coming back to haunt you just when you don't want to see them. If you always tell the truth, you don't have to try to remember what you said three months ago. What a difference that makes.

The ''I'' is for insight, which comes from listening to people who have already gone where you're trying to go. Solomon, the wisest man who ever lived, said, ''Wise is the person who can learn from someone else's triumphs and mistakes.'' He said, ''The person who cannot is a fool.''

The ''N'' is for nice. Be nice to people, because once they get over their suspicion of why you're being nice, they'll be nice to you. If you're not nice, try it for just one week. Try for one week not saying something bad about anybody and being nice to everybody. You'll see it makes a big difference, and you won't go back.

The ''K'' is for knowledge, which is the thing that makes you into a more valuable person.

You ask—do I have a big house? Yes. Do I have many cars? Yes. I grew up in Detroit. I like cars. Do I have a lot of things that ''Lifestyles of the Rich and Famous'' thinks are important? Yes, I do, but they're not important. Guess what: If somebody comes and takes all those things away from me today, it's no big deal. Why? Because I can get them all right back with what's up here—at least I could before managed care. That's what Solomon was talking about when he said gold is nice, silver is nice, rubies are nice, but to be cherished far above those: knowledge, wisdom, and understanding, because he knew with knowledge, wisdom, and understanding, you could get all the gold and silver and rubies you wanted. More importantly, he knew, with knowledge, wisdom, and understanding, you would come to understand that they—gold and silver and rubies—aren't important, that the important thing is developing your God-given talents to the point where you become valuable to the people around you.

The ''B'' is for books. I've already talked about the importance of reading.

I want you to know that my mother did eventually teach herself how to read. She finished high school. She went on to college. And in 1994 she got an honorary doctorate degree. It's never too late. It's never too late.

The second ''I'' is for in-depth learning, learning for the sake of knowledge and understanding, as opposed to superficial learners who cram, cram, cram before an exam, sometimes do okay, and three weeks later know nothing. I am sure no one here knows anyone like that.

The ''G,'' the most important letter for for God. Don't ever get too big for God, and don't be ashamed of a relationship with God. We live in a country where some people say that you're not supposed to talk about God in public; that somehow, that's a violation of the separation of Church and State; what a bunch of hogwash! Do they know that Thomas Jefferson had 190 religious volumes in his library? Do they know that the preamble to our Constitution talks about certain inalienable rights that our Creator endowed us with? Have they ever said the Pledge of Allegiance to that flag, which says we are one nation under God? In every courtroom in our land, on the wall, it says, ''In God, we trust''; every coin in our pocket, every bill in our wallet says, ''In God, we trust.''

So tell me something, if it's in our Constitution, it's in our pledge, it's in our courts, and it's on our money, but we're not supposed to talk about it, what is that? That's schizophrenia. does that not explain some of the things going on in our society today?

We've got to get it across to our young people that it's okay to be nice to people, to care about your fellow man, to develop your God-given talents to their utmost; to have values and principles in their lives. If we do that, I believe we in this country can lead the world to the type of civilization that this world should know. We should not be castigating each other; we should be loving each other. We should follow the example of our Lord, Jesus Christ. We should make sure that in all things we honor him. The way we honor him is by honoring each other.

Thank you, and good luck.

Representative BARRETT: Thanks. Dr. Carson, thank you so much for those words, for that inspirational message. We're grateful to you.

Ladies and gentlemen, it is now my great privilege and high honor to introduce to you William Jefferson Clinton, the president of the United States.

President CLINTON: Thank you very much.

Congressman Barrett, I want to thank you for making it possible for me to follow Dr. Carson. That business about worrying about whether the Secret Service would take you away if you talked too long—if that were true, I wouldn't be here today; I'd be long gone.

That biochemical description—I've got a real problem; I can't remember my home phone number anymore.

Senator Akaka, Mr. Speaker, Congressman Gephardt, to all the members of Congress and the governors who are here, and our leaders and visitors from other lands, and ministers and citizens from the United States, I've had a wonderful day today.

I would like not to pour cold water on the day, but just as you go through the day, I would like to ask all of you to remember the heartbreaking loss that our friends in Israel have sustained in the last couple of days, with 73 of their finest young soldiers dying in that horrible accident in the air.

I would like to also say that, like all of you, I was very elevated by this experience, as I always am. I thought Dr. Carson was wonderful. I thought the Scriptures were well-chosen. I appreciate all the people who work on the prayer breakfast so much.

I would like to just say a couple of things very briefly.

In my Inaugural Address and again in my State of the Union, I've quoted Isaiah 58:12, which Reverend Robert Schuller sent to me a few days before I started my second term, to remind us that we should all be repairers of the breach. It's a very moving thing. Basically, the political press here read it in the proper way. They said that Clinton wants the Republicans and Democrats to make nice to each other and do constructive things. But then I got to thinking about who is it that's in the breach. Who has fallen between the cracks? If we repaired the breach, who would we be lifting out of the hole? Very briefly, I'd like to just mention three things, and to ask you not only to pray for these three groups of people but also to do something about it.

I don't know about you, but whenever I hear somebody like Dr. Carson speak, I can clap better than anybody in the audience; then the next day when I get up and try to live by what he said I was supposed to do, it turns out to be harder than it was to clap. So I would like to ask you to think about who is in the breach if we're supposed to be repairers of the breach.

The first group of people that are in the breach are the poor in America. They're different than they used to be. When I was a boy, most poor people were old. In 1995, we learned last year, we had the lowest rate of poverty among older Americans in the history of the country. We have succeeded in taking them out of poverty, virtually, all of them. We should be proud of that, and grateful. Today almost all the poor are young. Very young people without much education. A lot of mothers like Dr. Carson's mother, struggling, doing the best they can to raise their kids.

We just passed this welfare reform bill, which I signed and voted for because I believed it, and we did it because we believed that the welfare system had gone from being a system that helped the poor to help themselves to move off welfare to a system that trapped people because the family unit has changed and there are so many single parents out there having children, and there isn't the stigma on it there used to be. A lot of people now seem to be stuck on that system from generation to generation. So we changed it.

We didn't change it; we tore it down; we threw it away. We said there's no longer a national guarantee that you can always get a check from the government just because you're poor and you've got little babies in your home. Now, the kids can have health care and we'll give them food, but you don't get an income check every month. You've got to go to work if you're able to.

So the people that are in the breach are the people that we say have to go to work, who want to go to work, who can go to work. You have to help us repair the breach. Two and a quarter million people moved off of welfare rolls in the last four years. A million of them, more or less, were adults who went to work; the others were their children, a million out of 11 million new jobs created. In the next four years, there's more or less 10 million more people left on welfare; about 3½ million adults, maybe 4 (million), most of them able-bodied. All of them are supposed to lose their benefits, if they're able-bodied, after two years unless they go to work. Where are they going to get the jobs? You're going to have to give them; private employers and churches, community nonprofits.

I see the governor of Michigan, the governor of North Dakota here. They can actually take the welfare check and give it to you now as an employment or a training subsidy or to help you deal with transportation or child care or whatever. But you better hire them. If you don't, this whole thing will be a fraud, and we will not have repaired the breach. All that we dreamed of doing, which is to create more Dr. Carsons out of those children of welfare recipients, will go down the drain because we come to places like this and clap for people like him, and then we get up tomorrow morning, and we don't repair the breach and do what we're supposed to do. I need you to help us.

The second people who have fallen between the cracks are people around the world who are in trouble that we could help without troubling ourselves very much. I am proud of what our country has done in Bosnia and the Balkans—you should be too—in the Middle East and Haiti; to help our neighbors in Mexico. The impulses of the American people are generous. I want to thank the speaker for supporting me when only 15 percent of the American people thought we were right when we tried to help our friends in Mexico. Thank goodness they proved us right, Mr. Speaker; otherwise, we might be out on the south 40 somewhere today.

But still our county has this idea that somehow it demeans us to pay our dues to the United Nations or to participate in the World Bank, or there's lots of things more important than that; or just to give Secretary Albright this year the basic tools of diplomacy. this is an interdependent world. We can get a long way with having the finest defense in the world, but we also have to help people become what they can be. So I ask you to think about that.

We're not talking about spending a lot of money here. It's only 1 percent of our budget. But we can't walk away from our obligations to the rest of the world. We can be a model for the rest of the world, but we also know that we have to model the behavior we advocate, which is to give a helping hand when we can.

The third people who are in the breach and in a deep hole and need to be lifted up are the politicians. We need your help. Some members of the press, they're in that breach with us, too. They need your help. This is funny, but I'm serious now. I want you to laugh today and wake up and be serious tomorrow.

This town is ripped with people who are self-righteous, sanctimonious, and hypocritical. All of us are that way sometime. I plead guilty from time to time. We also tend to get—we spend an enormous amount of time here in Washington trying to get even. It doesn't matter who started it.

I remember when I came here one time, I got so mad at our friends in the Congress and

the Republican Party because they were real mean to me over something. I went back to the White House and I asked somebody who'd been there a while in Washington, I said, ''Now, why in the world did they do that?'' They said, ''It's payback time.'' I said, ''What do you mean?'' They said, ''Well, they think the Democrats in Congress did this to the Republican Presidents.'' I said, ''I didn't even live here then. Why are they paying me back?'' They said, ''Oh, you don't understand. You just got to pay back.'' So then pretty soon I was behaving that way. I'd wake up in the morning, my heart was getting a little hard. I thought ''Now, who can I get even with?''

You think—this happens to you, doesn't it? Who can I get even with? Sometimes you can't get even with the people that really did it to you, so you just go find somebody else because you got to get even with somebody. Pretty soon everybody's involved in this great act.

You know how cynical the press is about the politicians. They think we're all—whatever they think. What you should know is that the politicians have now become just as cynical about the press, because cynicism breeds cynicism. We are in a world of hurt. We need help. We are in the breach. We are in the hole here.

This country has the most astonishing opportunity we have ever had. We happen to be faced with this time of great change and challenge. We're going into this enormous new world. Instead of going into it hobbled with economic distress or foreign pressures, we are free of any threat to our existence and our economy is booming. It's like somebody said, ''Here's this brave new world, and I'm going to let you prepare for it and walk into it in the best shape you've ever been in.'' Instead of doing that, half of us want to sit down and the other half of us want to get into a fight with each other. We are in the breach. We need you to help us get out of it.

The United States is better than that; we owe more than that to our people, to our future, and to the world. We owe more than that to our heritage, to everybody from George Washington on that made us what we are today. Cynicism and all this negative stuff—it's just sort of a cheap excuse for not doing your best with your life. It's not a very pleasant way to live, frankly—not even any fun.

I try to tell everybody around the White House all the time, I have concluded a few things in my life, and one of them is that you don't ever get even. The harder you try, the more frustrated you're going to be, because nobody ever gets even. And when you do, you're not really happy. You don't feel fulfilled.

So I ask you to pray for us.

I went to church last Sunday where Hillary and I always go, at the Foundry Methodist Church. The pastor gave a sermon on Romans 12:16–21, and a few other verses. But I'm going to quote the relevant chapters: ''Do not be wise in your own estimation.'' It's hard to find anybody here that can fit that. ''Never pay back evil for evil to anyone. If possible, so far as it depends upon you, be at peace with all men. Never take your own vengeance. If your enemy is hungry, feed him. If he is thirsty, give him a drink. Do not be overcome by evil, but overcome evil with good.''

Pray for the people in public office, that we can rid ourselves of this toxic atmosphere of cynicism and embrace with joy and gratitude this phenomenal opportunity and responsibility before us.

Do not forget people in the rest of the world who depend upon the United States for more than exhortation. And most of all, remember that in every scripture of every faith, there are hundreds and hundreds and hundreds of admonitions not to forget those among us who are poor. They are no longer entitled to a handout, but they surely deserve—and we are ordered to give them—a hand up.

Thank you, and God bless you all.

Representative BARRETT: Thank you, Mr. President, for those words. And thank you for, again, scheduling the prayer breakfast. We're grateful to you for taking the time to be with us, as I believe all of your predecessors for 45 years have spent time at this National Prayer Breakfast. Thank you so much.

Senator Daniel Akaka from Hawaii has been a dedicated member of the Senate prayer-breakfast group and the House prayer-breakfast group, as well. He's renowned on Capitol Hill as a man of kindness and a man of great faith. He'll also serve, incidentally, as the chairman of next year's prayer breakfast. Please recognize Senator Dan Akaka to lead us in our closing hymn.

Senator DANIEL AKAKA (D–HI): Thank you very much, Bill. May I ask all of us to stand, please; open our hearts, and raise our voices to the Lord.

(Senator Akaka leads in singing of ''Amazing Grace.'')

Representative BARRETT: Thank you so much, Senator.

I would like to, at this time—to deliver our closing prayer—to recognize a man who has distinguished himself both in public and private life, the governor of the state of North Dakota, the Honorable Edward Shafer.

Governor EDWARD T. SHAFER (R–ND): As we gather here this morning in Washington, DC, I am reminded of greatness. This is a great city, and we are here as great leaders. We are leaders of great governments and nations, leaders in great business and industry. We are here as leaders of our faith.

But we gather here not in greatness, but in humbleness, and to give thanks. To remember that it is only through the grace of our Almighty God that we serve our fellow man.

On this occasion, I hear again the words of Abraham Lincoln. He said ''I have been driven many times to my knees by the overpowering conviction that I had nowhere else to go. My own wisdom and that about me seemed insufficient for the day.''

Mr. President, First Lady Hillary, Congressman Barrett, Mr. Vice President, Mr. Speaker, all distinguished guests, let us open our hearts and minds and bow our heads in prayer.

God Almighty, Lord of all mercy, we your servants from around the world thank you for your goodness and loving kindness. As our lives burst with meaningful events, large and small, help us remember patience and compassion. We cannot live by scoring who wins or who loses, or by getting even or paying back. Let us live as neighbors looking out for one another, as friends caring for each other, and as family loving one and all.

Encourage us to respect, honor and serve each other. Help us remember it is not the words from our mouths but the actions we take that will command your final judgment.

As we depart from this special occasion, we pray that you will give each of us your directions for the decisions that lie before us, that we might govern wisely and lead well those who are in our care. May we have insight and wisdom in our search for justice, mercy and peace.

I pray these things in Jesus' name. Amen.

Representative BARRETT: Thank you, governor. This will draw to a close the 45th Annual National Prayer Breakfast. We again thank you for your presence, and we ask that you go wherever with God's love.

IT IS TIME TO BRING OUR TROOPS HOME FROM BOSNIA

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

Mr. METCALF. Mr. Speaker, I was not in favor of sending troops to Bosnia and I will admit that. I was fearful of getting bogged down. It is an awful lot easier to get into a situation like that than it is to extricate oneself after getting there. I think it is time to bring our troops home from Bosnia just as soon as we can.

When President Clinton first sent troops to that country, he promised the Congress they would be brought home by December 20, 1996. Today is April 29, 1997, more than 4 months past the deadline. Our troops are still there. The President now says that the troops will be pulled out by June 1998. The big question is why. Why do they need to stay there another 1½ years?

Does anyone remember the original mission? I admit it is kind of hard to remember, because the President never really spelled it out, but it is generally agreed that the mission was to keep the warring factions separate and to maintain peace in the region. These goals have been accomplished, thanks to the dedication and professionalism of the men and women of our Armed Forces.

As I mentioned, the President has now promised that the troops will be pulled out by June 1998. He cannot blame us for being a little skeptical even about that. His record of breaking promises does not inspire a lot of confidence.

The estimated cost of the Bosnia excursion has ballooned from just under $2 billion to over $6 billion. And, remember, this is off budget. This is money that gets spent anyway and it is off budget.

I am an original cosponsor of a new bill, H.R. 1172, the U.S. Armed Forces in Bosnia Protection Act of 1997. The bill commits the United States to leave Bosnia by September of this year, September 30, allowing for a 90-day extension beyond that if the President requests it and the Congress approves it. That would mean that the troops would be out by December 31, 1997, 1 year later than the original deadline.

This is eminently doable, at a huge cost savings, and in the best interest of America and in the best interest of the American troops now in Bosnia. At the very least, we must make the President stick to his June 1998 deadline. But by passing this bill, we can get them out 6 months ahead of that and just be a year later than the original promise.

Unless Congress takes action, I think that troops will just stay in Bosnia and stay and stay and stay. I think we must pass H.R. 1172 to end what could become a never-ending mission. It is time to be responsible to the people we sent there. Remember, these are the best combat troops in the world and we

send them there on guard duty, on police duty, and that sort of thing. That is not what they are about.

We need to be loyal to them and pass this legislation and bring the troops home from Bosnia at least by the end of this year, by December of this year.

CHILD CARE FUNDS DROPPED FROM WELFARE REFORM ACT

The SPEAKER pro tempore (Mr. BOB SCHAFFER of Colorado). Under a previous order of the House, the gentlewoman from the Virgin Islands [Ms. CHRISTIAN-GREEN] is recognized for 5 minutes.

Ms. CHRISTIAN-GREEN. Mr. Speaker, yesterday the House passed H.R. 1048, to make technical corrections to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, otherwise known as the Welfare Reform Act. While I support H.R. 1048, I rise today to express my strong disappointment about the fact that a Clinton administration proposal to set aside one-half of 1 percent of mandatory child care funds for allotment among the territories was dropped from the bill during the markup in the Committee on Ways and Means because the Congressional Budget Office scored the provision as having a cost to the Federal Treasury.

I am disappointed, Mr. Speaker, because when the Welfare Reform Act was enacted, no mandatory child care funds were provided for over 4 million U.S. citizens residing in the United States non-State areas, even though residents of my district and the other territories have been operating child care programs under section 402(g) of the Social Security Act.

Mr. Speaker, welfare reform is intended to promote self-sufficiency through work. As a result, securing adequate child care funding will be one of our more pressing needs if we are to be successful in our goal of moving former welfare mothers from dependency into our work force.

During the markup of H.R. 1048, the gentleman from Florida [Mr. SHAW], chairman of the Subcommittee on Human Resources of the Committee on Ways and Means, stated that there were several provisions that would be dropped from the bill because they were scored as having a cost and not purely technical in nature. The chairman went further to state that his subcommittee will go back and take a look at those issues that were left out of the bill as it came out of the subcommittee markup.

It is my intention, Mr. Speaker, to work with the gentleman from Florida [Mr. SHAW], the chairman, and the gentleman from Michigan [Mr. LEVIN], the ranking member, to ensure that low-income parents in the U.S. territories receive adequate child care to enable them to be able to go to work to support their families.

PATHWAY FOR OUR CHILDREN'S FUTURE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, today more than ever our children need us to stand up for them. As a parent and as a grandparent, I simply want to pave a path to the future for our young people. Unfortunately, there are those who want to keep them trapped in the past. There could be no more urgent time than this moment in history to make a difference for our children.

Consider this. Every 5 hours, a child dies from abuse or neglect. There is a connection with the fact that every 32 seconds a baby is born into poverty. From the dawn of life to the dusk of life, from birth to early death, far too many of our children are behind when born, live wretched lives and die before they truly have a chance to live.

We can stop this vicious, downward spiral. We can move our children from under the dark cloud of planning their funerals to the bright sunshine of planning their futures.

That is why I am here, Mr. Speaker, to stand up for WIC, to stand up for the nutritional needs of our country's poorest women and children. This is a time when so many of our children are at their lowest and worst point, and we need to call upon our highest and best effort as a nation.

During this Congress, there are those of us who have carried the commitment to children and we have been able to do so because we have fought for it. We carried our fight on a foundation of faith and belief that our fight for children was a fight for our Nation's future, and through this we have made some gains. The fight goes on.

More than 2,600 babies will be born into poverty this day and each day. We want to make a pathway for our children's future. There are those who would want to keep them trapped in the past. We will win the fight because we dare to fight. That is why we are here, Mr. Speaker, to fight the majority that want to cut the heart of our WIC program, a program that nourished over 7.4 million women and children in the year 1996; to fight the majority, as they have cut $38 billion out of the WIC supplemental, necessary funding for the one government program regarded by experts to be the single most successful social program run by the Federal Government.

Over 180,000 hungry women and children will be dropped from the WIC program, which has proven to be a successful weapon against low birth weight, infant mortality, and childhood anemia. GAO stated in 1992, for each $1 invested in the prenatal portion of WIC, the Federal Government saves at least $3.50 in Medicaid, SSI, and other relevant Federal programs.

I implore the Speaker to fully fund the WIC program at the administration requested level of $78 million and to give 180,000 American women, infants, and children the nutritional help that they need. We need to move people out of poverty, not into poverty. The President has said we need a lean but not a mean Government. It should not mean cutting nutrition programs which are essential to the well-being of millions of our citizens, people who in many instances cannot fend for themselves and need assistance for their basic existence. They are not asking for much, just a little substance to help them through the day, WIC and other nutritional programs, which in many cases provide the only food that many of our Nation's poor receive daily.

We are all aware that poor nutrition breeds poor development in children. I come from a rural area, a very poor district. Making cuts in this nutritional program will certainly be adverse to my district and to many of my constituents. Let us stop picking on children. Let us stop picking on the poor. Let us make some cuts, surely, but let us make them to the people who can afford them, not to taking food out of the mouths of pregnant and nursing women, infants, and children.

DEMOCRATIC EDUCATION AGENDA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey [Mr. PALLONE] is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, tonight I want to talk about the Democrats' education agenda. Before I get into some of the details, however, I wanted to briefly touch on the evolution of our plan to expand and improve the Nation's education system. I think it is particularly important to keep the history behind our plan in mind as negotiations over the budget continue the next few days or the next few weeks.

The Democratic Party has historically been the champion and defender of education in this country. The 104th Congress, in fact, illustrated this observation in very stark terms. Upon taking the majority for the first time in some 40 years, Republican leaders immediately set out to dismantle Federal education programs. Led by Speaker GINGRICH and primarily the freshman Republicans who were elected for the first time in the 104th Congress, the GOP proposed the largest education cuts in history.

A look at the record shows that on August 4, 1995, the Gingrich Congress christened its attack on education when 213 House Republicans voted for the largest education cuts in history, voting to slash education programs by 15 percent, or $3.6 billion. These cuts across the full spectrum of education were particularly heavy on student loan programs. But the proposed cuts left no stone unturned. They targeted Title I, Safe and Drug-Free Schools, Goals 2000, Head Start, vocational and adult education, as well as student

loans. Two times the GOP shut down the Federal Government because the President and congressional Democrats refused to allow the extremist Republican agenda to move forward. As we all know now in the face of mounting pressure from the American public, Republicans eventually relented and restored most of the billions of dollars that they were trying to cut in education programs.

Democrats on the other hand did not just fight to prevent Republicans from gutting education programs, we developed positive plans to improve and expand Federal education. That is basically where we are today, trying to convince the Republican majority to incorporate our education agenda in their budget plans.

One of the most important aspects of the Democrats' education program which I would like to dwell on for a few minutes is higher education, and particularly expanding access to college by making it more affordable for middle-class and lower income Americans to attend college. We are essentially trying to accomplish this goal through a combination of scholarships, grants and tax breaks. The President in his State of the Union Address talked about the HOPE scholarship program which has probably received the most attention in terms of higher education programs. This is based on a plan in Georgia and basically what the HOPE scholarship program offers is refundable tax credits of up to $1,500 to students in their first 2 years of college who maintain B averages and stay off drugs. Our agenda also includes a $10,000 tax deduction for families with college expenses for every year that they have such expenses. All told, taking the tax credits and the tax deductions for postsecondary tuition and the fees, it would provide $36 billion of tax relief for working families and students over the next 5 years.

Another component of this higher education agenda that is extremely important is the proposed increase in the Pell grant program. Mr. Speaker, I have to say that the Pell grant program is really the cornerstone, or has been the cornerstone, for a number of years of the Federal student aid program. It provides a means for students who would otherwise be unable to pay for college to get a college education. The plan that the President proposed in his State of the Union address and that he is now pushing in his budget is in fact the largest increase ever in the Pell grant program which would provide $40 billion of assistance to needy students over the next 5 years.

I just wanted to stress the importance of Pell grants and just bring it back to my home State of New Jersey if I could for a minute. At Rutgers University, which is in my home district and is the largest State university in New Jersey, approximately 20,000 students at Rutgers received Federal assistance in the 1996–97 academic year. Of that 20,000 students, 8,498 received Pell grants. In other words, close to half of all students who receive Federal aid at Rutgers to help pay their tuition costs are getting it through the Pell grant program.

As we can see, Mr. Speaker, tax breaks and increases in the current programs are the foundations of our higher education agenda, but I want to stress that they are not the only elements. We are also proposing cuts in student loan origination fees that would save $2.6 billion over the next 5 years. We would continue our programming of injecting competition by expanding the direct lending program. In other words, rather than have the student loan industry, the banks and financial institutions, provide the loans, or as an alternative through competition, we would let the colleges and universities provide the loans directly. Our plan also includes a proposal to provide tax incentives to employers who provide tuition assistance to their employees, to expand those opportunities for higher education as well.

I have to stress that most of these higher education proposals were developed by Democrats in the spring and summer of last year. The American public, I think, has essentially sent a very unequivocal message about education and even about these proposals. They have indicated that we need assistance in meeting the runaway costs of a college education, and I think people in general are eager to see these Democratic proposals become law. I know that in my own district when I talk to my constituents about what they would like to see us do on the Federal level, education and particularly higher education is one of the major priorities. It is my hope that the Republican leadership learns from its mistakes during last year's budget battle and includes some of these Democratic proposals in this year's plan.

Working families, students and average Americans, I think, are counting on Congress to help. We are simply waiting for the Republicans to agree to help us make life a little easier and a little better for the average American.

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

Mr. PALLONE. I yield to the gentleman from North Carolina.

Mr. ETHERIDGE. Mr. Speaker, I want to thank the gentleman from New Jersey [Mr. PALLONE] for organizing this special order on education. I believe it is one of the most important issues that we will cover in this session of the 105th Congress. Having spent a number of years at the State level as a legislator and the last 8 as superintendent of schools for the State of North Carolina, I know a lot about what we should do and a number of the things we should not do.

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I happen to, as I said to some of my colleagues the other day, being the first member of my family to have had the opportunity to graduate from college, I happen to believe that everyone should have that opportunity, and today we see that college is becoming more and more difficult for more and more people as the cost of higher education continues to rise and the opportunity tends to be farther and farther away for those young people who have the greatest needs.

I guess I might say that one of the reasons I got into politics and really into education, and I think both of them have some of the same things, was an opportunity to help people and really to help young people. I have had the opportunity to work, in the few short months I have been a Member of this Congress, with some outstanding members of the Democratic caucus, working on education, talking about those things that I think are important, and I think it is an issue that people on both sides of the aisle this year can come together on.

Secretary Riley will be speaking with us and has spoken with us on a number of occasions, and I think the President deserves a great deal of credit for putting education at the top of his agenda in 1997. It is one of those issues that everyone can rally behind.

Mr. Speaker, it is the issue that businesses are talking about, parents are talking about, everyone in the State and national level is beginning to focus on. We are talking about raising and having higher standards, that students do need to work harder and be responsible.

Earlier this year my home State of North Carolina earned the distinction which I am quite proud of, and I have called it to the attention of my colleagues before, and I want to do it again today because the National Assessment of Education Progress released the data, and it is called NAEP and it is probably one of the more reliable standards in which students are measured across the country. And our fourth graders in mathematics gained three times the national average of growth in their mathematics scores, and our eighth graders doubled it, and North Carolina was ranked as one of only three States in the Nation to receive exemplary status by the Secretary of Education.

Mr. Speaker, these are the kinds of things we are going to have to do for all children all across this country, set high standards, work with them, provide the resources, help our teachers, help our parents so that they can reach those standards.

As we look to the new century technology is changing the way we work, we learn and the way we live. Here in this body we vote electronically. In our offices we have TVs and electronic machinery and computers. Every modern business office has a computer on their desk, and many are hooked into the Internet, and as we approach the 21st century it is a shame that we have classrooms that have no computers, let alone access to the Internet, and too few schools even have telephones that are accessible by the teachers.

I have said many times as we talk about high technology there are many teachers who just like to have a telephone where they call a parent when they need them, when they have a problem in the classroom, and they have to go down to the office or stand in line for another phone. That is not acceptable in a nation that has the resources that we have, and we are asking our children to meet those standards. We can do better, and I trust that this Congress will do it.

My district has high-technology firms because of the Research Triangle, an area that we are proud of in North Carolina, and it reaches all the way out to the heartland of our State, where we literally have high-technology firms in a field right next to tobacco. Now, that is a tremendous contrast in the Nation and in the State, but we must win in both those areas. We must win with our agricultural interests, and we certainly must win with our high-technology interests.

High technology in North Carolina is now the second leading industry in our State. It is bigger than furniture, it is bigger than agriculture in terms of the number of people directly employed, with over 100,000 people, and in 1995 the average wage base for people working in technology in North Carolina was $42,166. Those are the best jobs around, the best paying jobs, and people must have the skills to fill those jobs, and just because a new industry moves in and provides that technology and those job opportunities, you do not automatically gain those skills. Those skills are required over a time, and they are acquired with education, and it starts long before a child shows up at the public schoolhouse door.

We have to start earlier providing opportunities for enrichment for our children so that when they come to school they are ready to learn. We must invest in our children, get them ready to learn. According to a recent Rutgers University study, every dollar, every single dollar that we invest in early childhood education returns us $7, $7. What a tremendous return. That is a great investment, and yet we hear people talking about the expense of this and the expense of that. That is an investment with tremendous dividends for all of us.

And then we have the standards of excellence, as I talked about a few moments ago, in math and reading, the basic foundations that we build everything else on, in my opinion, in public education. We have to have those standards of excellence so parents can know that their children are learning. They know after we adopt those rigorous standards, as we have done in North Carolina, we also need to do the same thing at the national level for every single child in this country so that we know the standards are there and the children are meeting them.

But, more importantly, we no longer deal in an economy that is within the borders of the United States. We do not compete even with just the people at our borders to the north and south. We have an international economy, and money moves, and so do jobs, and we must have an educated citizenry if we are going to have access to the jobs of the 21st century. And as we do that, my colleagues, we must rebuild the crumbling infrastructure of our schools.

Mr. Speaker, it is appalling to me that we will build prisons nicer than the schools we send our children to every day. I have seen multimillion-dollar prisons next door to crummy, crumbling, decaying public schools, and then we have the gall to tell our children that education is important. They can see the difference in where we put our money. Certainly, we need places to put people who need to be incarcerated. I am all for that.

Last year in North Carolina I used that speech so many times, Mr. Speaker, that we put a $1.8 billion bond issue on the ballot in our State, the largest bond issue in the history of our State, and to the credit of the business community in our State, the parents, and everyone else, it was on the ballot from November of last year, and it passed by the largest margin that any bond issue has ever passed in our State. The people said enough is enough. We had roughly almost 6,000 trailers where children were going to every day, and even with those trailers they were working toward excellence in academics. So we have to get our infrastructure in order not only in our State but across this country. And I commend the President for proposing resources in this budget to help provide for the process of beginning to deal with that crumbling infrastructure. Certainly it is not enough money, but at least the $5 billion investment, if we turn it into bonds, will provide about $20 billion in this country to help with it.

Let me turn to one other issue that, as we talk about education, we cannot talk about it just in education without talking in other areas, and it is an area in a number of States we need to look at. It certainly may be right outside some of our purview, but I read an article recently that there are 63,000 geriatric inmates in our Nation's prisons. Those are inmates that are there because they committed a heinous crime, but they are so old we do not have them anywhere else, and they cost on average; according to the National Criminal Justice Commission, these elderly prisoners cost on average $69,000 per inmate to incarcerate: $69,000. We need to find a better way to deal with those elderly inmates than to spend $69,000 a year when our children have tremendous needs. We are spending it in the wrong place. We need to spend it in preschool, and we need to spend it in our educational system.

Some reports estimate it costs taxpayers seven times as much to incarcerate as it does to educate. Now granted we have got people we need to lock up and keep there, but we need to look at where we are putting our priorities.

Let me touch on one other issue, if I may, in this whole area of education because all of it is important, and when we talk about investment I happen to believe education is an investment. It is an investment in our future, it is an investment in this country's future, and it is really not an expenditure because it pays rich dividends. We do need to spend money on technology, but we need to make sure as we spend those dollars, and this is true in every State, and this becomes as much a State responsibility, I guess, Mr. Speaker, as anything else. Our teachers need to understand technology and be able to use it because, if we put it in the classrooms without them understanding it, it will not be used the way it should be used.

I have said that time and time again. I recommended in our State several years ago that we give every teacher a laptop and let her take it home—him or her—and they learn to use it. Now some have done it, and it works because then it becomes integrated with their lessons and it gets used. No question that young people can adapt to technology much quicker than some of us 35 years of age. We have a little bit of a difficult time dealing with it. We do not want folks to see that we really do not understand it that well. But it is important and imperative, I think, that we provide Internet to our schools. It would be great if it were in every classroom, but certainly will not have that access in schools so that that information is readily available to the children who live in some of the poorest areas of this country, as well as those who live in the more affluent areas, because we are all part of one Nation, the United States of America, as we are of our individual States, and any child deprived of that opportunity, in my opinion all of us lose when that happens.

And we need to help families who are struggling to pay for college. Today we have so many young people who are bright, who want to go to school, and if they borrow the money that is required for them to get through college, they come out with such a debt, and we are working on something, we have introduced a bill. As a matter of fact, the gentleman from North Carolina [Mr. PRICE] and I introduced House bill 553 called the Education Affordability Act which will provide for some student—allows the interest on the student loans to be deducted just like we do on the home loans. It seems to me that if we can allow the deductibility on a second home at the beach, at a minimum we can allow for that investment in a young person and their family makes in their children's education; and I want to again commend the President for his proposal to help those struggling families who are really reaching out and trying to help their children get an education because they realize, and there are many young people today who will be the first in their families to graduate from college, and there are

many who may be the second generation that because of the level of income of their families are going to have a difficult time. The President has proposed the HOPE scholarship for those who work hard and do well academically. They ought to have that opportunity and a $1,500 tax credit expansion of the Pell grants.

I talked today, Mr. Speaker, with a college president of a university where he said if there is one thing I could do for these young people and others we are recruiting, give us Pell grant moneys, raise that level because the cost has gone up and we have not kept up with inflation over the years.

□ 1700

Also, we ought to allow parents who have saved and been frugal to reach into their IRA's without penalty and apply those dollars to their children's educational opportunities. They saved that money for an investment. What better investment can you make than an investment in your child's future, in their education that will allow them to provide for their families in the years to come?

We have to remember, and I remember growing up, people talked about education as if it were a destination: ''I received a high school diploma,'' or ''I graduated from X college with a degree,'' or ''I have a Masters or a Ph.D.'' Today, we cannot talk in terms of education as a destination. It is a journey that lasts all of our lives. It is lifelong learning, and it starts when a child is born and it is never-ending until we cease to draw our last breath.

If we are going to be involved in the economy of the 21st century, and it really does not matter whether we work for a high-tech firm in Silicon Valley or the Research Triangle Park in North Carolina, or if we work in the tobacco fields of eastern North Carolina or the wheat fields in the Midwest, the technology of the jobs that we do, whether it be in textiles or wherever, requires education, education, education, and business firms in this country understand it. They have been investing for a long time.

We all need to get together and make it an effort where we do not just talk about it. Preschool education, K through 12 education, university education, education on the job, it is an education of lifelong learning, and we need to work together so that we can make it happen. It is a journey, it is not a destination.

I thank the gentleman for these moments, and let me thank the gentleman for organizing this time.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from North Carolina [Mr. ETHERIDGE] for participating in this special order.

The gentleman mentioned a number of things that I thought were really important. I just want to reiterate, if I could, two things that the gentleman mentioned, because I think they are so true.

One is the juxtaposition, if you will, of the amount of money that we spend on prisons versus education. Of course, we all know we have to have prisons and the Federal Government, of course, has been providing funding to build more prisons. But the bottom line is that I think that our whole reason why we think education is such a priority is because it builds a foundation for the future and is essentially preventive.

People that are well educated, it is less likely that they are going to have to be committing crime or going to prison. If we leverage the amount of money that we would spend, for example, on school construction and compare that to what would have to be spent on prison construction down the road, clearly there is no comparison. That is why it makes sense to spend Federal dollars on school construction and renovation.

I yield to the gentleman again.

Mr. ETHERIDGE. Mr. Speaker, I think the point the gentleman is making, talking about an expenditure versus an investment, is a good one. Any good businessman wants to invest, any person does. Certainly when we invest in our children, the point the gentleman made about as young people get an education, we break a lot of cycles when the educational opportunity is there, because what we have done is enriched the next generation, allowing them to earn more money, obviously. They are better able to look after their children and the members of their family. They are less likely to follow a life of crime, and they are able to move up in society into the middle class.

As we move people into the middle class, all of us benefit. So the gentleman is absolutely right. As we enrich and broaden that base, that is how we become a richer and a fuller Nation. We have done that over generations as a result of education.

Mr. PALLONE. Mr. Speaker, the other thing the gentleman mentions is the emphasis on early childhood education. I guess in the last couple of weeks we have heard a lot about that in the media. I think the President, and Mrs. Clinton in particular, have been going around the country talking about the need for early childhood education. The First Lady was actually at Princeton University in my State, I believe just a couple of days ago.

Reading some of this material that has been coming out over the last few weeks, it is just amazing to me. I have two small children, one is 2 and the other is 3½, and I have listened to what some of the educators are saying and I can just see how true it is, that we need to spend more time. A lot of it of course is just the family, that the family spends time reading to their children or spending time with their kids, but also in terms of resources as well, on very early childhood education, because so much happens in those formative years.

That is why I think programs like Head Start, which really do not even start that early, but start fairly early, and that has been a very successful program. One of the things that we have been talking about as part of the Democratic agenda is expanding Head Start and early childhood education, because it is so crucial.

I yield to the gentleman.

Mr. ETHERIDGE. The gentleman's point is well made. They are now talking about that more has been learned in the development of the brain in the last 5 years than in the last 30, 35 years, and we are beginning to realize that zero to age 3 is such an important period for our children. But even with that, if we look at Head Start and the young people who need to be there, we are still serving less than half of the young people that need to be served in that area.

I was in Durham just 2 weeks ago, and they served somewhere in the neighborhood of over 700 children in an old abandoned school that they moved out of several years ago, but they have moved into it and done a lot of work. Certainly they need new facilities. But if one meets with those children and sees what is happening in their lives, and I visited twice in the last 10 days and met with the children, the bright eyes and the flow of enthusiasm.

I have often said to folks, if you really want to see where we are headed in this country, go into a classroom of little folks, 5-, 6-, 7-year-olds, and ask them if they can dance and ask them to raise their hand, they will all raise their hands. If you ask them if they can sing, they will all raise their hands. Ask them anything, they will agree, they can do it.

Then wait as they get older, into high school, and ask that same question, and they have qualifiers. I only slow dance, I can only sing this, et cetera.

What I am saying is that we have the opportunity I think in 1997 in this Congress to link up all of these folks who are reaching out there, the business community and others, with the President's leadership, and make a difference as we move to the 21st century like we have never made in this country before, and provide a springboard for democracy to be here for our grandchildren and our great-grandchildren, if we do the right things in providing educational opportunities for our children.

Mr. PALLONE. Mr. Speaker, I would like to yield now to the gentlewoman from Texas [Ms. JACKSON-LEE], who I know has been involved again with these education issues and promoting the need for the Federal Government to do more on education.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from New Jersey [Mr. PALLONE] for his leadership and raising the importance of this issue; and I thank the gentleman from North Carolina [Mr. ETHERIDGE], my colleague and friend, who made some very valid points.

It was interesting to hear him speak about his visits to his respective

schools in his district. I too can attest to the fact that if you want to see America's promise, as has been discussed over these last couple of days, then you need to be in your schools throughout this Nation.

How sad, in contrast to my visits. This past week I visited Turner Elementary, Cullin Middle School, and Pole Middle School, and will be visiting some others in my return to the district in the next couple of days. But there certainly was an excitement and a brightness in those children's eyes.

We happen to have been visiting them and presenting them trees to plant. This month, of course, is the month that we celebrate Earth Day. It is a time to emphasize our environment. It happens to be beautiful outside today, at least in Washington, DC, and it is important to instill in children the reality of education, the real necessity of a tree and how you plant a tree. So I was very delighted to be able to go and meet with my students in my district and present to them in fact seedlings from Martin Luther King trees in Selma, AL.

But I say that to point out that that joyous occasion was in sharp contrast to our Nation's Capital and the announcement of the closing of some 5 to 10 schools in Washington, DC.

This is not to say or to have someone who might hear my voice, ''Well, that is Washington, DC.'' No, that is a statement on education, that here we have in America in 1997 schools being closed because there are not sufficient enough dollars for their upkeep and the teachers and the educational programs.

If I might just diverge for a moment, because I think all of this is intertwined, and the gentleman has been a leader on the issues dealing with Medicare and Medicaid. Many times we think that these are not issues that sort of impact on each other, and in particular, the women and infant children program that we have just discovered Republicans voted to eliminate some 130,000 women and children. That is a nutrition program. That is the early beginning of giving children the support basis that they need to begin the learning process.

On the WIC program, as related to us by Robert Greenstein, executive director of the Center for Budget and Policy Priorities, the WIC program is currently regarded by researchers as the single most successful social program the Federal Government runs, with an impressive array of medical evidence showing the program reduces low birth rate, infant mortality, and child anemia, all leading to the kind of healthy child we would like to have, taking them toward the educational system. I just wanted to add that because then that mounts, if you will, that creates additional problems.

If we are to be serious about education, we must begin at the early stages. So I think it is extremely important that we look at WIC, because WIC ultimately impacts Head Start. We must, as the President enunciated in his State of the Union, we must come up to the bar, if you will, ante up and recognize that in fact Head Start, a healthy child coming into Head Start really sets the tone for the kind of vehicle, what that child will be, what you can put into that child, giving that child the kind of educational start that he needs. I hope that we will not overlook the value of Head Start.

So I wanted to sort of take education from the very stage of birth, bring it to Head Start and then begin a very brief discussion on some crises that I see, and how it is important for this to be bipartisan and for Republicans to join us in emphasizing that this not be an education President or education Congress, but an education Nation that reinforces our commitment.

We talk about tax cuts. I think I heard someone discuss the other day on the floor of the House, it was a Republican colleague, the percentage of increase in college tuition is unbelievable, unbelievable for the working family in terms of that cost that we have seen occur in our college increases, and not just our private institutions at the top level of rating but across the board.

Therefore, bringing it to our attention that the HOPE scholarship is an important part of what we should be looking at to allow people to get their first step in the door, the first 2 years of college, help those working families counter some of these increases in college tuition. Pell Grants, that have been over the years a mainstay for many of our young people who are today now leaders in the Nation's Capital, leaders in industry, they should be on the front of our burner in terms of continuing.

As I went to our different schools, I do not think there is one of us that cannot find an aging school in our district. Now we have talked and talked about school repair and school construction. I tell my colleagues, we have a problem. Schools are crumbling across the Nation. It is extremely important that we get down to the business of addressing school infrastructure.

The President announced a program in his State of the Union. I am sorry that we are still, now April going into May, have not really attacked this problem head on. Would it not be shameful for our children and teachers to return in the fall to crumbling schools? This is something that we need to address almost immediately.

I have heard the gentleman from New Jersey [Mr. PALLONE] raise this question and this issue about school infrastructure. I am told that over 60 percent of U.S. public elementary and secondary school facilities need major repairs. The gentleman from North Carolina [Mr. ETHERIDGE] started citing different regions. That means in Alaska, in the Silicon Valley, that means in Houston, TX; in parts of New Jersey, it means in parts of Pennsylvania; it means down in the deep South, Alabama, Mississippi, and Georgia; it means in the Midwest. Wherever we go, there is not a you problem, your problem, not my problem; it is an us problem.

□ 1715

The average school nationwide needs $1.7 million to repair and upgrade its facilities to an acceptable overall condition. Last fall I had one of my schools collapse, so the children had to be dispersed. One of the ceilings collapsed. They had to be dispersed through other schools.

Do we understand what it means to have a neighborhood school, and the feeling of community; even in times when our children have been bussed there is a sense of community and familiarity with the school you go to. How distracting to have you dispersed throughout other schools when your school is not functioning.

I think we need to put at the top of our responsibility educational infrastructure. Then we need to be assured that our teachers have the right kind of training, that our reading teachers have the right kind of training for them, so we need to provide dollars for programs that would enhance the Opportunity to Learn Program, to enhance those standards.

I think it is likewise important, coming from the community that I have, to not taint bilingual education in a negative fashion. We have been successful with bilingual education. What that simply means is to allow those students who come in speaking only their language to be able to be taught while they are learning the English language.

Can we simply understand what bilingual education is? It has worked in Texas, and I think it is extremely important that we not abandon that because of misconstruing and characterizing bilingual education in the context of English only. That is a tragedy and a shame and a sham on what it actually is.

Let me also say that we have seen such progress with our work with individuals with disabilities, from President Bush signing, and the Democratic Congress then, the Americans with Disabilities Act, and the work that has transpired with helping those with disabilities reach their full promise. Let us not, in this educational effort, abandon those individuals and not provide them with the resources that they need to in fact become independent, to transition from dependence into independence.

We have a crisis in education. There are a myriad of things that we need to confront. I believe that we will get nowhere by holding hostage the budget, by refusing to recognize that there will have to be some major sacrifices. The defense spending has to be closely looked at, because we will not have a Nation, in essence, to defend. We will not have the kind of qualified men and women rising up to join the Armed Forces, with their intellect, without

providing the basic necessities of education.

Then I would like to say that out of education comes training for dislocated workers, and most of all our young people. How do we get young people to see the advantage of staying in school? We fully fund the summer youth program, the jobs program that I have heard some of my Republican colleagues call a babysitting job. It is not. It translates academics, education, to our young high school students to understanding what work is all about, going on these summer jobs and being able to get the gratification of translating book knowledge into work knowledge.

The summer jobs program has been an eye-opener. It has been a divine intervention, if you will, for those individuals that want to give up, that come from neighborhoods that might not encourage perseverance. The summer jobs program has changed lives.

I tell this story frequently, when I was in local government participating in the summer youth program, hiring one of those students and having them call me to say that they did not have the proper clothing to wear downtown to an office building; and telling that youngster, regardless of what you wear, come down to this office, let us work with you; and seeing that youngster go on to greater and bigger things because they were able to be exposed in an office setting and develop the confidence and the appreciation for work.

I would simply say to the gentleman who has organized this very vital special order that hopefully that will be the lightning rod to get us moving on supporting education for our Nation, and in fact in restoring the WIC funding to not deprive 180,000 women and children from that first start, and then of course making it so very, very crucial and such a very, very strong commitment to educating our youngsters.

I might inquire of the gentleman from New Jersey, we make a good pair, because he is on the East Coast, far to the east of me, and I am here in Texas, and it would be certainly presumptuous to suggest that all my problems are the gentleman's problems. I tend to think they are the Nation's problems.

Must we not confront this infrastructure crisis in our country that so many preceding the gentleman, and I remember the gentleman from Illinois, Mr. DICK DURBIN, I remember Senator CAROL MOSELEY-BRAUN on the other side has been a leader on this issue, Cleo Fields, who used to be in this body, so many have spoken about this issue.

When will we address this question of infrastructure, for our children to be in safe and secure places of learning? Is that a problem in New Jersey, or is that a problem that is a national problem?

Mr. PALLONE. Mr. Speaker, I would say to the gentlewoman, there is no question that it is a national problem. I know in my district in New Jersey we have a variety of schools, inner-city older schools, growing communities that are operating with portable classrooms because they cannot find the funding to build new schools. In the last few years in many of the communities in New Jersey there has been an expansion, a huge expansion in school enrollment. I guess there is sort of a new baby boom that is coming along now. The school districts simply cannot afford to spend the money on renovations or new construction.

I do not know that we actually brought it out tonight, but the gentlewoman and I are certainly aware, as well as the gentleman from Massachusetts, that the President has called for this $5 billion to be spent over the next 4 years to help pay for up to half the interest that local school districts incur on school construction bonds, or for other forms of assistance that will spur new State and local infrastructure investment. Basically this financing assistance, this $5 billion, can help to spur $20 billion in new resources for school modernization, a 25 percent increase above current levels over the next 4 years.

What we are saying basically is that we want the Federal Government to get involved with the school infrastructure, which they have really not been in a significant way, and even though $5 billion may not sound like a lot over 5 years, it can really be leveraged with what the State and local governments can do to make a difference to address some of these needs. But it is clearly national, it is not just in New Jersey or Texas, it is all over, and there is plenty of information from the General Accounting Office to verify that.

Mr. Speaker, I notice the gentleman came on the floor, and I would like to yield some time to the gentleman from Massachusetts.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would be happy to. That would certainly be a sparkplug for getting the infrastructure built. I think the President is certainly on track on these leadership issues. I am delighted to see the gentleman from Massachusetts has joined us on this issue.

Mr. PALLONE. I want to thank the gentlewoman for being here.

I yield to the gentleman from Massachusetts [Mr. MCGOVERN].

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Massachusetts for organizing this special order on education. As the gentleman knows, no other issue before this country, in my opinion, is as important as the education of our children.

Like a number of my colleagues, a couple of weeks ago I attended the conference at the White House on early childhood development. As the gentleman knows, this conference focused on new scientific research that confirms what many parents have suspected for a long time, that those very first few years of a child's life are critical to that child's social and intellectual and emotional development. I think the President and the First Lady deserve enormous credit for taking a lead on this issue, and raising awareness on this issue.

I have taken to this well many times to speak of my support for improving the scope and quality of American education. But we must never forget, as I said, that a child starts learning long before they enter the first classroom. If one believes, as I do, that education is truly the key to this Nation's economic future, we must begin early.

I would just like to highlight the fact that I have joined with the gentlewoman from Connecticut, Ms. ROSA DELAURO, and the gentleman from Maryland, Mr. STENY HOYER, in introducing a bill that kind of addresses some of the concerns that were raised at that White House Conference on Early Childhood Development. The bill specifically would increase funding for Head Start and the Early Start Programs. It would also expand the Family and Medical Leave Act, and it would provide competitive State grants for child care and family support services.

I think it is vital and it is crucial that this Congress address this issue of early childhood development. Again, anybody who attended that conference at the White House could not help but be moved by the testimony from scientists and academics and parents who talk specifically about how important some of these programs are.

Earlier today I joined with a number of my colleagues at a gathering that was entitled a ''Head Start Day Hearing'' in the U.S. Congress. I sat down and had lunch with a bunch of Head Start kids. I am convinced more than ever that this is a very important program and deserves the support of this institution. But supporting those kinds of programs I think is vital if we truly are serious about education.

Mr. Speaker, I might add one more issue that I think is very important for this Congress to address. That is the issue of expanding the amount that we grant currently for Pell grants and the eligibility. The cost of higher education continues to go up, and yet State and Federal grants continue to go down. The way people right now tend to finance their education is almost exclusively on loans. The idea of providing more money for Pell grants, I think this is the time to do it. I think parents would appreciate that kind of movement. Certainly college presidents and those associated with various universities and colleges would appreciate it.

I get concerned when it appears that many people who would like to go to college do not go to college simply because they cannot afford to go to college. I think anybody in this country who wants a college education should be able to get one, regardless of where they are in terms of economic status.

If we are truly serious about building that bridge into the 21st century that the President talks so eloquently

about, if we truly want this Nation to continue to be the economic superpower in the next century, then education is the key. Education really is the key to almost everything: Economic stability, economic development, as well as dealing with so many of the social and economic problems that we talk about often on this floor.

I want to commend the gentleman from New Jersey for organizing this special order, and I will certainly join with him and the President in the initiatives that he has outlined here today.

Mr. PALLONE. Mr. Speaker, I appreciate the gentleman's comments. I just wanted to mention, if I could, and develop a couple of things the gentleman has mentioned. When he talked about the Pell grants, one of the things we need to stress, and the gentleman did so, is that the Democratic education initiative does put a lot of emphasis on the need to expand the Pell grants, as does the President's.

I think a lot of the media focus or attention has been on the HOPE scholarships and the tuition tax credits, but I think we all understand that if we do not expand Pell grants then the neediest, if you will, of students that really depend on Pell grants in order to finance their college education will not be able to continue.

Throughout this debate about whether to provide tax credits versus scholarships or Pell grants, we just need to continue to focus on the fact that if we do not expand these Pell grant programs, then the needier students will not be able to go to college, because I know that the cost of tuitions and fees has gone up so much, and that Pell grants basically have not kept up with it, even though the Democrats have continued to stress the need to expand those Pell grant programs.

Mr. MCGOVERN. Mr. Speaker, I appreciate the gentleman's comments. I would just point out that the bill that I have introduced would actually increase the maximum Pell grant award to $5,000 from a current level of $2,700, bringing the award to the level at which it was created, adjusted for inflation. I think this is the kind of bold measure the American people would appreciate.

I applaud the President for adding or increasing the amount of Pell grants in his proposal. I think we could even do better, quite frankly. I think Pell grants, from when I talk to parents, when I travel throughout my district, grant money is something they would very much appreciate. I would also say it is a wise investment of our Federal resources.

After World War II we had something called the G.I. bill of rights, which educated a whole generation of veterans coming back from World War II. I do not think anybody today would argue that that program was misguided or not a proper use of Federal resources. One of the reasons why this country is as powerful as it is today, and continues to be an economic superpower, is because of the fact that we made a commitment to education. We need to make a similar commitment now to education for this new generation, and I think Pell grants is one way to do that.

Mr. PALLONE. I agree, and I thank the gentleman for his comments and for the legislation he has introduced.

Mr. Speaker, I yield to the gentleman from New York [Mr. OWENS].

Mr. OWENS. I, too, want to commend the gentleman for this special order on education, Mr. Speaker. I have been listening and heard us cover a lot of territory, as is the case with the President's comprehensive program, this little booklet that came out, ''A Call to Action for American Education,'' which ranges all the way from early childhood education to higher education and lifelong learning.

That is as it should be. I have served on the Committee on Education, and the name has changed lately, but it has been the education committee, basically, for the 15 years that I have been here.

□ 1730

This is a time for great rejoicing among people who care about education, and that includes the overwhelming majority of Americans. Most Americans care about education. Most Americans, every adult American, thinks he or she is an expert on education, too. That is part of the problem and also part of the strength of trying to bring about improvement in our schools. Everybody cares, and I think we ought to hunker down and understand that we have a President that is ready to take a comprehensive approach, he is ready to cover the whole spectrum, and that in covering that spectrum, he has made a quite a number of commitments.

I think when we add up the commitments over the next 5 years, we are talking about $50 billion at a time when everybody is afraid of being accused of being a tax-and-spend liberal. The commitment is there for education because it is absolutely necessary.

I commend the President and I commend everybody involved. I am very optimistic about the bipartisan spirit that is available to help push this education agenda. I think it is real. I think that both Republicans and Democrats want to see education improved in some significant way as we go into the 21st century.

I just want to take this opportunity to talk about one piece of this comprehensive approach. It is a piece that is bound to generate a considerable amount of controversy. It is a large amount of money. It involves expenditure for public works. And already I fear that we have some divisiveness setting in, even among Democrats, and disagreement on the construction part of the package.

Construction a lot of people feel should be left up to the States and the local areas and the Federal Government should not even get involved. But I am here to tell you, we have a real emergency. In our big cities, we have a great emergency with respect to the basics of providing a safe place, a conducive place for young people to study, a safe and conducive environment for study. That ought to be the first and most basic thing that we are concerned with, just to have them have a place to sit with decent lighting, with enough comfort to be able to concentrate on their studies, with no fear of asbestos contamination, no fear of lead poisoning.

It is amazing how old some of our schools are in the big cities. This is a plea for the construction component. It is a plea for us to be very broad-minded and understand that a proposal for $5 billion at the Federal level, with the hope that it will stimulate additional money at the State and the local level, is not an extreme proposal at all.

Let me just give an example of New York City, which many people will say, well, New York City should take care of its own needs. But that has not been the case. And why penalize children. We had a bond initiative that passed, I am happy to report, on the environment. And in that initiative it talked about providing money to rehabilitate some schools' boilers in New York, boilers that were still using coal, were still burning coal in a city that has one of the highest asthma rates in the country.

The asthma rate, number of children with asthma, is a scandal. Coal burning in schools is not the only contributor. There are other factors. But that is one we should eliminate. Now I am a public official in New York, and I thought, great, this bond issue talks about putting gas burning boilers in 39 schools to eliminate the coal burning boilers; and I thought, well, that is wonderful and that solved the problem.

In a little more digging, I found we do not have 39 schools that have coal burners, we have 200 and some schools, almost 300 schools that still have coal burners. I know when we start throwing statistics, people outside of New York get dizzy. We have approximately 1,000 schools. One-third of those schools are still burning coal, one-third.

That is a shock to me. So I am sure it is hard to understand when you get outside of New York that New York City has one-third of its schools still burning coal. We have schools that have asbestos problems to the point where we cannot wire the schools. If you start boring holes, the costs go up astronomically because when asbestos is present, you have to have a certified contractor, you have to have a place for that contractor to store the asbestos, and it is very costly to transport it and store it and we run into all kinds of problems with our net day because of the physical condition of the schools.

We need a massive program to renovate churches and schools to make

them safe. We need a program just to build new schools because some are so old that you cannot do anything with them. It is more efficient to just tear the schools down and build new schools.

Now this is the big city of New York that has this problem. I am here to talk about it. I assure you it does not take much imagination to know that Chicago, St. Louis, Los Angeles, the problem exists in most of our big city districts. Large numbers of young people, we have a million students in New York City, and as of last September, 91,000 of those students did not have a place to sit.

So I thank the gentleman and I just wanted to highlight, we are moving into the process now where we are going to talk in detail about this comprehensive agenda of the President. Construction is on the agenda. I understand certain proposals have been made that a certain percentage of the money go to inner city districts. Some people are worried about too much going into inner city districts. It cannot be too much. The problem is grave. The problem is an emergency.

If we are going to do anything about young children, the first thing we should do is think about safe places that are conducive to learning. Physical facilities are basic, and I hope they get a lot of support from the President's construction program in his comprehensive education program.

Mr. PALLONE. I want to thank the gentleman from New York [Mr. OWENS], and I again assure him that what he is talking about in New York City is throughout the country. We had some statistics about the General Accounting Office that says one-third of the Nation's schools needs major repair, outright replacement, 60 percent need work on major building features, sagging roof, cracked foundation, 46 percent lack even the basic electrical wiring to support computers, modems and modern communication technology.

My colleague talked about the magnitude in New York, but it is true throughout the country. I think that is why the school construction program the President is talking about has so much appeal because it really affects every district, every congressional district in this country, as do so many of these proposals the Democrats have put forward on education.

So I am just hopeful that our colleagues on the other side, the Republican leaders, who are in the majority, take heed of this because I think there is no question that education is a priority and that there is a lot more that can be done on the Federal level, and we as Democrats have put forward those proposals and we would like to have our Republican colleagues join us in passing those in this Congress before we adjourn. So thank you again, I appreciate the gentleman's comments.

THE AFRICAN GROWTH AND OPPORTUNITY ACT

The SPEAKER pro tempore (Mr. BOB SCHAFFER of Colorado). Under a previous order of the House, the gentleman from Louisiana [Mr. JEFFERSON] is recognized for 5 minutes.

Mr. JEFFERSON. Mr. Speaker, I rise today in support of H.R. 1432, the African Growth and Opportunity Act, on which the Trade Subcommittee of Ways and Means Committee conducted hearings yesterday. I am a proud coauthor and original cosponsor of this important and historic legislation which will start the process of bringing African and United States economic interests together in the global marketplace.

The African Growth and Opportunity Act has been coauthored and received in an enthusiastic bipartisan spirit, led by our distinguished chairman of the Subcommittee on Trade, PHIL CRANE, as well as Congressmen RANGEL, MCDERMOTT, HOUGHTON, MATSUI and many others.

Yesterday we heard declarations of support from the Clinton administration, Speaker GINGRICH, former House Secretary Jack Kemp, former Mayor Dinkins and a host of other trade, investment, development, and diplomatic officials for this landmark legislation. It was, Mr. Speaker, an exciting day and exhibited the great inspiring unity the Congress is capable of when it puts aside party and strife and employs the talents of all of us to deal with national and international issues.

Mr. Speaker, the African Growth and Opportunity Act would establish as U.S. policy the path from developmental assistance to economic self-reliance through trade and investment for African countries committed to economic reform, market incentives, and private sector growth.

In addition, H.R. 1432 will establish several new initiatives to promote trade and investment in Africa, a few of which I will briefly outline. First, H.R. 1432 would direct the President to develop a plan for trade agreements to establish a United States/sub-Saharan Africa free trade area by the year 2020.

Second, H.R. 1432 would establish a United States/Africa economic forum to facilitate annual high-level discussions of bilateral and multilateral trade and investment policies modeled on the highly successful APEC forum that has worked so well to spur U.S. trade and investment in Asia.

Third, it directs OPIC to create a $150 equity fund and $500 million infrastructure fund for Africa, which will help lay the groundwork for private sector development. And fourth, H.R. 1432 proposes a market access initiative which would redirect an enhanced generalized system of preferences program to qualifying African countries, assisting the least competitive countries in Africa to access United States markets.

Mr. Speaker, I believe this legislation is important for four principal reasons. First, the development of a trade policy with sub-Saharan Africa is important because the United States does not currently have a trade policy with this part of the world. So while many Asian and Latin American economies have flourished as a result of the influx of private investment and international trade, Africa has been almost exclusively relegated to developmental assistance.

Thirty years ago, the standards of living of Korea and Ghana were nearly equal. Today, Korea is a vibrant, industrial powerhouse, while Ghana is still a nation very much in economic transition. While there are numerous reasons to explain this difference, the critical distinction between Asia's and Africa's development has been Western investment and trade.

H.R. 1432 places our Government's imprimatur on trade and investment in Africa, a crucial catalyst for attracting further private sector investment in the region and on the continent.

Second, this bill lays the groundwork for enhanced private sector and infrastructure development in Africa, which will improve standards of living for the people of sub-Saharan Africa. Mr. Speaker, this is in the interest of our country, the United States.

Africa represents 10 percent of the world's population and possesses enormous untapped natural and human resources. Amid a dizzying array of mining, petroleum, and agricultural resources are an industrious and entrepreneurial people who yearn to compete in the global marketplace and represent an important future market for U.S. exports and thus for the creation of U.S. jobs.

But right now, many people in sub-Saharan Africa lack the basics: telephone and electricity service; clean running water; and essential medical technologies. Fortunately, we can help, and H.R. 1432 takes a giant step, through infrastructure development, free trade agreements, and market access initiatives, toward improving the standard of living for millions in sub-Saharan Africa.

It would promote foreign, direct investment in Africa through the two funds that I mentioned earlier. These funds are vital to Africa's development because of the 1,160 privately financed infrastructure projects around the world, only 6 percent occurred in Africa. And between 1984 and 1994, only 2 percent of the world's foreign investment was made in Africa.

Mr. Speaker, I urge all of my colleagues, Democrat and Republican, to support the African Growth and Opportunity Act, a bill that is good for America, good for Africa, and good for the cause of international economic development.

GENERAL LEAVE

Mr. HOEKSTRA. 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.R. 2.

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

There was no objection.

EDUCATION EXCELLENCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Michigan [Mr. HOEKSTRA] is recognized for 60 minutes as the designee of the majority leader.

Mr. HOEKSTRA. Mr. Speaker, tonight I am joined by a number of my colleagues to talk about what my other colleagues were talking about in the previous hour, and that is education. And rather than going through a long introduction, I want to start right off with a quote that the President of the United States made on March 27, 1996. This was in a response to the Governors Summit on Education: Education Excellence. And the President said, and I cannot agree with him more, ''We cannot ask the American people to spend more on education until we do a better job with the money we have got now.''

This is the President of the United States about a year ago. That remark, along with some of the debate in Congress in 1996, led the committee that I chair, the Subcommittee on Oversight and Investigations, to begin a project, which we call education at a crossroads, to ask and to find out what are we accomplishing and achieving with the money that we are spending today.

We started with a very basic question. We said, how many education programs are there?

□ 1745

Went to the Education Department because, of course, in Washington we coordinate all of the education programs through one department. Wrong. We found out that they go through 39 different agencies. We have over 760 different programs, and we are spending over or in the neighborhood of $100 billion per year on education today.

That is a very appropriate question to ask. It is the question that we must answer before we expand the 760. Actually, I think as we have worked on this, it is now over 780 programs, we now have to take a look at the 780 programs, the $100 billion that we are spending, the 39 different agencies that this money is flowing through, because the focus here should not be on an education bureaucracy. Our focus needs to be on the kids. Before we have 10 new programs with $50 billion of more spending, we need to take a look at whether and where this money is going and whether we are having an impact with it or not. We do not want to pour $50 billion through a broken system.

Mr. Speaker, I have got some of my colleagues with me tonight to talk about this very issue. I would like to have one of my colleagues from Pennsylvania just briefly explain to us, we will have a dialogue, more of a dialogue tonight so that we can build off each other's comments about what is going on in education because we all have our own perspectives and our own learning about what is going on and we have got six of us here tonight. We will be able to share perspectives and learn from each other.

Tomorrow my colleague from Pennsylvania is going to be introducing or announcing a resolution that I think gets at the very issue about doing some important work to find out the kind of impact that we are having with the dollars today.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. PITTS].

Mr. PITTS. Mr. Speaker, I would like to speak really on behalf of millions of students, teachers, administrators and many Members of Congress to discuss one of the most important components of our American society, and that is our education system. I would like to talk about what can and should become an American initiative, sending more dollars to our Nation's classrooms.

Every citizen of this Nation agrees that children deserve an opportunity to excel. But this opportunity is inhibited when teachers and administrators are hampered by paperwork, time constraints and financial hindrances just to apply for Federal education grants. Tomorrow, as my colleague said, I will introduce a resolution entitled the dollars to the classroom resolution, calling for the Department of Education to provide more elementary and secondary dollars to the classrooms of our Nation's children.

My resolution calls for a change in the way we spend our Federal education dollars. For too long, Americans' hard-earned tax dollars have gone to bureaucracy and have churned through the Washington labyrinth instead of rightfully being placed into the classrooms, into the hands of someone who knows the name of your child.

Of the $15.4 billion which goes to elementary and secondary programs, in the Federal Department of Education, the classroom may be lucky to see 65 percent. That means about $5.4 billion is lost in the abyss of department studies, publications and grant administration.

To apply for a Department of Education grant, it takes nearly 216 steps, an average of 21 weeks. That is over 5 months of work for someone on the local level just to apply for a Federal grant.

Mr. HOEKSTRA. Mr. Speaker, is that 21 weeks before they may ever get an answer from the Education Department as to whether they are going to receive a grant?

Mr. PITTS. Mr. Speaker, that is correct.

Mr. HOEKSTRA. Mr. Speaker, it is my understanding that the Education Department very recently highlighted this as a significant accomplishment, getting it down to 21 weeks and 216 steps. I think until the Vice President became involved in this process, it took 26 weeks and over 400 steps. But this is what the Education Department calls significant progress and moving towards education excellence by shortening the process of finding out whether a school district is actually going to have a grant accepted after they go through 216 steps and after 21 weeks.

Mr. PITTS. That is correct.

Mr. HOEKSTRA. Mr. Speaker, that is improvement. It may be improvement, but it is still not very good.

Mr. PITTS. As a former classroom teacher myself, I know that it would not be very encouraging to me to have to spend hours upon hours to apply for something that I had no guarantee of receiving.

But I think Americans would rather see their tax dollars at work providing more teachers, teacher aides, purchasing materials, supplies, updated software, calculators, textbooks, and even seeing the American classroom connected to the Internet brought into the new information age. The classroom is where the action is. The classroom is where knowledge grows and learning takes place.

This dollars to the classroom initiative would call upon the Federal Department of Education and State and local agencies to see that 95 cents of every Federal dollar would get to the local school district. And of those Federal dollars that get to the local school district, 95 cents of every Federal dollar would get into the classroom, into the hands of someone that knows your child's name. If this actually happened, roughly $1,800 more could be available in each classroom across the United States.

We heard the quote from President Clinton that we cannot ask Americans to spend more on education until we do a better job with the money that we have got now. And for $10 to purchase flash cards, a student could practice her timetables with a friend. For $50 for a globe or a set of maps, children improve their geography, their knowledge of nations across the seas. For $1,500, we can buy a computer with enough desk top space and Internet access to allow every student access to a vast amount of information available at their fingertips.

So this really is about kids, about practical ways to see that they benefit from Federal education tax dollars. I think for the sake of our Nation's kids, we should all put our children first.

Mr. HOEKSTRA. Mr. Speaker, the gentleman has taken kind of a revolutionary approach. He is focusing getting dollars to the classroom, getting them to the kids, getting them to the teachers, to the local administration where they can actually make an impact.

The other visual that we use frequently here, this is a picture of Washington, DC. I know my colleague is a freshman but I know that he is very well aware that when we walk across this street over here and we walk to the Capitol to vote, we call it Independence Avenue. That is what the

street is called. But along this road are what, all of the bureaucracies that now are controlling so much of what goes on in our local neighborhoods. We think we ought to rename the street Dependence Avenue until we change that culture.

What would the gentleman's legislation, what kind of impact would it have on the people that work here on Dependence Avenue?

Mr. PITTS. Mr. Speaker, it would limit the amount of money they could take of our Federal education dollars that we put in the budget and consume on the bureaucracy. As we know, most funding for our local schools comes from the State and local levels, only about 7 percent comes from the Federal Government. But we need to be more efficient as to how we utilize those Federal dollars. This would in effect drive those dollars through the bureaucracy, Federal, State bureaucracy into the classroom. It would deny them access to that.

Mr. HOEKSTRA. I think what many of us have seen as we have met with school administrators and around in our districts, we constantly hear that these buildings and these people here in Washington, all with good intentions but who control about 7 percent of the flow of the dollars to our local classrooms, generate 50 percent of the paperwork. For every dollar that we give them, they keep somewhere in the neighborhood of 30 to 40 cents and they send 60 to 70 cents to our kids.

What we are saying is we agree with the President. We ought to take a look at where the dollars are going, and before we pour another dollar into this building and only get 60 cents out, we ought to see exactly the bang that we are getting. If we can get that up to 90 cents, we do not have to increase taxes, the tax burden; we will just be helping our kids.

I know that my colleague from Kentucky would like to participate, and I yield to the gentlewoman from Kentucky [Mrs. Northup].

Mrs. NORTHUP. Mr. Speaker, I would. I have been very interested in education myself as a mother of six children, as a member of the Kentucky State legislature, on the education and the Committee on Appropriations. I have had a long-standing involvement with the education. Kentucky had the courage and worked very hard in 1990, enacted in fact one of the largest taxes in their history in order to fund their schools. It is often pointed to as the example of school reform that we ought to look to on the Federal level.

Mr. HOEKSTRA. Mr. Speaker, the gentlewoman actually believes school reform can happen at the local and the State level better than at the Federal level.

Mrs. NORTHUP. Actually the whole key to Kentucky's education reform act is that children learn one child at a time, one classroom at a time, one school at a time, and one district at a time. The closer the effective education occurs and the decisions are made to that child and that teacher and that classroom, the more effective schools will be and the more effective the learning decisions that are made will be.

Mr. Speaker, I particularly was interested in the President's America Reads program. First of all, one of the first weeks of the Committee on Appropriations on education, we had before us the National Institutes of Health. This is the research arm that the Federal Government spends so many billions of dollars on. They have done a great deal of research in the last couple of years on how children read and what the problems are with reading. They have come to the conclusion that children who have trouble learning to read, there are some children that will learn in any system, but children who have trouble need intensive phonics instruction. And yet this America Reads, one of the problems is we have so many teachers who have not come through a phonics-based system. So retraining them is a big issue.

This America Reads program is almost as though the people that originated this idea did not read our own government's research. It is out of context of any phonics. It is out of context of understanding that very structured phonics is the way these children can best learn.

They, in particular, found that if you mix it with whole language or not stylized instruction that it confuses the child so we are not only wasting money we are chancing that we are going to undo the very thing that our research shows is the most effective way of teaching children to read.

Mr. HOEKSTRA. Mr. Speaker, we have also had the opportunity to go around the country and have hearings. One of the first hearings we had was in California, where we had a number of the chief administrators from a lot of the colleges in California come and testify.

What they told us is, do not cut remedial education. You are sitting there and you are thinking, this is higher ed, what are we teaching remedial education at higher ed for?

And so we asked and we said, what are you teaching? They said, well, 25 percent of the students that we get coming into our universities, 25 percent, one out of four, cannot read or write at an eighth grade level.

It is kind of like, the President is proposing America Reads, which is the tutors and all of that, and the, you take, you peal away a little bit in California and what you found is they left phonics, they went to whole language. Did not work. Got a generation of kids now that are scoring some of the lowest scores in the country. Nobody is taking a look at what is going on in the classroom where the kids are spending 6 to 8 hours per day, and we should be focusing on them.

The message of the college administrators was, get back into the classroom. Do not ask for more remedial education money. Your job is to get back into the classroom and find out why those teachers that you have trained are giving such disappointing results with the kids that they are teaching all day. It is kind of like, get to the basics, get dollars in the classroom and local control.

Mrs. NORTHUP. I think it goes back to the theme, Mr. Speaker, that the gentleman talked about, about why spend more of our tax dollars if we cannot make effective the tax dollars we already spend on education.

Mr. Speaker, I believe that Americans are committed to education, and I believe that they care deeply about children learning, particularly learning to read. So let us look at the proven ways. Let us leave education where it can be changed, according to the research, and that is with local control and local efforts.

Let us not add a program that is unproven, untested, where the research shows there essentially would be no effect on kids learning.

Mr. HOEKSTRA. Let us listen to the President and understand what works and what does not before we add any new programs and ask the American taxpayer to spend more money.

Mr. Speaker, I yield to the gentleman from Georgia [Mr. NORWOOD] who may have a comment.

Mr. NORWOOD. Mr. Speaker, I thank the gentleman.

We are in the process of a lot of things going on at once and there are a couple of things that I felt would be important for me to say to the gentleman.

Number one, I am very pleased with the gentleman's Crossroads at Education program, because I know that the gentleman is trying to find out and we are as a committee trying to find out what works and what does not.

Secondly, I would like to thank the gentleman for providing us the opportunity to have a hearing on this just last week in Milledgeville, GA. I know that the gentleman could not be there because of a death in his family, but I wanted to come, on behalf of the people of Georgia, and my colleague, the gentleman from Georgia [Mr. DEAL], who was also there, and say that people I talked to in Georgia said thanks.

□ 1800

This is the first time in their memory or their knowledge that Congress has ever had an education hearing in Georgia. It is the first time they know of, that anybody from Congress ever came and asked them what they think.

We were talking to some people who are very, very involved in education in Georgia, and I wanted to come and tell the gentleman a few things they have said during the hearing so that the gentleman is able to respond to them.

Our superintendent, our State superintendent of schools, for example, said, and I quote, ''The most frequent message I have heard is that no one can

make better decisions about local education than parents, teachers, and students in the local communities.'' Now this is our State school superintendent.

She goes on to say, and I quote, ''Administrators in Washington will never meet the needs of individual children. I cast my vote for returning as many dollars directly to the local schools as we are able to do.''

Now, I think what we are doing is trying to have an adult conversation about improving education. Everybody in the 10th District of Georgia believes in that. We all believe that that is the future for the 21st century, but we all do not necessarily agree on how to get there.

Mr. HOEKSTRA. If the gentleman will yield, I think the gentleman clearly points out that we all do care about education.

We have developed a kind of a monthly brochure or briefer here which we call A Tale of Two Visions, because there are at least two very different beliefs on how to move education forward in our country. I think we believe that moving decision-making and dollars back to the children, back to the parents, and back to the teachers is the way to go.

There is another whole group of people here in Washington that believe in moving more power, authority, money into the buildings here in Washington, so that they can issue rules and regulations on ''how to'' to the local levels, and saying that parents and teachers and principals can be good teachers and good principals and good parents by reading manuals and saying this is what Washington wants you to do.

That is not the vision that we have in mind, and I do not think that is the vision the gentleman heard in Georgia.

Mr. NORWOOD. No, I did not. But we are in the discovery process. We are trying to hear from all sides and everybody to determine what kind of recommendations we might make to Congress.

In the 104th Congress, or certainly in 1996, we basically did not reform education. We are still number 13 on the planet in math. We will not win in the 21st century if we continue to do that. We still have at least 50 percent of the children who are graduating with a high school degree that are illiterate or cannot read their diploma. We will not win with China if we continue to do that.

It does not help, in this time when we are trying to discover what to do and hear all sides, when groups of people stand up and politicize and demagogue the issue. That is why nothing happened in the last Congress.

Let me just point out that during our hearing, the very time we were having a hearing trying to discover what works and what does not, we had a gentleman from Texas sending news releases down into our district saying, ''Oh, we cannot do any of that because they want to simply shut down the Department of Education.'' That does not lead to an intelligent dialogue that will lead to solutions where we can reform education and improve our lot in this country.

Mr. HOEKSTRA. I thank the gentleman for his comments. He points out some statistics that tell us we need a meaningful dialogue on education because our kids are not getting the kind of results that we would like them to be achieving and the kind of results that we need for them to be able to be successful in a world economy.

I think my colleague from Colorado had a few statistics of his own, and we will get to our colleague from North Carolina, because I know what he wants to talk about and we will get there. But I think my colleague from Colorado had some statistics, again, that talk about the less than satisfactory results we are getting out of our educational system today.

Mr. BOB SCHAFFER of Colorado. Mr. Chairman, I thank the gentleman. The gentleman from Georgia mentioned where we rank nationally with respect to mathematics. Actually, that number has been upgraded, or renewed. I should not say upgraded, because it was not like that at all.

The Third International Mathematics and Science Study came out recently. This is a comparison of how our students here in the United States compare with 41 other industrialized countries. This is the same report our President, right up here at the top podium during the State of the Union address, referred to and spoke of our great need to improve by it.

I want to tell my colleagues what this says because it is quite disturbing, and I do not think many Americans have any idea where we are headed as a country.

In this international comparison, again this is the third time this has been done, 41 industrialized countries, out of those 41 countries in mathematics we rank 28th. In science we do a little better. In science the United States ranks 17th.

Now, let me just read some of the names of the countries that outperform us in math and science. First, there is Denmark, Norway; there is Sweden, Israel, Thailand, Belgium, Australia, Russia, Hungary. Hungary is at No. 14. Remember, we are at No. 28. Bulgaria, Austria, Slovenia outperform us in math. Slovakia. The Czech Republic is No. 6 in math. Again, we are at 28 out of 41 countries. Belgium, Hong Kong, Japan, South Korea. The No. one country performing in mathematics for their elementary aged students is Singapore.

In science, again I mentioned we are a little bit better. Slovakia is still better than us. Belgium is better than us. Hungary, Austria, Slovenia, Bulgaria, South Korea, Japan, Czech Republic. And again number one in science is Singapore. Of course, this is the land of caning, which I do not know if there is any correlation between one and the other, but it seems with respect to academic performance caning may work.

I do want to, in all seriousness, though, talk about what Secretary Riley, the Secretary of Education, had said when he observed this report. Very similar to what our President had mentioned as well. He says the content of U.S. 8th grade mathematics classes is not as challenging as that of other countries and topic coverage is not as focused.

He also observed one explanation for our poor performance internationally may be that most U.S. mathematics teachers report familiarity with reform recommendations, although only a few apply the key points in their classrooms.

And the final point the Secretary mentioned, and again I quote from his observations on this report, evidence suggests that the United States teachers do not receive as much practical training and daily support as their colleagues in Japan and Germany and other countries as well.

I tend to agree, frankly, with the gentlewoman from Kentucky in her observation that if we want to be serious about improving these numbers, the last place we want to look is to Washington, DC and to our Government here in Washington to try to do something about these numbers.

We should do something in support of our States, and that is focus on the freedom to teach and the liberty to learn. I have to tell my colleagues that when my State board of education members came to visit me just a few weeks ago and came to my office, their No. 1 plea to me as a Member of Congress was for the Federal Government to leave Colorado alone, to let Colorado educate their children on their own terms, to let Colorado begin to design programs that try to turn these numbers around.

We have this picture up here that the gentleman showed earlier. If one wants to see what happens when the Federal Government takes over an educational system, look right there. Because in only one spot in this country does the Federal Government have direct and constitutional authority to manage the education system in a community, and it is Washington, DC, which I would submit and challenge anyone to defy the real result that this is one of the worst places in the country when it comes to educating children.

Children are trapped in this city, Washington, DC, in an educational system that treats every child as though they are identically the same. This is the city that many of us, if we read the newspapers just a couple weeks ago, we saw the headline stories of the teacher who put nine 4th grade children in a room off to the side of a classroom where these children, unobserved and uncontrolled by the teacher, forgotten there for all intents and purposes for over a half-hour, began playing some kind of game where they disrobed and began to have sex. These are 4th grade children.

I would again suggest that if we want to see this activity taking place

throughout the country, just put the Federal Government in control of school districts. But the advice I get from the people who really care about children, who really know what works, they say that the Federal Government needs to play less and less of a role in how we manage our local schools. We need to focus on the freedom to teach and the liberty to learn, and treating teachers like professionals and parents like customers, and that is how we will turn these appalling numbers around and improve these statistics internationally.

Mr. NORWOOD. Mr. Chairman, if the gentleman will show the other poster, please. We know we have about 760 educational programs spread over 39 agencies in Washington that spend over $100 billion a year on education. Yet the gentleman has just read out some statistics in math and science and reading that frankly scare me to death.

Now, does my colleague agree with the President that we cannot ask the American people to spend more money on education?

Mr. BOB SCHAFFER of Colorado. I am sorry, Mr. Chairman, can the gentleman repeat his question?

Mr. NORWOOD. The question is, does the gentleman agree with the President when he says since we do spend $120 billion a year over 760 programs, over 39 different agencies of Government, does the gentleman agree with the President that we cannot ask the American people to spend more money on education, in view of the numbers and statistics that the gentleman just read a few minutes ago?

Mr. BOB SCHAFFER of Colorado. I would agree wholeheartedly. In fact, the other portion of that report has another graph showing that the amount of money we spend in the United States has no bearing whatsoever on our ability to teach better; that, in fact, the more and more we spend, the worse we seem to do when compared to national standards.

Here is the quote from the report. We spend, on average, about $6,500 per pupil. That is nationally. Only one country spends more than we do, and that is Switzerland. Yet these countries that outperform us, Hungary, the Czech Republic, South Korea, Japan, England, France, Denmark, Germany, and so on, all spend fewer dollars per pupil than we do here in the United States, yet we rank so poorly in comparison with those countries.

Mr. NORWOOD. Well, how should we rank before we start saying that the American people should spend more money on education? Should we come in second in math before we do the rest of what the President says?

We are not going to ask the American people to spend more money on education until we do better with the money we are spending now. So should we be second in math or third in math around the globe? Where should the cutoff point be?

Mr. HOEKSTRA. If the gentleman will yield, I do not think anybody in this Chamber will be satisfied until we score No. 1. The evidence our colleague from Colorado has pointed out shows the issue is not money. We are spending more than most people around the globe and we are getting mediocre, unacceptable results.

So the answer is not to pour more money into the system, but it is taking a look at where the money is going and taking a look at the system and how we make the system more effective.

I want to yield to my other colleague from Georgia, and I appreciate his being here. This is wonderful tonight.

Mr. DEAL of Georgia. First of all I want to join with my colleague from Georgia, Mr. NORWOOD, in his compliments to the gentleman from Michigan, Mr. HOEKSTRA, for holding the hearing in Georgia. We do regret the gentleman was unable to be there with us, but we appreciate his scheduling this Special Order.

I want to share with my colleagues some of the comments, as my colleague from Georgia began doing a few minutes ago, as we listen to people at every level of the delivery system in our State.

Even though we have a lot of progress to be made in Georgia, there are many things we are indeed proud of. One is we have a HOPE scholarship program. And unlike the fact that the President is borrowing and adopting the name of it for his proposal, the uniqueness of ours is that we have a funding source that is separate and distinct from the taxpayers' normal revenue stream. The lottery proceeds from our State fund it and it is a very successful program. Would it not be nice if there could be an alternative funding source to fund the President's proposal?

I want to say to the gentleman that both my parents were public school teachers. They were classroom teachers. My wife is presently a 6th grade middle school teacher in our home county. So I have a genetic as well as a spousal bias toward where I think education dollars should flow, and that is to the classroom.

There are three things that stood out in my mind as to what we heard last week. The first is that our schools are faced with greater social problems than they have ever been faced with before, and in order to overcome those social problems we need greater parental support as well as parental participation.

The second thing was that discipline is a major problem in our school system, and all of us want to do what will help rather than what will hurt. As the gentleman knows, we are considering in the reauthorization of the IDEA program the issue of removing some of the Federal impediments to discipline that have put mandates and restraints that interfere with teachers and administrators in terms of discipline.

Third is the flexibility in the use of Federal funds, the ability to design programs that meet local needs rather than having to meet a Federal mandate.

□ 1815

Let me share just a few quotes with the gentleman of people who have made some observations about it. One was from Dr. Craig Dowling, a principal of an elementary school down in Valdosta, GA, when he said, ''Federal programs come with guidelines and strings that choke school improvement. Guidelines for a program such as Title I may help a school in Atlanta or Washington, DC, and totally disturb a school in south Georgia or the central plains.''

In terms of flexibility, I think the chairman of our State school board said it best, Mr. Johnny Isakson. He said this: ''There are far too many dollars scattered in far too many programs managed by far too many agencies.''

Mr. HOEKSTRA. Does the gentleman mean 39 agencies dealing with education is too many in Washington?

Mr. DEAL of Georgia. I am afraid so. Mr. Isakson is a businessman and he looks at it from that point of view. He said, if the dollars spent could be concentrated, there would be less disturbance and that more of the money would actually flow into education and out of administration.

Let me give a classic example that we heard from, from a lady who was a director of an adult literacy services center in Dublin, GA. She said this, speaking of the grant process. In other words, when applying for a Federal grant for education, this is what she observed: ''The process is cumbersome and labor intensive. Writing the 1997 proposal consumed nearly two months of the literacy director's time. Measuring accountability in terms of performance rather than volume of paperwork is the best solution to the problem.''

We heard some very common sense, practical observations from people who have hands-on daily experience in delivering education to children in the classroom.

Once again, I thank the gentleman for affording us this opportunity, and I thank the gentleman for allowing me to share these comments today.

Mr. HOEKSTRA. I thank my colleague from Georgia. I do express my regrets that I was unable to be at the hearing. I think the gentleman has got some wonderful testimony. I find it interesting. It has been one of the most exciting projects I have worked on because we have been able to go around the country. We have been in California, we have been in Arizona, we were in Georgia, we are going to New York, we have done some things in Michigan, Milwaukee, Chicago, and we are learning about what is working on education. From what my colleague has told me, I did not catch the full impact, there are some that are blasting or taking some pot shots at a discovery process, finding out what is working when we obviously know that what we are doing today is not working, but there are some that are taking a real critical look at that.

Mr. NORWOOD. If the gentleman will yield, if we do not stop doing that, if we do not stop politicizing this issue, we are never going to get to the point where we can resolve the problem. I would point out that the gentleman from Georgia [Mr. DEAL] mentioned a constituent of mine in Dublin, GA. She is from my district and I was very proud of her for her commentary, but I also want to remind the gentleman that Dr. Dowling from Valdosta, GA, yes, he is a principal of a school but he is also a father of five or six children, and one of his quotes that has stuck with me since the day we were down there is that he said, and I quote, ''I firmly believe that school improvement can only be achieved in the classroom.''

I think many of us come to this discovery process with that bias. It is true. I believe that we ought to send back the responsibility for education, not just the classroom but the parents and the teachers. I will conclude to go to another meeting, Mr. Speaker, but one of the very fine things that was said in our hearing was said by Mr. Kelly McCutchen, executive director of the Georgia Public Policy Foundation. I think he almost sums the whole thing up in this quote: ''Education in America is the constitutional responsibility of the States, the social responsibility of communities, and the moral responsibility of families and except when the civil rights of individuals are menaced, the Federal Government should never impede the capacity of families, communities and States to decide how best to provide education for their children.''

I do not know of a better statement that sums up exactly how I feel about it.

QUOTATIONS FOR SPECIAL ORDERS, APRIL 30 FROM GEORGIA CROSSROADS HEARING

QUOTATIONS

Dr. Linda Shrenko, State Superintendent: ''The most frequent message I have heard is that no one can make better decisions about local education than the parents, teachers, and students in those local communities.''

Dr. Linda Shrenko, State Superintendent: ''Administrators from Washington will never meet the needs of individual children * * * I cast my vote for returning as many dollars directly to local schools as we are able. * * *''

Mr. Kelly McCutchen, Executive Director, Georgia Public Policy Foundation: (quoting Chester Finn) ''Education in America is the 'constitutional responsibility of the states, the social responsibility of communities, and the moral responsibility of families' and 'except when the civil rights of individuals are menaced * * * [the federal government should] never impede the capacity of families, communities and states to decide how best to provide education to their children.' ''

Dr. Craig Dowling, Principal, West Gordon Elementary School, Valdosta, GA: ''I firmly believe that school improvement can only be achieved in the classroom.''

Dr. Craig Dowling, Principal, West Gordon Elementary School, Valdosta, GA: ''[Federal programs] come with guidelines and strings that choke school improvement * * * Guidelines for a program such as Title I may help a school in Atlanta or Washington, D.C., and totally disturb a school in south Georgia or the central plains.''

Dr. Craig Dowling, Principal, West Gordon Elementary School, Valdosta, GA: ''Welfare sets up a downward spiral of hopelessness and despair where children rarely see an adult working * * * social issues can not be resolved through our schools.''

Dr. Laura Frederick, Assistant Professor, Georgia State University: ''What's wasted in schools is time, money, and a great deal of student potential when we adopt unproven instructional programs because they should good, because the publisher is offering free supplementary materials with the purchase of the programs, or because the sales representatives are wining and dining the textbook selection committee.''

Mr. Johnny Isakson, Chairman, State Board of Education: ''There are far too many dollars scattered in far too many programs managed by far too many agencies. If the dollars spent could be concentrated, the management less disbursed, then more of the money would actually flow into education and out of administration.''

Mr. Johnny Isakson, Chairman of the State Board of Education: (speaking about Mr. Clinton's suggestion of increased federal funding of school construction) ''While this is a laudable recommendation, it really should be the responsibility of local boards of education and their taxpayers to fund and pay for the school facilities improvements they want . . . On March 17th, 63 Georgia public school systems ratified local option sales taxes which, over the next five years, will raise $3.5 billion for school construction.''

Ms. Dahlia Wren, Director, Adult Literacy Services, Heart of Georgia Technical Institute, Dublin, GA: (speaking of the federal grant process) ''The process is cumbersome and labor intensive. . . Writing the [1997] proposal consumed nearly two months of the literacy director's time . . . measuring accountability in terms of performance rather than volume of paperwork is the best solution to the problem.''

ANECDOTES

Dr. Linda Schrenko, Georgia State Superintendent of Schools: Dr. Shrenko reported that Georgia taxpayers send 35 billion dollars to Washington. They receive back 454 million dollars for education. This is less than a 1.3% return on their tax dollar for education.

Mr. John Roddy, Director of Federal Programs for Georgia: Mr. Roddy reported a conversation he had with a researcher who had done a study evaluating the effectiveness of the Safe and Drug-Free Schools federal program. According to Mr. Roddy, the researcher reported that children who had not received the Safe and Drug-Free Schools training actually had a lower incidence of drug use than the children who did receive the training.

Dr. Elizabeth Lyons, Principal, C.W. Hill Elementary School, Atlanta, GA: Dr. Lyons described a reading program, ''Readaerobics,'' that she and her staff developed in response to their students' poor achievements in reading. The program is conducted on Saturday mornings to teach basic phonics skills in a fun way. Parents are required to donate one Saturday morning each month in order for their children to participate, so parental involvement is mandatory. J.C. Penney's has taken note of the program and is offering its financial support to the Readaerobics program.

Mr. Buster Evans, Superintendent, Bleckley County School District, Cochran, GA: Mr. Evans told of a school system that turned around its students' poor reading achievements with the implementation of two complimentary reading programs.

Mr. HOEKSTRA. I thank the vice chairman of the subcommittee for participating and sharing those comments with me and chairing the hearing in Georgia last week.

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

Mr. HOEKSTRA. I yield to the gentleman from South Dakota.

Mr. THUNE. I thank my friend from Michigan for addressing what in my view is a critical subject to many of us in this body. One of our Founding Fathers, James Madison, once said that knowledge shall forever govern ignorance. I do not think there are many of us who are more concerned or there is any subject that is more of a priority for many of the Members of this body than coming up with a system that provides the absolute highest quality education at the least possible cost. I commend my friend for the great work that he has done in drawing attention to this important issue all over our country.

Mr. HOEKSTRA. I am not sure that we are even talking about the lowest possible cost. I think everybody here is willing to take a look. If we were getting exemplary results, we would not go through a cost reduction effort, and that is not the focus here, is saving a penny. The problem that we are facing today is the results that our kids are getting is not good enough and that is the number one priority.

Mr. THUNE. The gentleman is exactly right. I think that is the thing that sometimes gets lost in all this discussion because it becomes a discussion about dollars and cents. Ultimately I think what we are talking about here is quality. Are we getting results? Are we getting the best possible bang for the dollars that we are investing?

I would submit that in my State of South Dakota, and I grew up in a small town, went to a small school, and am the product of the investment, the energies that a lot of people, teachers and administrators poured into me that were very dedicated and very committed, and I would look to our State and my two little girls, who are 10 and 7, who were attending a public school system in South Dakota as well. We are getting a wonderful education there. We now have them in a public school system out here.

I have a very personal concern in this issue and where we are going with it. I would say that if we look at the statistics around the country and the dollars that are put into per pupil cost in different States and the performance that we get, and my State of South Dakota I think is a good example because we rank 45th in the amount of per pupil spending and yet on SAT performance we rank seventh in the country. There are a number of other states, Utah again is a good case in point, the numbers that I have in front of me, which is 50th in terms of total cost and yet ranks second in SAT performance. I think when we talk about this issue, we cannot talk about it in terms of

necessarily an equation between more money and better quality. That clearly is the case.

What I would suggest is that I have observed the education of my two little girls, that there is no better laboratory I think to instill knowledge and to instill values in our kids today, but one of the things, missing ingredients is that we have along the way, I think, tried to become so conscious of the governmental involvement that the parents have stepped out of the equation in many cases, and we do need in my judgement to put more controls in the hands of parents, school boards, administrators and teachers, and we will get a better quality product if we are willing to do that.

As I was growing up in a small school system, I on occasion, my third grade teacher daily used to read to us Laura Ingalls Wilder books, I do not know whether the gentleman is familiar with her or not but she is someone who grew up on the prairies of the Midwest and spent much of her growing-up years in South Dakota. My 9-year-old, 10-year-old now, is currently reading those same books. One evening as she was reading it I mentioned to her, ''Brittany, did you know that Laura Ingalls Wilder spent a great deal of her growing up time right in the State of South Dakota, in your home State?''

She said, ''I know, Dad, she was a conservative, committed to smaller government and a better future.''

I thought, they are also very impressionable. It is clear to me she had listened to some of the speeches I had made along the way. The point being that when Laurel Ingalls Wilder was growing up, it was a time at which we had a pioneer spirit, we were an independent self-sufficient people and we did not look to big government for solutions to a lot of our problems.

I think at the heart of this debate and this issue is the fact that we need to focus that attention back on what we can do to put that power, that control, that authority, that decision-making in the hands of people at the local level. If in fact we will shift that model in that direction, we will get the kind of results and the quality and the performance that I think the gentleman has talked about and have drawn attention to throughout this country.

I thank the gentleman for his good work and look forward to being a part of this dialogue in what we can do to make ours the model and really the example around the world of the highest quality education that we can possibly have.

Mr. HOEKSTRA. I thank the gentleman for his comments. We really are going through a process where we are identifying what is working. We actually have developed what we call lessons in education. Some of the lessons we have learned as we have had hearings around the country are: Parents care the most about their children's education. They actually know the name of the teacher like the student does versus the bureaucrat that may be here in Washington.

Good intentions do not equal good policy. We have seen that in Washington. Every time there appears to be a problem, we create a new program. The end result is 760 programs, 39 agencies.

More does not always equal better. More money through the same failed system is not going to improve results.

Education must be child-centered.

Lesson number 5. When we spend more, we create more tax burden. Somebody has to come up with the dollars. It is our responsibility to make sure that we are getting the kind of results that we need.

Mr. Speaker, I am going to move to my colleague from North Carolina. I cannot imagine what he wants to talk about, but he has been sitting there so patiently. I believe he may want to talk about one of the President's proposals.

Mr. BALLENGER. The gentleman and I attended a hearing in Oklahoma. What I wanted to bring up, and we have discussed it here in one way or another, but the idea of spending money wisely. I am here to express a concern which our Democrat friends mentioned earlier on the condition of the public schools today.

A recent ''Prime Time Live'' segment by Diane Sawyer documented the deteriorating buildings and inadequate structures used to house our children. To combat this appalling situation, President Clinton has proposed a $5 billion mandatory appropriation to guarantee the interest payments for the construction and renovation of elementary and secondary schools.

That sounds like motherhood, apple pie, and the greatest thing since sliced bread. But one of the problems that the gentleman and I both know is that once the first dollar of Federal money is accepted, then there is a little thing called the Davis-Bacon law that goes into effect. What is the Davis-Bacon law? What it does is it mandates that you pay higher wages for construction.

Mr. HOEKSTRA. My colleague from Kentucky may want to jump in. The gentleman may want to just explain the hearing that we went to in Oklahoma.

Mr. BALLENGER. Strangely enough, we had heard that there were strange things going on in Oklahoma. Luckily for us, the Secretary of Labor out there had investigated the actual operation of the Davis-Bacon law as far as Oklahoma was concerned.

Mr. HOEKSTRA. What does Davis-Bacon do? Maybe our colleague from Kentucky can explain exactly what Davis-Bacon does because it is important that people understand this concept. Then we can go back into what we found about paving machines doing concrete and all of these kinds of things.

Mrs. NORTHUP. It is important, and it is important because I think the American people would be interested in how their tax dollars are spent.

What the Federal Government says is that any school that is built with a dollar of Federal money, that certain provisions in the bidding process have to take place. One of those provisions is that extraordinarily high wages have to be paid, higher wages than most of the taxpayers will ever earn. What this does is push up the cost of construction 11 to 20 percent.

This makes no sense. We are talking about the desperate need to build more schools. What you do is you give the schools the opportunity to help offset some of their interest payments, but by doing that, they incur 11 to 20 percent higher costs in building every single school.

Mr. HOEKSTRA. My colleague from North Carolina can explain exactly how this happens. The process is we try here in Washington, some people, the gentleman and I have been to the building, I am not sure I can find it on here, but I think it is somewhere in this neighborhood over here. There is a person in a building over here, and a group of about 60, 80 people that are trying to determine pay rates for 40, 50 job categories in every county in America.

What did we find in Oklahoma?

Mr. BALLENGER. For instance, a wage survey submitted to the Department of Labor, this is in Oklahoma, showed a $20 million renovation occurred at the University of Oklahoma football stadium involving 28 workers. In reality no work was done on the football stadium. Twenty million dollars sent in in the report to say they had done this work and it never happened.

Mr. HOEKSTRA. The report was sent in, so on the report they outlined the wage scales that are paid or were paid to these workers on this project and for any Federal project or any project that had Federal dollars on it, these were going to be the wages that were going to be paid.

So this was bogus information coming into Washington from the State of Oklahoma, and for any project now being constructed in Oklahoma that is the wage rate that was going to have to be paid. They tried to do the same thing in Kentucky.

Mr. BALLENGER. Let me give another one. The case showed that 7 asphalt machines, extremely large machines, as big as trucks, were used to pave a parking lot for an Internal Revenue Service building in Oklahoma. Workers supposedly were paid $15 an hour. In reality, the parking lot had only room for 30 cars and it was made of concrete. There was no way that you could use asphalt paving on it. The Department of Labor said that the wages instead of being $15 an hour should have been $8 an hour if it had occurred. But it did not happen.

□ 1830

Mr. HOEKSTRA. So with the process the gentleman from North Carolina has outlined, fraudulent data coming in is

what can lead to excessive costs for further Federal projects.

Mrs. NORTHUP. Actually there are two problems here. One is the fraudulent data. When you have a building in Washington, DC that is trying to determine construction projects and costs in Oklahoma, what you are doing is removing the two so far apart that you make fraud a very easy, very easily an occurrence. But furthermore, even if you have no fraud, what you have are extraordinarily high wage rates in places like Kentucky, places where if you were an individual, if you were a taxpayer, if you were going to construct something, you would never pay those construction wages. You would never pay those same level of construction wages.

I might say that in Kentucky, when I looked over those wage scales, there were $28 an hour, $26 an hour. We are a poor State. You know, we have people that are working for minimum wage, that are working as hairdressers, that are working in gas stations, that are driving school buses, that are working on the assembly line at Ford Motor Co. None of those people make $28 an hour. And for them to pay their taxes and have their taxes pay people to build schools for their children at extraordinarily high wage rates is an absolute abuse of their tax dollars.

Mr. HOEKSTRA. The gentleman from North Carolina will explain why that will happen with the school construction now.

I thought we were helping the schools to get more bang for their buck.

Mr. BALLENGER. Well, the truth of the matter is you know as well as I do that if you add this additional labor cost—I mean suppose the President is going to guarantee your interest rate on your bonds that you have. North Carolina sold a billion, $200 million worth of bonds. My own county sold $50 million worth of bonds. Thank goodness I think they are in such financial shape that they will not be desiring of using this thing, but if they were, and those bonds cost 6 percent, and the labor costs were 10 percent higher, you have lost 4 percent because you use Federal assistance.

It is unbelievable.

Mrs. NORTHUP. I want to just remind you though that even though North Carolina may not incur the higher school costs and may not borrow out of this $5 billion, this $5 billion represents the tax dollars they have paid to Washington, and they are just going to lose it for some State that does not have the foresight to be able to afford this.

Mr. BALLENGER. If I might, I would like to quote from the Wall Street Journal one statement here. An inspector general's report has blown this whistle on the Davis-Bacon Act, and that 1931 law by which the Labor Department drives up the cost of federally subsidized construction by requiring what are in effect union wages. A Federal audit of 800 wage survey forms used to calculate the local prevailing or union wage found that nearly two out of three forms contained significant errors and that deliberate misreporting activity may exist.

It is an ideal situation for fraud and abuse, and there is an indictment out in Oklahoma for one of the fellows that our hearing brought to the light of the law enforcement.

Mr. HOEKSTRA. If any of my colleagues could maybe answer the question. I mean if Washington does not set the wages for these projects, how would we actually find out the wages?

Mrs. NORTHUP. The best way to build a school for our children is for each school district to do it as they do it right now. They say, what do we need? We need this many classrooms, we need these certain specifications, and they put it out for an open bid process, and then all the companies that build can bid on those bid processes, and the taxpayers know they get the best price for the school they are going to build. That is what they deserve for the sacrifice they pay in their taxes, and that is the best way, close to home, to make sure that each school is built in accordance to specifications and at the cheapest price.

Mr. HOEKSTRA. It is kind of interesting what the woman has outlined. It is that would make the people in this building feel very uncomfortable because they do not believe that competitive bidding actually works in the construction industry. Even though we build huge buildings, construction projects, and we use it every day, for some reason the Federal Government does not believe that competitive bidding would work for us.

Mrs. NORTHUP. Mr. Speaker, I would just like to challenge the Department of Education and the President to rethink their proposal. Since they believe that schools construction is so important, since they believe the need is so great that we cannot afford it, I am going to ask them to resubmit their proposal and take out the Davis-Bacon provision, say that they will be excepted from this so that those projects that they say we need so badly will be built, there will be an opportunity for more schools for our children, and they can prove how dedicated they are to our kids by removing this very costly provision.

Mr. HOEKSTRA. If we put in the prevailing wage provision without the people here in Washington determining the wages, we will lose, I say to the gentleman from North Carolina [Mr. BALLENGER], anywhere from 10 to 20 percent, maybe more of the purchasing power. So this $5 billion, and it is going—I mean we will lose more than that because this is just a partial contribution to these projects, but the whole project will then be subject to Davis or to the prevailing wage law.

My colleague from Colorado.

Mr. BOB SCHAFFER of Colorado. That is the perfect point that I think the American people need to understand in this particular proposal because what the $5 billion that the Clinton administration wants us to believe is going to go toward school construction is only a fraction of the total cost of the project.

What I mean by that is that $5 billion is targeted toward buying down the interest that a school district would incur in financing a construction project. But even though a tiny fraction of the dollars that would be available to those school districts seems small, the fact that it is Federal funds and has a Davis-Bacon Act attached to them, when those funds are commingled with the State or local dollars that are involved in a project, it really spoils the buying power of all of the dollars that should be going toward bricks and mortar to build viable schools and schools that promote learning for our children.

But instead what the Clinton administration design is, is to have a greater portion, the 11, 20, 30 percent I have heard in many cases depending on what area of the country; to have that percentage of the dollars go away from construction, away from children, and toward some other purpose.

Now that other purpose may be useful to some people, but it is not useful to children. It is not useful to our goals to try to educate children, and this is the real conflict and vision, I think, between our Republican vision for schooling and the Democrat vision of schooling where we really want to get those dollars to kids. We really want to put them toward learning, not toward some union satisfaction that is a payback on a political promise.

Mr. BALLENGER. The saddest thing of all is the only people that will have to use this are the poorest school districts in the country. In other words, they do not have the taxing power to back up the bond issues they could sell, so they are going to have to use this 5 percent underwriting of their interest to sell the bonds which means the poorest people in the country will get the worst deal on building schools.

Mr. HOEKSTRA. The poorest districts in the country will end up paying a premium for all of their construction costs and will actually end up, may end up, getting less bang for their dollar than if they had never gotten involved with the Federal Government in the first place. But sometimes the stuff looks just so enticing, and it makes great rhetoric.

I think the gentleman from Colorado is absolutely right. We are not talking about the quality of education. We are talking about designing the best system of getting the financial resources to the child and to the classroom and the school construction program, and as with many of the other programs, one of our colleagues pointed out earlier, some of these programs take 21 weeks, not some, most of them on the average take 21 weeks, 216 steps, and even then you get an inflated price.

Mrs. NORTHUP. Mr. Speaker, I think it is important to realize that there will be a lot of rhetoric about this. I know that I have heard the debate that what you get is more efficiency when you use higher-price labor, but the true effect is if you got more efficiency, those companies that used the $28-an-hour workers would be able to bid on the job and get it without prevailing wage. If you actually save money by using higher price labor, then you could come in with lower bids, you would win the bid contract. So I think that you are going to hear some misinformation.

The other question is that if you do not set those wages high, that you are going to take advantage of people who are very poor. The truth is the people who are very poor, the people who have modest incomes, middle-income America, are going to subsidize with their tax dollars extraordinarily high pay rates for those people that work on the schools. It is not the workers who are talking advantage of on the schools, but all the other workers in our States and across this country that are going to pay higher taxes in order to get school projects they could get at a cheaper price.

Mr. BALLENGER. Suppose all the money they could save went into buying computers. This is capital outlay, the same deal. In other words, the money that they have to spend on higher construction costs could go into computers, all kinds of equipment that would make the school a better place.

Mr. HOEKSTRA. This is all about using the taxpayers' dollars more effectively.

Mr. BALLENGER. Right.

Mr. HOEKSTRA. My colleague from Colorado.

Mr. BOB SCHAFFER of Colorado. I wanted to just give you one more example on this Davis-Bacon Act and what the impact is on public projects and construction projects.

I returned from a couple weeks in, over the Easter break, doing town meetings throughout eastern Colorado; I went to a town called Trinidad which is in the southern part of Colorado, and the mayor, a Democrat I might add, came to me, and he talked about the Davis-Bacon Act as the No. 1 problem they are facing in Trinidad, CO. And they want to repair their library there, repair the library, not replace it, just repair it. In the process of repairing their town library they accepted $17,500 of Federal funds that they received in a rural redevelopment and construction grant, which was a small portion of the overall costs of this repair project. They concluded that by the time they calculated the cost of accepting $17,000 of Federal funds, costs attributable directly to the Davis-Bacon Act, that they would have been better off to replace the entire building than to make the small repairs that they had in mind.

Now I ask you to think about that when President Clinton and the Democrats come here and talk about this $5 billion as though it somehow is going to help our children and help our schools, and I assure you it will not. Before we came here tonight, one of our friends on the other side of the aisle, Democrat side of the aisle, said would it not be trying to paint a bleak picture for our children, said would it not be a shame if the children and the teachers returned this fall to crumbling schools.

Let me ask a more direct question: Would it not be a shame if those children and teachers returned in the fall to crumbling schools that are still crumbling, even after spending $5 billion of Federal funds? Our States, as a matter of fact, are better off unencumbered by Federal intrusion in the efforts of trying to repair schools and taking care of children. That is where our confidence ought to be placed, not here in Washington.

Mr. BALLENGER. We thank the kind gentleman. I would like to congratulate you on first of all your hearings throughout the country, but second of all, bringing this to, I hope, our TV audience to let them better understand what this is all about.

Mr. HOEKSTRA. I thank my colleagues for participating tonight. We are going to continue this dialogue on education. It is a very important one. We are going to continue hearings. This President in many cases has the same vision of quality education for our children, the best educated kids in the world. We share that vision. I think where we separate and go down different paths is he believes the answer perhaps too often lies here in Washington where we believe the answer lies with parents, with teachers and a local classroom.

I thank my colleagues for being here tonight.

BIPARTISAN COOPERATION IN THE AREA OF EDUCATION

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Under the Speaker's announced policy of January 7, 1997, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, first I would like to applaud the fact that we have been discussing education now for more than 2 hours and that both parties have chosen to talk about education tonight. It is an indication of the kind of priority that we have set here in Washington on education, both parties.

As I said earlier this afternoon, we are in a situation now where something wonderful is going to happen in the 105th Congress as a result of the bipartisan cooperation, which I think is very sincere and very real. We have a problem, however, that there are people holding on to the past, the recent past, the past of the 104th Congress. They really understand that there is a new environment for the discussion of education issues as a new political environment, and they discovered that political environment last year during the 104th Congress.

The Contract With America made an onslaught on Federal participation in education. The Contract With America came forward and proposed to eliminate, eradicate, the Department of Education. They proposed to cut school lunches, they proposed to cut Head Start, they proposed to cut Title I.

I do not want to dwell too much on that unfortunate, very uncomfortable situation of the 104th Congress, but it is important to set all discussion within the context of the great triumph accomplished by the common sense of the American people. The common sense of the voters triumphed over all of the proposals of the Republican majority for education, the proposals that would have rolled us backwards. They even proposed a total of cuts that would have amounted to about $4 billion at the beginning of the 104th Congress. The Republican majority made those proposals and moved that way; it shut down the government. Let us not forget that the government was shut down because the President and the White House refused to go along with drastic extreme proposals for cuts in areas like education.

□ 1845

Let me just conclude this recapitulation of the 104th Congress by saying that I want to pay tribute to and give credit to those leaders in the Republican majority who decided to turn it all around. They did a 360 degree turn. They listened to the common sense being expressed by the American people. They listened to the voters. They listened.

They watched the polls which showed that the American voters ranked education as a high priority, and they have consistently been doing so for some time. They listened and at the last minute, faced with the possibility that their negative positions on education might very much impact on their reelection possibilities, they did a 360 degree turnaround. I applaud the fact that they were not so ideologically entrenched, so philosophically dogmatic that they could not make the turn. Given the necessity of getting reelected, they decided to make the turn.

I applaud the fact that the gentleman from Pennsylvania [Mr. GOODLING], chairman of the Committee on Education and the Workforce, who is a former school principal, teacher, school superintendent, been around a long time, been on the Committee on Education and the Workforce for a long time, he was there with his insight, his experience, his wisdom. So when the turnaround took place, the chairman can tell them where to intelligently make the changes.

The turnaround, which was a 360 degree turnaround, instead of cutting education by $4 billion, they increased

education by $4 billion, and the gentleman from Pennsylvania [Mr. GOODLING] helped to guide them in making those increases in Head Start, in title I, in Pell grants. You name it, the positive increases in education were made, and I applaud the majority for responding to the common sense of the American people.

Given the fact that the common sense of the American people has been discovered as a reality politically, we can expect no one in any leadership position in either party, certainly not in the Republican Party which saw the folly of their ways, to openly be against improvements in public education. They would not openly attack the effort to improve education.

What we can expect, though, and have to be prepared for, and it may very much slow down the effort, confuse the effort, is guerrilla warfare, ambushes, Trojan horses, people who pretend that they care about education coming into the walls, into the compound and sabotaging. People who say they care about education, but they think, or they propose that the Federal Government not get involved. Federal Government involvement is minuscule even at the height of involvement, even if we follow the President's proposals, and the President has made a extensive approach here. The President does propose that we not play around with education.

Mr. Speaker, this is a call for action for American education of the 21st century. It covers education from early childhood to lifelong learning, right through graduate school, Pell grants, and undergraduate school. It is comprehensive. It talks about construction, it talks about standards in the classroom, telecommunications. It is a comprehensive approach. Certainly President Clinton has earned the title of education President merely for making proposals.

It is for us, the Members of the legislature, the Members of Congress, the House and the Senate, to follow through on these proposals and not to sabotage them, not to confuse the situation with misinformation or disinformation such as some of which we have heard in the previous hour. There are people who say that we should not go forward with Federal involvement because the Federal Government has too many programs, seven hundred programs.

Well, Mr. Speaker, I am in favor of streamlining and improving Federal involvement in education, but I will not take the irrational position that the number of programs is somehow a barometer of whether the programs are effective or efficient. If we did that, we would shut down half of the Defense Department.

The Defense Department has far more than 700 programs or 700 weapons systems. If we look at the defense budget and really go through it, there is probably nothing in the world that in some manner is not in the defense budget, where they do not approach some problem of human concern in the defense budget. They approach reading and counseling, a whole lot of other things other than weapons systems. And then they have numerous weapons systems, which if we were into the fallacy of measuring effectiveness and efficiency by numbers, we would say shut down some of these weapons systems, because automatically to have too many is to have an ineffective defense.

Mr. Speaker, that is an irrational approach. If we are going to streamline the way the Federal Government approaches education, let us not begin by making irrational proposals about the number is too great and therefore we should wage war on the numbers.

What has happened with that irrational approach is that small has become evil and big has been too big to contain. So a lot of small programs that were very meaningful and very efficient and effective were cut out, and big programs were left, just because the size was so great that the people who wanted to wage war on a number of programs did not bother to touch them.

Some small programs related to libraries, related to foreign language, literature and libraries, made a lot of sense. They had networks that cut across all the libraries of the country, and for a very tiny amount of money we were building up the inventory of books in foreign languages, which was significant. That was cut out, so small that it was deemed one of those programs, automatically, if they are that small and we have too many programs and numbers mean so much in view of education, then automatically let the small programs go. That is not a rational approach.

I hope as we go forward in the spirit of bipartisan cooperation we will cease using these kinds of irrational barometers and measurements and that we be honest about, let us evaluate each program, let us evaluate each approach on the basis of what works. The previous speakers talked about what works, what really works. Let us take that criteria and talk about what really works.

Mr. Speaker, we are going to have a hearing I understand next week in New York City, and the discussion is about what works. That committee will have a discussion of a program proposed by the mayor of New York City. Mayor Giuliani has gone out to get parochial and private schools to accept children from public schools as a result of the overcrowding in public schools that took place, that was highlighted. It has been there for some time, but it was highlighted last fall when we had 91,000 children in New York City who did not have a place to sit in school on opening day. To what degree that exists right now, I cannot tell you. We have been trying to find out. And there is a wall of obscurity that has been deliberately promulgated which prevents us from really knowing, have they solved the problem of overcrowding? Did they move children around to empty schools or schools that have less than capacity? How did they solve the problem of 91,000 children in school on opening day not having a place to sit? How did they solve the problem? We still do not know.

What we do know is the mayor took the initiative and said, I will find places for 1,000 children in parochial and private schools; I will raise the money from private sources.

So every day in the paper we have new articles about the 1,000 children, the fact that the corporations and the private sector have come forward and provided the tuition money, the fact that they have a lottery, the number of children that the parents have applied to put their children in the program, and the last count was close to 20,000. They have 1,000 slots. Close to 20,000 have applied, so they are going to have a computerized lottery system to select. All of this is very exciting, and I congratulate the mayor for doing something concrete about a problem.

Mr. Speaker, we are going to help place 1,000 youngsters. The only question that we have to ask is, what happens to the other 90,000? There are 90,000 youngsters that we still have not placed. The 1,000, we hope that they will find secure places in the parochial and private schools. And we want to express our thanks to the private entrepreneurs and various people who put up the money to pay the tuition. We want to congratulate the parents who were lucky in the lottery; 1,000 out of 20,000, and the number may still be drawn. I do not know when the cutoff point was. In that lottery, though, we will have 19,000 losers. But we congratulate and bless and wish the best of luck to those 1,000 who do go forward.

This is a good idea. Private industry, let us do more, let us place more children. Mr. Speaker, there are a few questions that we can ask to show that this is not the answer to the problem. New York City has 1 million students; 91,000 had no place to sit as of last September. How do we solve the problem? Do they have the capacity in the parochial schools to take all 90,000? I do not think so. Are we going to be able to raise the tuition for all 91,000? Is the private sector that generous? Are we going to get the money for 91,000? I do not think so.

I do not think that is the solution to the problem. The solution to the problem lies in a plan to rebuild and renovate and build new schools in New York City, the kind of plan that was proposed by the previous chancellor of the New York City school system. We do not have a superintendent; because we are so big, we have a chancellor. The chancellor presides over 32 community school districts in New York City.

The chancellor of the last system proposed a plan over, I think, 5 or 7 years to renovate, rebuild, build new schools. The present mayor ran him

out of town, ridiculed him and made all kinds of roadblocks. So, the man with the plan to take care of the problem was run out of town.

The solution now becomes, instead, placing children in private and parochial schools, and we are way behind if all we can do is place 1,000 of the 91,000.

So we have to be careful. In the present atmosphere, everybody wants to jump on the bandwagon. The voters have spoken. Education is a priority issue. The voters have awakened and they want to say: Well, Mr. Speaker, we spent the money necessary for defense, we spent the money to contain the evil empire, billions and billions. We went from a horse and buggy Defense Department after World War I to a multibillion-dollar Defense Department before the end of the Cold War.

We were spending money on a scale which is impossible almost for most voters to comprehend. Mr. Speaker, $3.5 billion for an aircraft is beyond the comprehension of most people; $2 billion for a submarine, beyond the comprehension. We take the cost of one submarine, and we can solve the problem of New York City for the next 20 years of buildings.

We can do a great deal with $2 billion in terms of construction, renovation, taking care of asbestos problems in some schools, lead poisoning problems in some other schools, boilers that still burn coal. We have one-third of the city schools almost that still burn coal, polluting the environment and contributing to the high asthma rate in New York City. A large number of young people have asthma, larger than most big cities.

So be careful, beware. The Trojan horses are within the walls. They say that they are in favor of improving education; they say that they want to support the effort to revitalize and guarantee that every young person in America has a decent school, but the old attitudes that existed in the 104th Congress are still underneath the surface. There is an underground movement. There are guerrilla actions, there are ambushes that are going to take place, and we have to beware.

Let me just pause for a moment to talk about what it means to have a Nation committed to go forward in every way possible to improve our education system from the cradle to the grave.

□ 1900

We are creating a learning society. Before these were kind of loose terms thrown around, but we are really creating a learning society. President Clinton talks about a learning society, a lifelong learning society, where you learn from the time you are a baby all the way to the time you die.

This comprehensive approach dealing with adult literacy and adult education, the Call for Action for American Education, understands that that is the kind of society we want to create. As we go into the 21st century we ought to be able to spend less for defense and less for weapons systems, and spend more to guarantee that there is a maximum opportunity for every person in America to be all that they can be. That is a sentimental, hokey slogan, you say, from the Armed Forces' public relations campaign, but it is pretty good. I will accept it.

Mr. Speaker, let us try to guarantee that the opportunity for every American will be there to be all that they can be, to strive for excellence in every way, starting with the kid who was in preschool, preschool age, through kindergarten, Head Start, right up to high school, college. Let us dedicate ourselves to the proposition that in this great country of ours, we are going to give every person an opportunity to be all they can be.

One part of this process ought to be to let us glamourize education and excellence more. Let us give more credits and more incentives to our students to be champions in the arena of education, in the arena of academics. We have a few national contests, the Westinghouse Science Contest and a few other well-known contests that reach out and embrace a small group of youngsters. We need more. We need to have academics elevated to the level of sports, so young people fulfill themselves and attain some kind of recognition among their peers and among adults by participating in activities which improve their minds.

A healthy body, of course, is a premium. We want to encourage healthy bodies. We still have a problem in America with people who do not exercise enough. We have a problem of obesity. Exhibition No. 1 is standing here. We do not want to denigrate sports, we do not want to denigrate physical activity, but we do want to exalt academic activity, intellectual activity.

I am here to pay tribute to a project, one of these 700-some projects in Federal education that was talked about before. I want to pay tribute to that for exalting the academic achievements of students. It is called ''We the People * * * The Citizen and the Constitution.'' ''We the People * * * The Citizen and the Constitution'' is a national competition that is organized to encourage young people to learn more about our Constitution and our Government and how it works.

This was initiated, by the way, during the celebration of the centennial; not the centennial, the 20th anniversary of the bicentennial—the 200th anniversary of the Constitution. It was one of the activities initiated. Now it is continued by the Center for Civic Education.

The Center for Civic Education is part of the operation of one of our education centers funded by the Federal Government. I want to applaud them and congratulate them for this. They were not always involved. This started out as an ad hoc sort of thing just for the celebration of the Bicentennial. Now it has been institutionalized. I want to congratulate the Center for Civic Education for carrying it forward.

They have now been doing this for quite a long time. I do not remember whether it is 10 years or more. Each year in each State, or first in each locality—I will use New York City as an example, New York City has a competition among the schools. Other areas of the State have competitions. The winners of those competitions go to some central place in the State and they compete for the State championship. This happens all over the country, in all 50 States. The State champions then are invited to Washington in the spring, and they compete among themselves for the national championship.

The competition is all about who knows the Constitution, the Government, and its operations the best. What they do here, let me just read some background. The top high schools or the winners in the country come here and they participate in national finals on the Constitution and the Bill of Rights, and more than 1,250 outstanding high school students from 50 States came this spring. There were 50 States and the District of Columbia to participate.

This has been going on for some time now. I think we have had the participation of something like 24 million students totally, at the local level as well as at the national level; in every locality, every State, they get a lot of participation.

This year, of course, they came on April 25 and 26, and after 2 days of intense examination of their knowledge of the Constitution the field was reduced from 51 teams to 10 teams, the top 10 teams. The first two rounds of competitive hearings were held April 26 and 27, at the J.W. Marriott Hotel here in Washington, and the combined scores of each team determined the 10 teams to compete Monday in the championship round on Capitol Hill. They were right here a few days ago, Monday, in this Capitol, in the Rayburn Building, competing for the final championship, 10 different teams.

In the competitions, students demonstrate their knowledge of the Constitution and Bill of Rights before simulated congressional committees composed of constitutional scholars, lawyers, journalists, and government leaders. Students compete as classes after completing a comprehensive course of study on the Constitution to qualify for the competition. The national finalists had won congressional district and State competitions in order to advance to this point. Then after the day's competition here on Capitol Hill they announced the winners last Monday night.

I want to pay tribute to the winners of the contest. First I will pay tribute to the top 10 schools. This is the kind of activity that you will not get on television. The championship games are broadcast for college and at the local levels you have championship games broadcast for high schools and sports.

Students who are good in sports always get attention. They get trophies, and there is a trophy case in every high school. We would like to replicate that and have academic and intellectual activities given the same status.

So I take my hat off, and I want to congratulate the top 10 schools in America. Lincoln High School in Portland, OR was one of those top 10; East Kent High School from Kentwood, MI; Clara Barton High School from Brooklyn, NY, in my own district; East High School, from Denver, CO; Castle High School from Newburgh, IN; Maine South High School from Park Ridge, IL; East Brunswick High School from East Brunswick, NJ; Tahoma High School from Kent, WA; Arcadia High School from Arcadia, CA; and Our Lady of Lourdes Academy from Miami, FL. These are the top 10 schools in the competition on ''We the People * * * The Citizen and the Constitution,'' a competition designed to test the students' knowledge of both the Constitution and the Bill of Rights.

So I salute all of the top 10, and I would like to pay additional tribute to the top four. The top winner was Our Lady of Lourdes Academy, Miami, FL. They came in first this year, first place. The second winner was Arcadia High School from Arcadia, CA. Congratulations, Arcadia. Congratulations, Our Lady of Lourdes.

Then No. 3 was Tahoma High School of Kent, WA. Congratulations to Tahoma High School. No. 4 was Clara Barton High School of Brooklyn, NY, from the 11th Congressional District. I want to congratulate the members of the team from Clara Barton High School in my district in Brooklyn. My hat goes off to them. This is the second time they came in fourth in the contest. This is, I think, the sixth time that they have made it to the national finals as State champions, so something great is going on at Clara Barton High School.

I want to congratulate the students who participated. This was one of the largest classes. The rules require that the participants in this contest be a whole class, and that the class be under the instructor, the coach, for the whole year. So it is a class in social studies or history or some related matter that comes as a class.

What happened at Clara Barton High School this year is that because of their past reputation, because they had come and won fourth place before, because they had consistently won the State championships, the teacher, the coach who heads the class, was inundated with requests to get into his class. So we are talking about 40 students, one of the largest classes. It was the largest class to come to the contest, all 40 students.

New York City has an overcrowded situation, but high school teachers do not have to take 40 students. Mr. Casey, Leo Casey, was the teacher, Dr. Leo Casey. He agreed to take 40 students because of the overwhelming demand to get into his class.

These students have not been celebrated as sports heroes. They are not entertainment celebrities. But the tradition that has been established at Clara Barton High School is such that the winning tradition in the intellectual academic arena has led to students clamoring to get in. So Dr. Casey accepted 40 students, and those 40 students, that was the largest team here in Washington.

I want to read the names of the students. I am going to take the time to do it because I think this is part of the process of creating an environment in America where education is exalted, where academic and intellectual activities are raised to a new level, our students are inspired and given incentives to strive for excellence. These are students who strive for excellence in the area of understanding the Bill of Rights and the Constitution.

They are: Nicole Aljoe, Munira Basir, Letricia Bennett, Michelle Bennett, Katherine Bernard, Slahudin Bholai, Dafina Westbrook-Broady, Keusha Carrington, Shakira Chang, Calvin Coleman, Dean Douglas, Nirva Dube, Iesha Etheridge, Jonathan Ewars, Migdalia Feliberty, Sean FORDe, Sharkara Godet, Oslen Grant, Moshesh Harris, Rochelin Herold, Christopher Hubbard, Sonia Hurble, Tiffany Jefferson, Generva John, Anthony Marin, Anisah Miley, Travis Moorer, Calistia Nanton, Franchelica Nunez, Damian O'Connor, Ayo Ogun, Emmanuel Onasile, Tamara Osbourne, Charlene Palmerm, Carolina Perez, Natalie Pierre, Raquel Rivera, Tanisha Simpson, Camille Sinclair, Vysaisha Singh, Vijay Sookedo, Sharon St. Hill, Karrien Stone, Naquida Taylor, and Andrea Telford.

These are all students, and I think the Members might have surmised from reading the names that they come from very diverse backgrounds. It was the most diverse team to appear at the national contest.

I might point out that in the 11th Congressional District, my congressional district, when the census was taken in 1990, 150,000 people listed themselves as being noncitizens, 150,000 out of a total 582,000. So I have one of the highest noncitizen populations of all the congressional districts. The 150,000 came forward and indicated they were not citizens, so they were legal immigrants. I assure the Members, the illegal immigrants did not come forward. So we have 150,000 of the 1990 legal immigrants.

The diversity of my district is reflected in the names of these children. My district has Cambodians, there are Chinese, there are Pakistani, there are a whole array of people from all of the islands of the Caribbean; we have Haitians. It is a wonderful mixture, a rainbow mixture of America in my district.

Generally, Mr. Speaker, there is an income level that is lower than average. Not all of these children are poor, but the great majority come from low-income homes who go to Clara Barton High School. I want to congratulate them on their magnificent achievement.

I want to congratulate Mrs. Florence Smith, a former high school teacher, who served as the volunteer coordinator for my office. The 11th Congressional District coordinator is Florence Smith. By the way, she resigned, retired from school one year, and the next year she became the coordinator for my 11th Congressional District, and she has been there since then; about 8 years with Florence Smith, who does not receive a penny for her services.

If Members want to talk about volunteer services in harmony with the great conference that was held in Philadelphia this past weekend, here is an example of the kind of volunteers that we have in America. People who retire and who, in some cases, spend more time in activities after retirement than they did when they were working.

Congratulations to all the people who made it happen. In my congressional district, the Clara Barton High School team is sponsored not only by my office but by the Central Brooklyn Martin Luther King Commission. In fact, the money that was raised to first send this team to the capital at Albany was gathered by the Central Brooklyn Martin Luther King Commission. Money that has been raised in the past years before the funding level went up nationally to get them to Washington, the great sponsor and mentors of the Clara Barton High School team have been the members of the Central Brooklyn Martin Luther King commission.

□ 1915

We have some other organizations that have also become sponsors. Children's Times is a publication on education. Thomas Jones and his wife, Mr. and Mrs. Jones, have been very instrumental in encouraging the young people at Clara Barton High School and in raising money to make certain that they were able to go to Albany and come to Washington.

So it is a kind of growing group activity. They still have difficulties raising funds to get to Washington. I want to call on the bar associations of Brooklyn, the bar associations of Manhattan and New York, and all the lawyers who know what the Constitution is all about, judges' organizations, I would like to call on you.

Some judges come to practice with the youngsters. They come to my office on a Saturday morning about twice a year just before the contest and judges come and sit with them, go through the process and coach them in terms of how they handle tricky questions in the legal system related to the Constitution and the Bill of Rights. So it is a group enterprise of great magnitude. I congratulate the winners, the champions from Clara Barton High School in Brooklyn.

It is one of those activities that we should see more of. The old-fashioned

spelling bees and the science fairs and a number of incentives to have children participate more in academic activities which develop their minds is an absolute necessity and must go forward.

Again, this is one of those 700-some Federal programs that have been ridiculed by the previous discussion. The Center for Civic Education does a great job. And I would not want it to arbitrarily be denied funding because it happens to be one of many programs. That is an irrational approach. That is an approach taken by people who really have not quite come around 100 percent to the understanding of the need for education to become America's No. 1 priority.

Our national security is all tied up with what we do with education. Our national security, certainly defense and our defense posture and our military services still have a great deal to do with national security. I am not denigrating that, but in a world which is more and more an economically competitive world, in a world where there is great competition for ideas, our No. 1 resource are our people and the education of those people must be our No. 1 agenda.

I congratulate the American voters. The American people understand that. They understood it long before the Members of Congress were willing to admit it, but now the Members of Congress have been forced by the insistence of the electorate to admit that education must be our No. 1 priority.

Political necessity has dictated it. What we have to worry about now is a people who are not sincere who, because of political necessity, they give lip service to their support for education. We have to worry about the Potemkin village effect. Does anybody know what a Potemkin village is?

There was a general named Potemkin in Russia who took Catherine the Great, who was his empress, on a tour to show her how magnificent a village that he was in charge of was; and in that village they had fronts. The houses were beautiful, but they had nothing behind them. They were all linked together. So Catherine the Great could not see behind them. And Potemkin's village was a beautiful village, but it was nothing but facades.

The danger is that there are some people that would want us to go to the American people with a Potemkin village in terms of educational improvement. They are satisfied to just get the headlines, make it appear that we have gone forward, but really not do the job.

It is a big job that we face. It is a big undertaking. And unless you are willing to follow the leadership of the President and take a comprehensive approach, comprehensive, a call for action for American education, this is a comprehensive approach. It starts with preschool education. It goes to Head Start.

Preschool education and Head Start have been given a great intellectual and philosophical boost by the recent conference that was held at the White House on early childhood education and learning. Several magazines have run some articles on the brain of young children, how the brain develops.

It seems now that there are no detractors. And nobody opposes, nobody questions the theory now that the brain of a young child is the most valuable thing on Earth. It has potential that has seldom been tapped. They can learn so much more than we teach them. They can be developed in so many more constructive ways than we know. We should focus maximum attention on what happens to young children.

The brain is affected by how often they are squeezed, by how often they are cuddled. The brain is affected. The brain is affected by whether they are yelled at or whispered to. The brain is affected by the number of times their cries do not get a response. The brain is affected by the way you hold their hands and encourage them to grip the hand. It is affected by the way you move to help their eyesight develop. These are things that all the scientists agree on that great things happen to the brain just by the proper nurturing.

Recently we had scientists that affirm that this is happening positively. Recently we had several studies that show what happens if it is negative, if you do not take care of children when they are very young, what the results are.

The Romanian children that came from the Romanian orphanages have been cited several times in several studies from some of the Soviet and other Middle Eastern orphans. People saw these beautiful little children who had no mothers and fathers. They were being kept in pens and being thrown into big rooms where the adults only came around to feed them. And they were physically beautiful children and needing some help and attention in the hearts of many American parents who did not have children, and some who had children, who wanted to help so they added some of these children. They have gone and adopted children.

We had a heart-breaking example on television, I think, last night a news story about a family that adopted two Russian youngsters, fraternal twins, and what that family went through as a result of the damage that those young people had already suffered. You could not reverse it. Their brains had been affected in ways that could not be changed. So they are very anti-social. They have been ignored so long until they can form no attachments to human beings. They really are very suspicious, very hostile. They have things that they do that are incomprehensible.

The mother and the father tried for a long time. The father then died from pancreatic cancer, and now the mother just is overwhelmed. She cannot get help anywhere. She tried to place them in a residential school and found that the school saw them as being too difficult, they could not keep them.

It is not that she is not trying as hard as possible. It is an almost impossible task to raise such children in a normal situation, because the scientists have confirmed that your brain actually atrophies, it gets smaller, it dries up as a result of in childhood not being treated a certain way.

They have a study where they took some of these children from Romania, mainly Romanian, there is a thorough study done on the Romanian children, they took them through CAT scans and these various devices that can actually look at the brain and they showed the diagrams on television where the brain had shrunk and where it was irreversible. Certain parts of the brain shrinks, they cannot respond normally. They are damaged children.

On the other hand, there is a percentage that, no matter what happened to them, they survive, a small percentage. You might say the old argument that people often make, well, I went through poverty, I went through despair, but I came out all right. A certain percentage of the human race can be classified as almost super people; and no matter what group you are looking at, a certain percentage is going to overcome whatever conditions you put in front of them, a small percentage.

The overwhelming number of people respond to stimuli, and the brain is affected. So that nation which understands the importance of handling its young people with the maximum amount of nurturing and care; that is, the nation which first commits the most resources to young people, will certainly be in a position to not only save a lot of money later on in terms of the social dislocations that people who are damaged perpetuate, but in terms of the benefits of alive minds capable of learning, alive minds that have been expanded and they can absorb new information and new changes in technology very rapidly.

If you treat the minds of the young people a certain way, they have those kinds of minds and they have the mental and emotional attitudes, which are also constructive. Because people have always responded to them in a positive way, they respond to other people in a positive way. Their ability to work on teams, their ability to work and relate to their peers, all of this is affected.

We have concrete, scientific evidence which documents this. More important than genetic, the old debate of inheritance versus conditioning, environment versus the inheritance, that old debate can be put to rest. The inheritance does count. The genes you get do set up possibilities.

The greatest problem is in the way those genes are handled in the early years of life. You can take some weak genes and improve on them, actually, if children are nurtured a certain way and treated in a certain way. You can take some beautiful genes, strongest genes, and you can destroy them. They will atrophy, they will shrink, dry up

in terms of the brain, and you will have a set of behaviors that has nothing to do with the genetics that they inherit, the condition is there.

So what we put into Head Start, the dollars we spent for Head Start are the dollars we could get the greatest benefit from. If Head Start programs are going to degenerate and if we are going to put them on tight funding and say, yes, we subscribe to the principle that early childhood education ought to be supported, but we will not appropriate money so you can really have teachers who know, child-care specialists who know how to handle children and you just put them out there and you get welfare recipients, as has been proposed in some cities, you take people who are on welfare and you force them to go to work in child-care centers. Nothing could be worse than to have a person taking care of children who does not want to take care of them. Nothing could be worse than to have a person taking care of children who will be hostile to them because they feel they are being forced to do something they do not want to do.

So do not put people who are on welfare to work in child-care centers unless they want to go and receive training as to how to raise children, unless they are mothers already that have gone through the process already and understand how to nurture the children. And do not do it in a happenstance way so that maybe they know it, maybe they do not.

It pays to screen the people who are taking care of children in day-care offices and Head Start, anywhere else. Let us not try to solve our welfare jobs problem by using children as unfortunate guinea pigs. That is one lesson we ought to learn. Education funding for early childhood, education for Head Start should be adequate funding.

What is adequate funding? You can determine whether or not the ingredients are there by looking at the situation and setting up a set of rules that either the place is safe or it is not safe. The day-care center or the Head Start center, either the place is conducive to learning, with enough light, enough air, or it is not. There are standards that can determine what is adequate.

When it comes to personnel, you can determine whether the person has experience, training and they are able to deal with the job that they are assigned to do with respect to children. The dietician in the kitchen, they can determine whether they really know what they are doing, are they going to put too much salt in the food. All these things are doable. We can do them, but we have to have adequate funding to guarantee that they get done.

What I am saying is that the Potemkin village approach to say we are for education, we are for early childhood education, but say what is too much money, Head Start should not spend too much money, what is so much money? Let us determine what is adequate.

Which brings me to my final discussion for today. If you have bipartisan cooperation here in the House and they really want to go forward to improve education in America, then there is a set of standards which must be reexamined. I invite the voters, the citizens who are listening, to apply their common sense.

I spoke to a group in Cleveland called PS–21, a group of people who are dedicated to the proposition they want to have the most improved schools in University Heights, Cleveland Heights, they want to have the best possible schools. One of the ways that they are trying to accomplish this is to make sure that local citizens, leaders, teachers, people concerned about education and parents have a maximum discussion of what it takes to make good schools.

□ 1930

A series of forums that they have had last year and this year, they are going to go all the way to the year 2000 because they are getting ready, they are remolding their schools to be the best possible schools as they go into the 21 century. So that is why they call it PS 21.

We had a good discussion, and I talked to them about the micro level, at the citizens level, out there in the schools, the PTA's, people on the firing line, teachers. We have to have this kind of dialoguing to make certain we get the maximum benefits from what is happening at the macro level. The macro level is what President Clinton is proposing. The macro level are Federal programs. Macro level is what Congress will do when it acts on President Clinton's proposal.

The macro level involves such things as the vote that is going to be taken next week on the discount to schools for telecommunications services. The Federal Communications Commission acting on a mandate given to them by Congress will vote on a proposal to provide telecommunications services to schools and libraries across the country at a discount rate of between 20 percent and 90 percent. The poorest schools will get up to 90 percent discount on telecommunications services, and any school in the merit system will get at least a 20 percent discount on telecommunications services.

And by telecommunication services, I mean a whole range of things, including telephones. Most of our schools in New York do not have but a few telephones because they are charged the business rate for telephones. If telephones are put into this universal fund for telecommunications that is now going to be voted on by the FCC, then we will at least have more telephones in schools. But online services for computers, computer hardware, the wiring of the school, all of these things can be paid for at this discount rate that the telecommunications industries will have to pay for.

They have a fund called a universal fund that the money goes into, and at this point it is a $2.5 billion fund per year, $2.5 billion per year indefinitely. It is not a short-term proposition. So this is a macro activity we ought to all understand, to relate to this macro activity. At the local level you have to have schools that can be wired.

If a school has an asbestos problem in New York, you cannot even get to the first step and take advantage of the universal fund that is going to be established by the Federal Communications Commission. We had Net Day across the country, various States, localities. We have Net Day. We had another Net Day episode in New York last week, and on Net Day volunteers go to help wire schools. For Net Day, the standard is that you should wire five classrooms and the school library, and you have completed a Net Day responsibility.

Well, Net Day in New York has been a gross failure. You have 1,000 schools and only a handful have been wired because the asbestos problem is there. You cannot bore holes and confront the fact that there is asbestos that must be taken care of. So at the micro level, unless we find a way to solve the problem of asbestos, we will not be able to take advantage of the macro programs. We will not be able to get part of that universal fund.

The President has proposed and we have in effect the literacy challenge fund. We have the technology learning grant program. These are already under way. We cannot take advantage of those in the schools that do not have the iniative to deal with the local problems that allow them to link up with these problems. That is why it becomes so important to deal with construction before you deal with anything else.

They cannot go into the 21st century and take advantage of the educational technology that is being developed. Computerized learning, videos, all kinds of things are being developed to supplement the teacher in the classroom. There is no substitute for the teacher in the classroom, by the way. Recent studies have shown that no matter what you do, the quality of the teacher in the classroom determines whether or not children will get an adequate education or superior education.

So the quality of the teacher we have to take as one of the constants. But around that they can have their performance enhanced. Teachers can do so much better no matter what kind of teacher they are if they have enhancement and can use the Internet, the videos, the educational television, computerized learning. All that is available and we should make a maximum opportunity to use it.

Mr. Speaker, we need what we call opportunity-to-learn standards in our great discussion of how to improve education in America. We need to focus on opportunity-to-learn standards. We know about the standards for curriculums. The President has pushed that and I agree with curriculum standards.

We know about testing standards where we are going to have tests that are similar enough from one State to another to be able to compare the performance of States, schools within States and performance of States with each other, and have some idea of what is happening in America overall with respect to adequate and excellent education. What the set of standards that we have not agreed on, we did agree on, and it was reversed. And the great horror story of the 104th Congress, they turned around everything except one, in one area they went backwards at a rapid rate.

We had opportunity-to-learn standards written into the legislation. The Goals 2000 Educate America Act had three sets of standards. They are the curriculum standards. They had the testing standards. And through a long debate, we members of the Education Committee had gotten the opportunity-to-learn standards.

Opportunity-to-learn standards are exactly what they say. If you are going to have a curriculum that is a great curriculum, if you are going to have testing, you are testing the children to see if they measure up and can learn that curriculum, one thing else has to happen. You have to have a guarantee that the students have an opportunity to learn by seeing to it that they have the right books so that they can measure up to the standards, pass tests, guarantee that they have a safe place to study, a safe place to learn.

That is part of the opportunity to learn. Guarantee that they have qualified teachers, people who know what they are doing. At one point we had a survey in New York City and found that two-thirds of the teachers who were teaching math and science in public schools in New York City had not majored in math and science in college. In junior high school, if you have teachers teaching math and science who did not major in science in college, you have a problem. Opportunity-to-learn standards would say that the standard is that no State, no locality should permit a situation where children do not have an opportunity to learn because the teachers are not qualified.

Opportunity to learn means that, if you are going to teach science, the school ought to have a science laboratory. It means that the science laboratory ought to have adequate supplies. Opportunity to learn means that you have books in the library which enhance the textbooks which are not 30 years old.

We have a problem with history books, social studies books being 30 years old in some of the libraries in New York City. So opportunity to learn and the agreement to accept opportunity-to-learn standards is one of those barometers by which we can measure whether people are sincere about improving education in America. One of those barometers to flesh out the Trojan horses and the underground operatives and the people trying to ambush the effort is to ask them, how do you feel about opportunity to learn?

One of the first tests of opportunity-to-learn standards is, will you support the President's construction initiatives because at least every child should be in a building that is safe, in a building that is warm. In a building that does not burn coal and put pollutants in the air for children to breathe to get contaminated with all kinds of harmful substances. A building that is safe, a building that has decent lighting, a building that has decent ventilation, a building that is adequate so that you do not have what is happening in New York City. Again, schools will tell you because the board of education and the bureaucrats have told them that they do not have an overcrowding problem. We had a little test, the Central Brooklyn Martin Luther King Commission, which is my advisory committee on education, they sent people to school to see if they have solved their overcrowding problem.

Principals said, we have no problem, slightly over capacity. They were lying. The next question I told them to ask was, how many lunch periods do you have? How many lunch periods do you have? That is a telltale sign of an overcrowded school. We have numerous schools that have three lunch periods. Children start eating at 10:30. They do not stop until 2:30.

We have discovered one school that has five lunch periods. I said, if you have five lunch periods, when does the first group eat lunch? At 9:45. Is it not child abuse to make a child eat lunch at 9:45? Is there not something wrong nutritionally, physiologically with making a child eat lunch at 9:45 in the morning?

The principal who told me this has been living with it so long she was not embarrassed. She said, we let them have a snack later on if they get hungry. The last group that eats, we let them have a snack in the morning because they get hungry before we finally get to them. Five lunch periods, from 9:45 up to nearly 2, they are eating in relay teams. It is overcrowded. The capacity has been exceeded.

You should not do that to children. No matter what they do to lie about the statistics and tell us, once we asked the question, how many lunch periods do you have, we have a telltale sign it is overcrowded.

We can go around and see with our own eyes that children have classes in storerooms, sometimes in the hallway, two or three classes are in the auditorium. We can see that the overcrowding is there, even when the bureaucrats do not admit it.

We still have the problem, 91,000 children did not have a seat in New York City when school started last fall, and large numbers still do not have seats and nobody is willing to admit it. So opportunity to learn means that the construction initiative of President Clinton should go forward because at schools like the schools in New York and the schools in numerous other cities that are overcrowded, that do have unsafe environments, lead poisoning, asbestos, all kinds of problems which affect the health of children. Those schools are transformed into the best schools that America can make.

The President is only proposing a small program that will set off the process, stimulate the State to put in money, stimulate the localities to spend money. And we must understand that. The great emergency for opportunity to learn is the construction of school buildings in our inner cities.

The $5 billion fund that the President is proposing should be given. The first proportion that they are proposing, up to 50 percent, I understand there were a lot of objections from Members of Congress. Members of Congress, I plead to them to open their eyes and look at the evidence.

The greatest problem is now in the inner-city communities. Children do not have an opportunity to learn because they are denied the basics of a decent place to sit, a safe place to sit, and a place free of toxic substances and a place which is ventilated properly and lighted properly. It is that basic.

Opportunity to learn means much more. But let us at least start with the President's construction initiative. We will follow through. The President is proposing training for teachers, suppliers. The President is proposing a number of items that become very important.

The incentive of having young people in elementary, secondary schools know that they can go to college, if they apply themselves to their studies in elementary and secondary school, that is also important. It is a continuum from early childhood, from the cradle and how you handle a baby when you pick them up and nuture them all the way to lifelong learning of retired people who can still contribute to the society by volunteering, by helping to mentor, by trying to improve our society in a number of ways.

In the process, we should also make certain that we build into our popular culture, build into our popular culture incentives that glamorize academic activities, that glamorize intellectual activities.

I will close by saluting the Clara Barton High School championship team from my district for their performance in the contest to show their knowledge of the Constitution and the Bill of Rights. I congratulate all the schools and all the youngsters across America who are champions in the area of intellectual and academic activities.

ISSUES FACING THE 105TH CONGRESS

The SPEAKER pro tempore (Mr. BOB SCHAFFER of Colorado). Under the Speaker's announced policy of January 7, 1997, the gentleman from Georgia [Mr. KINGSTON] is recognized for 60 minutes.

Mr. KINGSTON. Mr. Speaker, it is a great pleasure to be with you tonight and discuss the many issues that are facing the 105th Congress.

One of the things that we will be voting on very soon is the supplemental appropriations bill. That is a fancy word for a bill designed to send aid to the folks who have been victims of flooding in the Midwest. It also funds the continuation of troops in Bosnia.

There are a lot of us who want to get our troops home from Bosnia. But at this point we still need to fund the ones that are there, and we need to have the debate about getting them home also. But the two purposes of this funding bill are emergency for the flood victims and emergency for Bosnia.

Politics is politics, and we cannot pass a bill around here without something totally unrelated being attached to it. That is always going to be the case, and that is the case with this bill that we are considering. One of the nonemergency items which many people in this House have supported is increased funding for WIC, which is the Women, Infants and Children Program. It is a milk formula program, and the program does a lot of good.

□ 1945

We have identified in our society that if we make sure that a pregnant woman has a proper diet, that the chances of the baby being born without medical complications is much greater; and, similarly, in the first couple of years of the life of the child, if the child is getting proper nutrition and proper diet, then the child experiences far fewer health care problems, which in terms of budget are more expensive. So it is an ounce of prevention.

Now, the Democrats and some of the liberals in the media, the New York Times, the L.A. Times, are actually accusing us of cutting WIC. Now, I am on the Committee on Appropriations, Mr. Speaker, and I am thinking, what is going on? No one has even brought WIC up.

Here is what the Democrats are saying. They, in this flood bill, want to increase WIC funding $78 million. In the spirit of compromise, the Republicans on the committee said, listen, we are not certain that this needs to be increased, but $38 million is a compromise, it cuts it in half. The Democrats still said we are cutting it.

Now, again, how do we cut what we are increasing? It is the same mentality, Mr. Speaker, that we heard last year from the President and many, many of the liberal members of the Democratic Party in Washington, that when we increased Medicare funding from $190 to $270 billion, that was a cut. When we increased student loans from $26 to $41 billion, that was a cut. And when we increased the school lunch program 4.5 percent, that was a cut according to liberal mathematics.

It is not the case in elementary school math classes all over the country, but somehow a lot of people got to Congress without ever taking math courses.

Now, what the Democrats are obviously confused over, and I think very purposely in some cases playing games on, is that three points on WIC. I want to make sure Members realize, A, No. 1, there is a $100 million carryover from WIC. It is somewhat of an escrow account because we cannot estimate how many children and mothers will be participating in the program.

But right now we are sitting on a $100 million escrow account. It is sitting there. It has not been depleted. It is unused. That is very, very important when we are talking about we have to do something in an emergency flood bill. That is A.

B, welfare rolls have gone down 15 percent. Now, if we have 15 percent of the national population getting off public assistance, why is it that the President wants to increase a welfare program on an emergency flood bill? It does not make sense. We cannot brag about how well welfare reform is working on the one hand and then on the other hand increase welfare benefits.

No. 3. The Democrat liberals who are pushing to increase WIC funding at this time are using 1994 census data. Now, 1994 was 2½ years ago, and here we have a situation where those are the numbers they are using. But, Mr. Speaker, if we look at 1995 census data, we see that it is being fully funded. Conveniently, the liberals who are pushing for this WIC increase are forgetting the fact that there is new census data available from 1995 which shows full participation.

Mr. Speaker, I really wish in the U.S. Congress, and in the political arena, people would start talking truth and cut out the politics. What is happening here is the same old crowd who were scaring our grandmothers last year, scaring students, and scaring the school kids regarding their lunch programs, they are trying to work them up into a frenzy again, saying that Republicans are picking on little children and mammas, which is hardly the case.

But just to remind my colleagues, Mr. Speaker, listen to some of the charges made by Members of Congress in the past. The gentleman from Michigan [Mr. LEVIN], CONGRESSIONAL RECORD of March 23, 1995: ''You are abusive in getting at abuse. You are harsh. You use a meat axe against handicapped children and their parents.'' I cannot believe that kind of extreme language.

Here is another one: ''They want to make sure that our children, who need preventive health care, do not have, and they are looking to close the nursing homes.'' That was the gentlewoman from Texas, [Ms. JACKSON-LEE], CONGRESSIONAL RECORD, May 9, 1996.

Here is a quote from the President of the United States, Washington Times, February 25, 1995: ''What they'', meaning Republicans, ''what they want to do is make war on the kids of this country.''

Now, Mr. Speaker, this is ridiculous extremist talk designed to incite, maliciously to deceive. Here are some more.

Leon Panetta, White House Budget Director, USA Today, February 23, 1995: ''What they are trying to do is literally take meals away from kids. The Republicans are trying to run over our kids.''

Here is another quote. There are so many of them, Mr. Speaker, I do not know which ones to pull out. ''It is the most callous, cold-hearted and mean-spirited attack on this country's children I have ever seen in my life.'' Representative COLLINS, CONGRESSIONAL RECORD March 21, 1995.

Here is a good one. The Vice President of the United States. I guess this is—well, I think the Vice President has his own problems at this point, but here is what the Vice President suggested: ''Republicans are genetically defective.'' This is a pretty serious thing. Frankly, it is a little sick and I hesitate to bring it up.

This is a quote. Vice President AL GORE, October 30, 1994: ''Ollie North is banking on the fact that he can raise enough money from the extreme right wing, the extra chromosome right wing, to defeat Senator ROBB.'' Oh man, what dignity coming from the Vice President of the United States.

Here is another one, March 23, 1995. Representative GREEN, CONGRESSIONAL RECORD: ''We are talking about stopping children from having a hot lunch.''

Here is another one. The gentlewoman from Connecticut [Ms. DELAURO], May 9, 1996: ''And they are sincere in wanting to do harm to working men and women in this country.''

Here is a great one. Mr. MILLER, CONGRESSIONAL RECORD, August 3, 1995: ''It is a glorious day if you are a fascist. It is a glorious day.''

Here is another one, the gentleman from Illinois, Mr. RUSH, CONGRESSIONAL RECORD, October 3, 1995: ''The bloodsuckers in this Congress are lead by Count Dracula.''

One more. Senator LEAHY, CONGRESSIONAL RECORD, February 24, 1995: ''This assault on America's children will be stopped.''

Mr. Speaker, this is the kind of extreme garbage we have to hear on the floor of the House. And it is one thing for the Speaker and myself, as a Member of the Congress, to have to listen to such charges, because, after all, it is somewhat what our job is about, but to go out to school kids, to go out to the elderly, to go out to the moms and dads and say this kind of thing, I cannot imagine. I could not do that, Mr. Speaker.

Certainly there are times when I get furious with the other side. I know the Speaker feels the same way. But I do not remember ever saying that a Member of the other side was going to use a meat cleaver on kids or wanting to put harm on American working men and women. What kind of low level has public debate in America sunk to when

people are allowed to use such extreme rhetoric and get away with it?

Mr. Speaker, this is not a matter of winning a debate, this is a matter of public decency. We are the leaders in this country. We should act at a higher standard than mud wrestlers at the local bar. And yet this is what some of the Members of Congress seem to think is the right tactic.

Well, Mr. Speaker, we are not cutting WIC. And if my colleagues listen to the cries about cuts in the past, we can see it is the same old game.

Here is what has happened. When we passed welfare reform, and in doing so we scaled back a number of programs, we also increased the funding in other programs such as child care, such as parent support, tracking down deadbeat dads. And now, because these programs have been reformed, many people are getting off welfare.

But many of the poverty brokers in government circles are doing everything they can to try to get around these reforms. They are saying, ''Oh, well, now we have a politically target rich environment for going after new programs and trying to raise the government involvement in folks' lives.'' Right about when they are about to get independent, the government poverty broker bureaucrats are rushing back in there and saying, ''Wait a minute, I found some gray area in this law. You do not have to get independent, even if you are a 25-year-old able-bodied male.''

I am sick and tired of single women in my district with two kids, working a job, raising children and paying taxes and having to come home after a 60-hour week and supporting some 25-year-old male who is too lazy to work. It is time that we say to folks that they have got to get to work. Some of them just got to get out of the wagon and help pull it. I think it is very, very important.

Mr. Speaker, we went a long way in the last Congress to change a lot of things. Welfare reform was only part of it. But, in addition, we passed the line item veto so that the President of the United States could zap fat out of the budget. We passed security reform litigation. We passed a tough gift ban. We passed lobbyist registration, the first time in 50 years. We passed products liability reform.

We ended farm subsidies and gave farmers the freedom to farm so that they would have more flexibility in deciding which crops to plant and when to plant them.

We passed the Paperwork Reduction Act so that businesses that do commerce with the Federal Government would not have to fight so much red-tape.

We stopped the practice of unfunded mandates, and this is the practice of the Federal Government saying to the local county commissions that they have to provide certain services, that they have to increase the taxes in their county to pay for it because the Federal Government is not going to help them. In other words, we were micromanaging counties all over the United States right here out of Washington, DC.

We cut congressional staff by one-third. We reduced our own operating budget by $67 million. And for the first time in history, we passed the Shays Act, which put the U.S. Congress under the same workplace laws as the private sector.

These were all very, very important reforms. And, in addition, the debate now, Mr. Speaker, is not whether we should balance the budget but how to balance the budget. We have been working on balancing the budget and making some progress, but we are doing that without cutting important programs such as Medicare.

I have with me the gentleman from Connecticut [Mr. SHAYS], who has been a leader in protecting and preserving Medicare, and I would now yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding. It is amazing to be here in May and to think that we may be close to an agreement with the White House on a 5-year effort to get our financial house in order and balance the Federal budget. But it is very distressing when we still hear the rhetoric that when spending goes up we are still having a cut.

I just think something I would like at least to do would be to revisit what did not happen last year, because I do not want people to think it is going to happen this year.

What did not happen last year is we did not cut Medicare, we slowed its growth. We did not cut Medicaid, which is health care for the poor and nursing care for the elderly poor.

Mr. KINGSTON. In fact, if the gentleman would yield, as I recall the numbers, we went from $89 billion to over $140 billion for health care for the poor, or Medicaid.

Mr. SHAYS. Medicaid. That is correct. And we did not cut the School Lunch Program, we slowed its growth slightly, but allowed for more discretion in how it is spent.

And I want to get back to each of those. We did not cut the Student Loan Program. It went up quite significantly.

I would just go backward from the issues I mentioned. The Student Loan Program, when we passed our plan and sent it, the President was spending $24 billion. And in the 7th year of the plan, under our plan, it would have spent $36 billion. Only in Washington when we spend 50 percent more do people call it a cut, but it was called a cut.

Now, it is true that it would have gone to $40 billion in terms of tax money. There was $4 billion that we did not spend. But the $4 billion we did not spend was actually money that we said that the banks would pay instead of the taxpayers. The banks would cover more of the bad debt and the banks would cover more of the administrative costs.

So the irony is when our plan was defeated, the taxpayers now have to pay $4 billion more and we saved the banks, who would still have made a good income from participating in the Student Loan Program.

□ 2000

That was one example, going from $24 billion to $36 billion.

Mr. KINGSTON. Is it not true that run by the Government the student loan program lost $1 billion, but run by the private sector it did not lose any of the money?

Mr. SHAYS. We have a certain part we call the direct student loan, which is in essence run by the government. The government was saying that this program was cheaper than to have the banks do it. But what they forgot to do was to compute in the cost of the government administering the program. So it did look cheaper until the GAO and the Inspector General said, wait a second, you better take a look at this, because this program is going to cost you more.

Also I need to say that when you had the institutions deciding who would get the loans, particularly with the proprietary schools, they were giving out loans under the direct student loan, actually giving out the government loans to students who would participate but some of them not pay it back because frankly in some of the proprietary school programs they were in, they were not going to have employment when they were done.

This is just to establish the fact that under the student loan program, which some of my constituents thought was being cut, it went from $24 billion to $36 billion and we saved the taxpayers $4 billion, and the banks would have had to pay more. It is funny that sometimes the Republicans are associated with wanting to protect the industry, the banks, and the banks were the ones that were going to have to step up to the plate and make up that difference.

I think I was most outraged when I first heard it of the school lunch program, because the thought that we would, we Republicans, would cut the school lunch program, I thought was probably one of the dumbest things I could imagine. When I heard, saw the President come before the students and have them be set up as the prop for the national media and they seemed quite concerned, probably mostly because there was so much attention and here was the President of the United States, it is a pretty big deal, but to think he would have used the students as a prop to tell people something that frankly was not accurate. What was not accurate is we were not cutting the student lunch program, we were not destroying it as he described, we were not eliminating the program. We were saying instead of it growing 5.2 percent more a year, it would grow at 4.5 percent a year, that we would grow in spending from $5.1 billion in the seventh year to $6.9 billion in the seventh year. Only in

Washington again when you go from $5.1 billion to $6.9 billion would people call it a cut. But they did.

But what we did do, which was very important, is, I do not know if everyone in the country knows, I did not know as a Member of Congress, I had been here 8 years at the time, that every student in the country, rich or poor, is subsidized 30 cents. My daughter is subsidized 30 cents. I make a decent income, a very good income as a Member of Congress. My wife is a teacher. Yet my daughter was subsidized 30 cents in a suburban school that is quite wealthy. What we were saying under our plan, we were allowing local governments and State governments to design the plan better so that they could reallocate the money from the wealthy kids in the wealthy communities and spend more in the urban areas. So when the President suggested that maybe my students in Bridgeport or Norwalk or Stamford might have less, they actually in my judgment would have had a lot more, the kids that needed it.

The gentleman gave the numbers on Medicaid, health care for the poor. But the one that clearly I felt most enthusiastic about was our plan on Medicare, health care for the elderly.

Mr. KINGSTON. If the gentleman will pause a minute to go back to why touch Medicare. It is the political equivalent of messing with dynamite with a lit fuse. Politically, you always take the path of least resistance. If you can avoid a controversial issue, you do. Why would we touch this lit dynamite on Medicare?

Mr. SHAYS. We wanted very candidly to preserve the program and to save it from bankruptcy.

Mr. KINGSTON. Who said it was going bankrupt? I want to make sure. Let us go back to April 3, 1995, the Medicare trustees report.

Mr. SHAYS. The board of trustees of the Hospital Insurance Trust Fund, they are the group that oversees the Medicare Trust Fund. People in this country pay Medicare in two ways, health care for the elderly. One is they put money aside in the trust fund. That is the trust fund I allude to. If they are hired by an employer, they pay 1.45 percent of their income into this trust fund. If they are self-employed, they pay double, 2.9 percent. This money goes in the trust fund to be there when they are older and it pays all Medicare Part A, which is the hospital costs of a senior. Then you have Medicare Part B, which is paid in part by the individual in a premium, but most of it is paid for by the government in direct taxes coming out of the tax income each year.

But the trust fund, we were told, was going bankrupt, and not by an organization separate from the administration; the administration was telling us. President Clinton's appointees, 5 of the 7 people who sit on this board were his appointees, they said it was going to go bankrupt by the year 2002. They said that 2 years ago. Last year they said it would go bankrupt by the year 2001. After he vetoed the bill they pointed that out. So it was now going to go bankrupt a year earlier. And last week they just reaffirmed that the trust fund will run out of money by the year 2001. So you could say, well, we are playing with dynamite. I do not consider it a game, and the gentleman does not either. What we were doing is to make sure we step up to the plate and save this program.

Mr. KINGSTON. This is what we are paid and elected to do and that is to act in a responsible manner and as the report indicated the other day, I believe, Medicare today is losing $36 million each and every day.

Mr. SHAYS. It is really incredible to think that right now the trust fund has in the balance $112 billion. That will go down in 1998, the next year, to $92 billion. When you figure that loss on a daily basis, each day that passes the trust fund is losing $35 million. That is in the year we are in now. Next year it is going to lose $55 million each day. And the next year after that, in 1999, it is going to lose $78 million each and every day.

This is according to the President's trustees of this fund, the people who have the fiduciary responsibility to protect it as we do. They have shared this information with us. They have told us the problem. It is up to us to come up with a solution. Then they have said in the year 2000, it will lose about $103 million a day, and it will be bankrupt in 2001, because it will be losing $134 million each and every day.

We came up with a plan 2 years ago that we will continue to advocate and promote that did not increase the copayments for seniors, did not increase the deductible for seniors, it did not increase the premium for seniors. What it did do was allow seniors for the first time to choose to have a private medical plan. In having the private medical plan, they could get into this plan and the only way they would be interested in doing it is if they got more than they get under the traditional Medicare fee-for-service plan that we have now.

By getting into a managed care plan, the managed care plans would have had to offer them more than they get now, because what they get now is pretty nice. But they still have to pay the MediGap under existing, they still have a premium to pay. But some of the managed care programs were going to give eye care, dental care, a rebate on the copayment of the deductible, and in some cases pay the premium and the MediGap.

If a senior did not like the managed care plan, we allowed them under the bill that the President vetoed to get out of the plan each and every month for the next 24 months. In other words, if they were in it for 3 months and did not like it, they could leave. If they were in it for a month and did not like it, they could leave.

Mr. KINGSTON. The first election to get into it was up to them because automatically they would be reenrolled in traditional Medicare.

Mr. SHAYS. Right. They were not required to take this. The only way they would have gotten into it, it is not like some of the telephone plans where you all of a sudden found yourself under a new long distance carrier. You stayed under the plan you were. But what would have happened in my judgment is some of their neighbors would have gotten into the managed care plan, they would have pointed out how they were getting eye care, dental care, prescription drug assistance that they were not getting under the traditional Medicare plan and people would have said, well, I want that too, and they would have joined.

The reason why the managed care plans could save money is there is so much waste and fraud and abuse in government oversight of health care that the managed care plans could oversee it better and they would still have made money, they would have saved money, through all the waste that exists. Yet they would have been able to give more than the senior would have now. We also allowed for medical savings accounts. We did not require people to participate. But if someone wanted to put money, the government would have actually given a senior a certain payment, $2,000 or $3,000 a year, we would have given the senior that money, they could have put it in the account. If they spent less than $3,000, they would have actually saved money. If they spent more, they would have had to pay for it on their own. The only requirement is that they would have had to get a $10,000 catastrophic plan, so that if they really had serious health problems, there would be an insurance program for them.

Mr. KINGSTON. But what would happen is for seniors who were in good health and decided they could take whatever smaller bills that were manageable, they would pay that out of that escrow account, keeping half of whatever they saved.

Mr. SHAYS. And it was tax-free.

Mr. KINGSTON. Tax-free. Yet they would be covered for the million-dollar claim.

Mr. SHAYS. That is why when the gentleman says, the traditional view is that we are playing with dynamite, I was proud to go to my constituents and tell them. This is a plan I had worked on with the gentleman and others for literally years. We now in the majority had a chance to finally begin to implement it.

Mr. KINGSTON. The only thing about Medicare that is dynamite is when it is misconstrued intentionally for political gain. I have never seen people who just maliciously go out there and lie to the American seniors. I think it is an insult to the generation who fought for freedom and liberty in World War II and my dad and your dad and moms. I just think it is totally sick for people to go out and lie to grandparents, but that is what happened, and Medicare, being Medicare,

politics being politics, that is probably going to happen again.

Mr. SHAYS. I think that more and more people began to understand what was happening, but it required a lot of work to make sure people did understand.

One last point we should make on the Medicare plan that I thought was really ingenious and I thought would save a lot of money. We were providing in our legislation language that allowed a senior if they found a mistake in their bill to get a percent of what they found. For instance, I have had some seniors who have talked about bills that they saw. First off the bills sometimes are not sent to the senior. Under our legislation we would have required the seniors to have a copy of their bill. We would have required the bills to be put in simple language that an individual could understand. If you had a chest x-ray, you say that. If you had a visit from the doctor, you make clear the visit from the doctor and how long it was and what it was for. Then a senior could say, ''I never had that visit with the doctor, and the $300 charge is not a valid one.'' We would have given a senior, we had not written the regulation, that would have been up to the administration, but they could have determined that, say, 10 or 20 percent of the savings would have gone to the senior. Some seniors would have found that they would have made money. But in the process, they would have saved us literally hundreds of millions of dollars.

Mr. KINGSTON. That is exactly right. I do not think it is always fraud. I think a lot of it is just sloppiness and negligence. There is a story, I am sorry I cannot cite the person but she received a bill for an autopsy, went to a doctor and said, ''I never had an autopsy,'' and they said, ''Yes, you did. Here is the bill.'' She said, ''No, I did not have an autopsy. It's me, I'm alive.''

They said, ''Okay. Well, you had an MRI.'' She said, ''No, I did not have an MRI.''

They said, ''Well, you had a mastectomy.'' ''No, I've never had a mastectomy, either. I know with certainty that none of the above were received.''

Mr. SHAYS. I had a senior who in one meeting, she gave me a stack of envelopes that must have been about 3 inches tall, many, many envelopes. They were all bills that she received. She received them all the same week. She simply said, why could they not have been put in one envelope? Some of them were duplicative. It was a pretty extraordinary thing.

I will say to the gentleman that another person stood up at this meeting and said, ''You understand I am a man.'' I said, ''Sure, you look like a man. You look like a senior.''

He said, ''Well, I was charged for giving birth.'' He said, ''That is not possible but I was charged that.''

I notice, and the gentleman is in charge of this floor, but if I could have the honor of introducing my colleague the gentlewoman from Connecticut [Mrs. JOHNSON].

Mr. KINGSTON. If the gentleman will wait one second before he does that. What we need to do is we need to have a contest for the most ridiculous and absurd Medicare story, and let us all go out there and find those crazy stories. I just think it is so ridiculous, that this system is so broken that live people are being billed for autopsies, men are being billed for women-only type procedures. We need to change it and we need to protect and preserve it. I am going give the gentleman the pleasure of introducing his colleague from Connecticut, the leader on the Committee on Ways and Means.

Mr. SHAYS. I might say to the gentleman before I introduce her that one of the reasons we have these abuses is the way that Medicare pays the bill is the bills are submitted and paid for and then after the fact, they are reviewed, basically 1 percent of the billings and 4 percent of the total billing costs. The money has already been paid out. Then they are asking the money to be returned. It is a crazy system.

I am going to introduce the gentlewoman from Connecticut [Mrs. JOHNSON]. We are talking about the fact that our trustees have pointed out that Medicare is losing $35 million a day and that next year it is going to lose $55 million and the year after $78 million and the year after that, each day, $103 million, the year after that, in the fifth year of our plan, what we want to prevent from happening, in losing $134 million. Yet under our plan last year which the gentlewoman played the central role in, she made sure that we spent 60 percent more on Medicare under the life of the plan, and on a per-person basis, 50 percent more.

□ 2015

You know the gentleman from Georgia [Mr. KINGSTON] and I were just marveling at the fact that only in Washington when you spend 50 percent more per beneficiary would someone call it a cut. I just welcome you. You are the leader in the health care field in the Committee on Ways and Means, you are my colleague in Connecticut, and it is just really great to have you join us.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman. I am proud to be with you tonight, and I appreciate your gathering for this special order. It is such an important program, Medicare is. It is critical to our seniors, but it is just as important to their children and grandchildren. It is one of the pillars of retirement security. If we cannot guarantee our seniors some level of financial security and health security, then we are not the great and free Nation that I believe we are.

I just want to say a couple of things, picking up on what you were talking about. First of all, I wish we were here tonight talking about how we had slowed the deficit that is developing in Medicare, that this year we were not going to see as big a debt in Medicare as we had last year, and we could have done that. We had a good plan if we could have passed it. If we could have had people listen deliberately to discussion about the problems and the solutions, we would be here tonight cheering the turnaround in Medicare and the preservation of Medicare for our seniors and our children.

Mr. SHAYS. The fact was we passed the legislation if it could have been signed into law by the President.

Mrs. JOHNSON of Connecticut. That is true, and one of the provisions in that legislation goes to the heart of what you were saying. It allowed seniors to report things they had been charged for wrongly and share in the savings. Remember they would have gotten half the cost of that delivery that the gentleman was billed for in savings, and the government would have gotten the other half of the savings. So it would have created, in a sense, an enforcement police the size of the entire senior population in America, and frankly that would have been a great thing.

Mr. KINGSTON. It certainly would have paid for some of the medical expenses out of pocket.

Mrs. JOHNSON of Connecticut. You bet, you bet. It would have been good for the seniors, good for the program, good for the government because it would have created the right partnership between the government, the seniors of America and the providers of health care in our country who are without doubt the best.

But I also want to point to a couple of other things that were in our bill last year because some of them actually the Congress passed and the public did not have a chance to understand that, one of the provisions in the medicare formula.

Mr. SHAYS. When you say we passed, we passed it the first time. You mean the one that was signed into law by the President.

Mrs. JOHNSON of Connecticut. That is right. There were a few other provisions that we were able to get into other bills a second time, and the President did sign, and one of those was an aggressive attack on Medicare fraud.

Now I am the chairman of the Ways and Means subcommittee that does oversight, so we oversee all of the programs that are under the jurisdiction of the Committee on Ways and Means, but one of them is Medicare, and we had our high-risk program hearing; that is, the highest risk of fraud programs under our jurisdiction, and one of them was Medicare. Medicare is one of the programs in our Nation that has an extraordinarily high risk of fraud and a high volume of fraud. The inspector general said $20 billion of our expenditures in Medicare every year are fraudulent, paying for health care you did not get or did not need.

So it is a very big problem, and I am proud to say that last year we did get

passed a new antifraud program that will put regional people out in every regional office looking at nothing but Medicare fraud.

Mr. KINGSTON. Now if the gentlewoman would yield for 10 seconds, $26 billion in fraud in Medicare and Medicaid together. That is twice the annual budget of the entire State of Georgia. I am not sure what your budget is in Connecticut, but you can run the State of Georgia tax-free for 2 years just on what the Medicare and Medicaid fraud is.

Mrs. JOHNSON of Connecticut. That is truly stunning, that is truly stunning, and people ought to try to imagine in their minds what $26 billion would buy if it were spent right.

You know Medicare is an outmoded benefit package. It does not cover prevention. It only helps you after you get sick. If we had $26 billion that is spent on fraud to use for preventive benefits, would it not be a wonderful thing for the seniors of America?

Well, I am proud to say that we passed a bill that put $800 million into fraud inspectors in the regions, and those people are now, most of them are hired. That program will be completely in place in the next few months, and next year when we stand here at least I hope we will have better numbers and we will be able to demonstrate that the Republicans put in place a very strong antifraud effort in Medicare.

But I do regret that the President vetoed the bill that would have let every senior in America be part of making Medicare honest.

Mr. SHAYS. I think that we could point out that there are times that we have big disagreements with the administration, but this dealing with the fraud area, that was one area where we had some cooperation and we wanted to build on the cooperation we had with the White House. In that bill that passed on health care reform which dealt with the whole issue of portability, in that bill that you make reference to, section 2 which dealt with fraud, we also made health care fraud a Federal offense for public and private sector, and the reason why we did that was that we found that those that wanted to cheat the system were sometimes going from one State to another, and if the public sector was being more aggressive, it went into the private sector. So we put it all in one package so they could not escape and we could follow them, and in some instances we are talking about some organizations cheating the system not $10 million but literally hundreds of millions of dollars.

So we are proud of the fact that that is something we did and grateful that the President agreed that it was something that he could sign.

Mrs. JOHNSON of Connecticut. I am also pleased that the President is working with us this year on another very important part of the Medicare reform bill that will be good for seniors but also good for all Americans of every age. In the Medicare reform bill we had written a provision that allowed hospitals and doctors to develop their own networks so they could compete with insurance companies. That would give us competition in the managed care market between insurance company plans where there are stockholders involved and you have to have a return on your investment and provider sponsored networks where the physicians and the hospitals actually are the means of delivering care, and therefore, hopefully, the decision about quality of care would be kept very close to the provider, to the doctor and the patient, to the hospital and the patient, to the provider and the senior citizen. And we know this will not only be good for seniors to have these provider-sponsored organizations, but they will be good for people of every age to have managed care systems in which the ownership and the responsibility is right anchored with the people who know the most about health care and the quality.

Mr. SHAYS. It is kind of amazing to think that existing law does not allow hospitals and doctors to compete with the insurance industry in this very, you know, important effort of providing the best health care, and one thing I want to express some gratitude for:

The President did veto our Medicare reform legislation. It was the election year, and it got caught up in that, sadly. But the bill that he submitted in terms of how it is what he wanted to budget on Medicare, a lot of the parts to the legislation were really taken out of our bill that he vetoed. Just in making reference to the very example you are talking now, allowing the private sector to compete with the insurance industry.

Mrs. JOHNSON of Connecticut. That is right, and our goal was to ensure that seniors would have the choice of health care plans that offered, for instance, prescription drug coverage, that offered better preventive benefits, that better covered the deductibles and copayments in Medicare, and because we wanted seniors to have those choices we wrote provisions in the Medicare reform law that allowed the development of hospital and physician networks, and you know, as one who represents an area of the country that has a lot of small towns and small hospitals, I can tell you that allowing the development of these provider-sponsored networks is key to the survival of these smaller hospitals and the medical community around them.

So I am pleased that this year the administration is back before the Subcommittee on Health of the Committee on Ways and Means on which I serve. They are saying that we need to do this, they are going to work with us this year, and I believe we are going to improve the health care system and the choices not just for senior citizens but for all Americans, and that is in everybody's interest.

So I am pleased that this year we will improve the benefits under Medicare. We will also slow the growth in costs through the kind of progressive change that is possible through good governments and good choices.

Mr. KINGSTON. We will protect Medicare not just for the next election but for the next generation, and so that not only will your mom and dad and grandparents be able to use it, but you and I will be able to use it, and our children and their children. I think that is very important.

I think this is all part of commonsense government. We need common sense in public policy, we need common sense in spending, and we need common sense in health care policy, and one of the issues that we have thought—we hope we are on the eve of a breakthrough in the budget.

The gentleman from Connecticut [Mr. SHAYS] had mentioned earlier tonight, as a distinguished member of the Committee on the Budget, that negotiations have been going on since January on the budget to try to craft a bipartisan agreement so that we can save the fiscal character of our Government for the generations to come, long after the three of us have left Congress.

Let me yield to [Mr. SHAYS] as a member.

Mr. SHAYS. You know, I just would want to say that as we talk, people like the gentleman from Ohio, Mr. KASICH, budget chairman in the House, and PETE DOMENICI in the Senate are meeting with representatives from the minority in this Congress as well as the White House, and one thing that is quite clear in this Congress is that it is still a Republican controlled Congress, be it only by a margin of 10 votes, and the White House is a Democrat White House, but we all have to be Americans first and Republicans and Democrats second, and I just hope and pray that the talks that have taken place with the White House are yielding fruit. I think they are.

I know what our ultimate objective is. We want to balance the Federal budget and get our country's financial house in order. We want to save our trust funds, particularly Medicare, not just for future generations, but for the generations that exist now, and we want to transform this caretaking social and corporate and agricultural welfare state into what some call caring opportunity society. I think that we are not just trying to transform social welfare in which the gentlewoman from Connecticut was so active, but we are looking to end welfare for corporations and we are looking to end welfare in the farming industry.

And the gentleman from Georgia [Mr. KINGSTON] was so on target in pointing out that with the freedom to farm bill we are allowing the energies of the farmers to not be encumbered by lots of Government intervention and welfare payments.

Mrs. JOHNSON of Connecticut. You know I am very proud of this Congress and the way we are working together. I know the press has reported primarily

controversy around campaign practices of the White House and the last election and some other things, but underneath that we are doing the people's business, and the negotiations around the budget that have gone on have been frank, serious talks about how do we through common sense reach the goal of a balanced budget and return fiscal sanity to this Nation.

Just today on the House floor, I guess it was yesterday on the House floor, we passed an adoption and foster care reform bill so that children will not get caught in abusive homes and they will not get lost in our foster care system, and we did that bipartisanly, both parties working together, both parties here on the floor talking about the ways in which this bill would help children in America, some of our concerns about that bill as well, and today had a long debate about housing, public housing policy, and we will bring forward in the next few days a bill by bipartisan vote.

Mr. SHAYS. It is interesting, if the gentlewoman would yield, probably not many people know what we did with foster care and adoption because there was not this rancorous battle between Republicans and Democrats.

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So it does not always get the attention of the media, but it was excellent legislation that will do a lot of good.

Mrs. JOHNSON of Connecticut. Mr. Speaker, that is why I wanted to bring that up, because we do a lot of real thoughtful work here about the problems in our lives and certainly abused children is a very big problem in the communities that we represent, and we took a giant step toward protecting children just yesterday. It will move to the Senate now, and then to a conference committee, and in several months it will move to the President's desk and children and families will do better in America because of a thoughtful, bipartisan and common sense Congress.

Mr. KINGSTON. Mr. Speaker, that is why I think it is so important that we look, always look at the big picture. Mr. Speaker, there is an expression I heard. I wish I could attribute it, I cannot; a second time tonight that I cannot attribute a good quote, but it was that idealism is ignorance easy.

So often people come to us and they have one side of an issue and they have the solution and it fits just perfectly on the bumper sticker. But our job as legislators is to sit there and listen to both sides of the issue. We realize we may be elected by 51 percent of the people, but we represent 100 percent of the people. In fact, we are represented from Connecticut, but not just to represent Connecticut. We all have to look out for the United States of America, and in doing so, in that framework, sometimes it is very difficult.

But, Mr. Speaker, if we can balance that budget, interest rates, according to Federal Reserve Chairman Alan Greenspan, we can reduce interest rates. A 2-percent reduction of interest rates on a $75,000 home mortgage over a 30-year period of time saves American families $37,000. On a $15,000 car loan, it saves American families $900. On a student loan over a 10-year period of time of $11,000, it could save as much as $2,100.

Balancing the budget is real. It is not an academic exercise. Balancing the budget is about people, it is not about numbers. I know that the gentlewoman from Connecticut [Mrs. JOHNSON] has been on the Committee on Ways and Means, and the gentleman from Connecticut [Mr. SHAYS] being on the Committee on the Budget, we spend hours and hours crunching numbers and talking in strange jargon about CBO and OMB and most of these things that most of us do not understand and do not know that we want to. But we do know the old expression that when your intake exceeds your upkeep, then your input is going to be your downfall.

Mr. SHAYS. Mr. Speaker, I am not going to ask the gentleman from Georgia [Mr. KINGSTON] to repeat that.

Mr. KINGSTON. I am not sure I got it right anyhow, but the fact is, it gets down to this: If you bring in a dollar, you should never, ever spend more than a dollar. And we have since World War II been spending $1.59 on every dollar that we bring in.

Now, that has not been the case in the last 3 years, but the fact is, you cannot go on forever defying gravity. The children in America need to live in a world where the budget is balanced and where Congress is not spending more money than we bring in.

Mr. SHAYS. Mr. Speaker, the gentleman mentioned the children of the world, and I would love the indulgence of my colleagues just to thank the participants of the summit that was in Philadelphia. I had the opportunity to go to the summit, and I have to tell my colleagues that it was very moving to see Mrs. Reagan there on behalf of her husband, President Reagan, to see Jerry Ford and Jimmy Carter and George Bush and our President, Bill Clinton, all focused in a common effort to direct the public's attention on the need to really respond to our children.

I know that there is some controversy in terms of say AmeriCorps, which some on my side of the aisle might disagree with. I certainly am a strong supporter; others raise questions. But as a former Peace Corps volunteer, I just found it extraordinary that we had Republican and Democrat Presidents all saying that this matters so much to them that they were willing to devote a sizable amount of their time. More importantly, to have Colin Powell basically take this on as really a lifetime effort.

This is in my judgment, I would want to say on the floor of the House for the record, I am absolutely convinced that people will look back and say that something very wonderful happened in this country about drawing the public's attention to our kids.

Mr. Speaker, we have been told by some who say that politicians are elected by adults to represent the kids, and I really believe that. Here we had four Presidents and a First Lady; we had Colin Powell, a distinguished citizen, who basically said that he is going to devote his life to making sure that Americans realize the need of helping our kids. He is doing it by example, our Presidents are doing it by example, and this is something that he is asking all Americans to focus on and think about.

In my city of Bridgeport that I represent, I would contrast it to the city say right next door, the community of Fairfield. I was in a parade, in a Fourth of July parade, and near the beginning of the parade in Fairfield and you march along and there are just literally tens of thousands of people along the march, and you get to the reviewing stand. And an hour and 20 minutes later I said, ''When is this going to end?'' And he looked at me and said, ''It is going to go on for a while.''

And what was it? This was a wonderful parade of Boy Scouts and Girl Scouts and Indian Guides and Indian Princes and soccer teams and volleyball teams and bands. I thought, the challenge for some children in our country is deciding what they do not do, they have so many options.

Then I thought, right next door in the city of Bridgeport I know the children do not have that same option. After school there is really nothing for them to do. We are really asking in this summit for Americans to adopt a child, to be a mentor, and to help them. Not Government.

I will just say one thing. One of the absurdities that took place in the summit was a group that marched in opposition to the summit because they said it was wrong for us to think that volunteers should be doing these things, that it was government's responsibility. I wanted them to think of what was the very basis of our strength as a country, the active participation of citizens.

President Clinton I think pointed out something that I found was very stirring. We were at the site of the founding of our country, and I remember as he gave his speech as the other Presidents had given theirs, he said that when Jefferson left after the conclusion of the Constitution, a woman asked Jefferson whether this was going to be a monarchy or a republic. And Mr. Jefferson said to her, ''It is a republic if you can keep it.''

Then the President talked about a more perfect union. He said even in that Constitution we had slaves. In that Constitution, the gentlewoman from Connecticut [Mrs. JOHNSON] could not vote. I would just point out that we are making this a more perfect Union. I think the task for us now is to really alert the American public for the need to not depend on government. The era of big government is over, but the era of big problems still remains.

I was stirred by this, and I hope other Americans were, that this is going to be a citizen Government helping our kids, giving them activity, giving them a framework, giving them discipline, helping them see mentors that are somebody other than someone selling drugs and leading a bleak future.

So I appreciate the indulgence of my colleagues, but it was stirring, and I really believe that if we can use that summit and the bipartisanship that existed there and throw these politics out the window a bit, we will be a more perfect Union.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I certainly am proud of my hometown of New Britain, CT. Last Saturday we had Christmas in April and I and many, many other people from the town turned out.

Mr. SHAYS. Mr. Speaker, the gentlewoman might want to explain Christmas in April. People of all walks of life, some brought their children, and we painted and repaired inside and out.

Mrs. JOHNSON of Connecticut. Christmas in April, it is a way the community gives the gift of Christmas to families who need help.

I had the privilege of working at the home of an elderly couple who for decades have helped lead and care for veterans of this Nation's wars. They have done so much for others, and it was so nice to be a part of a team of 19 or 20 that painted rooms inside and painted things outside, that cleaned up the yard, that replaced a ceiling. I mean it was just wonderful. It was a gift to people who have given all of their lives and who now in their elder years need some help with that kind of work.

And in New Britain, Connecticut, volunteers painted, repaired and upgraded the homes of 40 families. Some of them elderly, some of them single parents with young children, some of them just people who for one reason or another needed help with those kinds of chores, and some brought their children, just so their children could see that working together we are a powerful force, we Americans, and Government can never replace that energy, that faith, that love, that hope.

I am proud to be a part of a Government that understands that people are the power and is working to assure that Government partners those powerful people and shares with them their vision of hope, opportunity, and justice for all. That is I think what we are talking about and why we have been so concerned with Medicare, preserving Medicare, strengthening Medicare, protecting Medicare for our seniors, but also fixing it so it better serves not only our seniors but their kids as they retire and our grandchildren when they retire.

It is very nice to be with you gentlemen tonight. I am sorry that I have to excuse myself because I have some calls that I have to make.

Mr. KINGSTON. We thank the gentlewoman for joining us, and we thank the gentlewoman on behalf of all Americans, particularly seniors, for all that you are doing to help protect and preserve Medicare.

Mr. SHAYS, if the gentleman is going to stay, I wanted to touch base a little bit on some of these tax issues.

Mr. SHAYS. I would love that.

Mr. KINGSTON. Let me ask you this: We have been talking about balancing the budget. Is it consistent or inconsistent to talk about cutting taxes and balancing the budget?

Mr. SHAYS. Oh, it is definitely consistent.

Mr. KINGSTON. Consistent with a ''C''.

Mr. SHAYS. And important, for a variety of reasons. First off, we need to recognize that when you increase some taxes you actually get less revenue because in a dynamic model people respond. They say taxes are higher and they find ways to avoid paying them by doing other things. If you have a luxury tax on boats, they simply decide not to buy boats, as we found in our 1990 budget agreement when we increased the tax on boats and people stopped buying them.

So you have a dynamic model. Sometimes with lower taxes you get more revenue. We would find that to be true specifically with the capital gains exemption.

Imagine a farmer out West whose neighbor wants to sell land and they want to buy the land, but the neighbor does not sell, and why does the neighbor not sell? Because they would realize such a large capital gain, they do not want to pay 28 percent of that gain to the Government. It might be what is their retirement, it might be what pays for their child's college tuition, and so they simply do not sell.

What you have is, you do not have a transaction taking place, whereas if we lowered the capital gains you would find, in fact, that there would be greater transactions and more revenue. So one of the things that we hope happens is that there is, in fact, a capital gains exemption.

We also hope that there would be a reduction in the tax that people pay on inheritance so that they do not have to sell the farm or sell the business.

So we believe that it is consistent, and I would also say to the gentleman that we would pay for our tax cuts. So if you want a smaller Government, as I do and as the gentleman does, you make the Government smaller and you return the money back to the people to spend as they want and create economic activity which also brings in more revenue.

Mr. KINGSTON. Mr. Speaker, I think the gentleman has answered that very eloquently. The bottom line is, we American people can spend our money better than bureaucrats in Washington can. Let American people keep more of their own savings. They will create jobs, more people go to work, less people are on public assistance. When less people are on public assistance, again, more people working and paying in, revenues do go up. I think Presidents Kennedy and Reagan have both proven that and I think we need to prove that again in this session of Congress.

Mr. SHAYS. And I think we will.

Mr. KINGSTON. I thank the gentleman for being with us tonight and for all of his hard work for the folks in Connecticut and all over the country.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PORTER (at the request of Mr. ARMEY) for today, on account of medical reasons.

Mr. PASCRELL (at the request of Mr. GEPHARDT) for Thursday, May 1, on account of the death of a friend.

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. GREEN) to revise and extend their remarks and include extraneous material:)

Mr. FILNER, for 5 minutes, today.

Mr. JEFFERSON, for 5 minutes, today.

Ms. CHRISTIAN-GREEN, for 5 minutes, today.

Mr. WEYGAND, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

(The following Members (at the request of Mr. BARRETT of Nebraska) to revise and extend their remarks and include extraneous material:)

Mr. NEUMANN, for 5 minutes, today.

Mr. GEKAS, for 5 minutes, today.

Mr. BARRETT of Nebraska, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. GREEN) and to include extraneous matter:)

Mrs. MALONEY of New York.

Mr. MCGOVERN.

Mr. PAYNE.

Mr. LAFALCE.

Mr. HAMILTON.

Mr. MILLER of California.

Mr. FRANK of Massachusetts.

Mr. PASCRELL.

Mr. SCOTT.

Mr. KUCINICH.

Mr. BORSKI.

Mr. CAPPS.

Mr. BENTSEN.

Mr. BERRY.

Mr. SHERMAN.

Mr. BARRETT of Wisconsin.

(The following Members (at the request of Mr. BARRETT of Nebraska) and to include extraneous matter:)

Mr. SOLOMON.

Mr. FOX of Pennsylvania.

Mr. RAMSTAD.

Mr. WELLER.

(The following Members (at the request of Mr. KINGSTON) and to include extraneous matter:)

Mrs. MORELLA in two instances.
Ms. KAPTUR.
Mr. STARK.
Mr. CAPPS.
Mr. FILNER.
Mr. MCCOLLUM.
Mr. TOWNS.
Ms. WOOLSEY.
Mr. PORTMAN.
Mr. HASTINGS.
Mr. THOMPSON.
Mr. PORTER.

ADJOURNMENT

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Thursday, May 1, 1997, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3040. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revision of New Source Performance Standards for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities [FRL–5811–1] (RIN: 2060–AH16) received April 29, 1997, pursuant to 5 U.S.C. 801 (a)(1)(A); to the Committee on Commerce.

3041. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of State Implementation Plan for North Dakota; Revisions to the Air Pollution Control Rules [ND8–1–7233a & ND–001–0001a; FRL–5812–3] received April 29, 1997, pursuant to 5 U.S.C. 801 (a)(1)(A); to the Committee on Commerce.

3042. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approval Number Under the Paperwork Reduction Act; Regulation of Fuels and Fuel Additives; Gasoline Deposit Control Additive Regulation [FRL–5811–6] received April 29, 1997, pursuant to 5 U.S.C. 801 (a)(1)(A); to the Committee on Commerce.

3043. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule—Privately Offered Investment Companies, Rule 2a51–1 [Release No. IC–22597, International Release No. 1071, File No. S7–30–95] (RIN: 3235–AH09) received April 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3044. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule—Privately Offered Investment Companies, Rule 2a51–2 [Release No. IC–22597, International Series Release No. 1071, File No. S7–30–96] (RIN: 3235–AH09) received April 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3045. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Privately Offered Investment Companies, Rule 2a51–3 [Release No. IC–22597, International Release No. 1071, File No. S7–30–95] (RIN: 3235–AH09) received April 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3046. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule—Privately Offered Investment Companies, Rule 3c–1 [Release No. IC–22597, International Release No. 1071, File No. S7–30–95] (RIN: 3235–AH09) received April 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3047. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule—Privately Offered Investment Companies, Rule 3c–5 [Release No. IC–22597, International Release No. 1071, File No. S7–30–95] (RIN: 3235–AH09) received April 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3048. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule—Privately Offered Investment Companies, Rule 3c–6 [Release No. IC–22597, International Release No. 1071, File No. S7–30–95] (RIN: 3235–AH09) received April 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3049. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to the United Kingdom (Transmittal No. DTC–44–97), pursuant to 22 U.S.C. 2276(c); to the Committee on International Relations.

3050. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's annual report on international terrorism entitled ''Patterns of Global Terrorism: 1996,'' pursuant to 22 U.S.C. 2656f; to the Committee on International Relations.

3051. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Financial Assistance for Chesapeake Bay Stock Assessments to Encourage Research Projects for Improvement in the Stock Conditions of the Chesapeake Bay Fisheries [Docket No. 9703221061–7061–01; I.D. 042297B] (RIN: 0648–ZA28) received April 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3052. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Compensation for Certain Undiagnosed Illnesses [38 CFR Part 3] (RIN: 2900–AI77) received April 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

REPORT OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LINDER: Committee on Rules. House Resolution 136. Resolution providing for consideration of the resolution (H. Res. 129) providing amounts for the expenses of certain committees of the House of Representatives in the 105th Congress (Rept. 105–84). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CAMPBELL (for himself, Mr. FAWELL, Mr. FARR of California, Ms. WOOLSEY, Mr. STARK, Mr. LEWIS of Georgia, and Mr. PETERSON of Minnesota):

H.R. 1487. A bill to provide off-budget treatment for one-half of the receipts and disbursements of the land and water conservation fund, and to provide that the amount appropriated from the fund for a fiscal year for Federal purposes may not exceed the amount appropriated for that fiscal year for financial assistance to the States for State purposes; to the Committee on the Budget, and in addition to the Committee on Resources, 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. CASTLE (for himself, Mr. FLAKE, Mr. LEACH, and Mr. GONZALEZ) (all by request):

H.R. 1488. A bill to authorize U.S. participation in various international financial institutions; to the Committee on Banking and Financial Services.

By Mr. CONDIT (for himself, Mr. FAZIO of California, and Mr. HERGER):

H.R. 1489. A bill to establish permanent authority for the provision of assistance to small orchardists to replace or rehabilitate trees and vineyards damaged by damaging weather and related conditions and to appropriate funds to provide such assistance; to the Committee on Agriculture.

By Mr. COOKSEY:

H.R. 1490. A bill to amend the Internal Revenue Code of 1986 to reduce the capital gains tax on individuals and to index the basis of assets of individuals for purposes of determining gains and losses; to the Committee on Ways and Means.

By Mr. DINGELL (for himself, Mrs. ROUKEMA, Mr. BROWN of Ohio, Mr. WAXMAN, Mr. BERRY, Ms. DEGETTE, Ms. FURSE, Mr. GREEN, Mr. LAFALCE, Mr. MATSUI, Mr. PALLONE, Mr. PASCRELL, Mr. STRICKLAND, Mr. STUPAK, and Mr. TOWNS):

H.R. 1491. A bill to amend title XIX of the Social Security Act to encourage States to expand health coverage of low income children and pregnant women and to provide funds to promote outreach efforts to enroll eligible children under health insurance programs; to the Committee on Commerce.

By Mr. GALLEGLY (for himself, Mr. BEREUTER, Mr. BUNNING of Kentucky, Mr. CONDIT, Mr. DAVIS of Virginia, Mr. EHRLICH, Mr. FOLEY, Mr. GIBBONS, Mr. HAYWORTH, Mr. HORN, Ms. MOLINARI, Mr. PACKARD, Mr. ROYCE, Mr. SCARBOROUGH, Mr. SOLOMON, Mr. STEARNS, and Mr. TRAFICANT):

H.R. 1492. A bill to amend rule 11 of the Federal Rules of Civil Procedure regarding representations made to courts by or on behalf of, and court sanctions applicable with respect to, prisoners; to the Committee on the Judiciary.

By Mr. GALLEGLY (for himself, Mr. ROYCE, Mr. PACKARD, Mr. COX of California, Mr. ROHRABACHER, Mr. CUNNINGHAM, Mr. RIGGS, Mr. CALVERT, Mr. KIM, and Mr. BILBRAY):

H.R. 1493. A bill to require the Attorney General to establish a program in local prisons to identify, prior to arraignment, criminal aliens and aliens who are unlawfully present in the United States, and for other

purposes; to the Committee on the Judiciary.

By Mr. GEKAS:

H.R. 1494. A bill to amend the Federal Election Campaign Act of 1971 to require the Federal Election Commission to establish and administer an escrow account for certain campaign contributions that a political committee intends to return to the contributor, and for other purposes; to the Committee on House Oversight, 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. LAFALCE (for himself, Mr. SISISKY, Mr. FLAKE, Mr. POSHARD, Ms. VELAZQUEZ, Mr. BALDACCI, Mr. JACKSON, Ms. MILLENDER-MCDONALD, Mr. WEYGAND, Mr. DAVIS of Illinois, Mrs. MCCARTHY of New York, and Mr. PASCRELL):

H.R. 1495. A bill to amend section 29 of the Small Business Act, and for other purposes; to the Committee on Small Business.

By Mr. MCCOLLUM (for himself, Ms. DUNN, Mrs. JOHNSON of Connecticut, Mr. BOEHNER, Mr. KNOLLENBERG, Mr. FROST, Mr. BACHUS, Mr. EWING, Mrs. KELLY, Mr. WALSH, Mr. SNOWBARGER, Mr. COOKSEY, Mrs. NORTHUP, Mr. GREEN, Ms. GRANGER, Mr. RYUN, Mr. WELDON of Florida, and Mr. WHITE):

H.R. 1496. A bill to amend the Internal Revenue Code of 1986 to provide greater equity in savings opportunities for families with children, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLER of California (for himself, Mr. YATES, Mr. SHAYS, Mr. FARR of California, Ms. CHRISTIAN-GREEN, Mr. FROST, Mr. DEFAZIO, Mrs. MALONEY of New York, Mr. COYNE, Mr. UNDERWOOD, Mr. DELLUMS, Ms. SLAUGHTER, Mr. CALVERT, Mr. FLAKE, Mr. TORRES, Mr. PETRI, Mr. FILNER, Ms. RIVERS, Mr. CLAY, Mr. BARRETT of Wisconsin, Mrs. CLAYTON, Ms. WOOLSEY, and Mr. LEWIS of Georgia):

H. R. 1497. A bill to extend the authority of the National Peace Garden to establish a commemorative work on Federal lands; to the Committee on Resources.

By Mrs. MINK of Hawaii (for herself, Mr. ABERCROMBIE, Mr. BROWN of California, Mr. CLAY, Mrs. CLAYTON, Ms. DEGETTE, Mr. DELLUMS, Mr. FALEOMAVAEGA, Mr. FARR of California, Mr. FOGLIETTA, Mr. HILLIARD, Ms. KILPATRICK, Mr. OWENS, Ms. PELOSI, Mr. RUSH, Mr. SANDERS, Ms. WATERS, Ms. WOOLSEY, and Mr. TORRES):

H.R. 1498. A bill to amend the Internal Revenue Code of 1986 to treat a portion of welfare benefits which are contingent on employment as earned income for purposes of the earned income credit, and for other purposes; to the Committee on Ways and Means.

By Ms. MOLINARI:

H.R. 1499. A bill to make certain administrative reforms relating to the Federal Railroad Administration and to make further improvements to the laws governing railroad safety; to the Committee on Transportation and Infrastructure.

By Mr. HINCHEY (for himself, Mr. ACKERMAN, Mr. ANDREWS, Mr. BARRETT of Wisconsin, Mr. BERMAN, Mr. BONIOR, Mr. BROWN of California, Mr. BROWN of Ohio, Mr. CAMPBELL, Mr. CAPPS, Mr. CLAY, Mr. CLYBURN, Mr. CONYERS, Mr. COYNE, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DELLUMS, Mr. DEUTSCH, Mr. DICKS, Mr. DIXON, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FARR of California, Mr. FAWELL, Mr. FAZIO of California, Mr. FILNER, Mr. FLAKE, Mr. FRANK of Massachusetts, Ms. FURSE, Mr. GEJDENSON, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HOLDEN, Ms. HOOLEY of Oregon, Mr. JACKSON, Ms. JACKSON-LEE, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of Rhode Island, Mrs. KENNELLY of Connecticut, Mr. KLECZKA, Mr. KLUG, Mr. LAFALCE, Mr. LAMPSON, Mr. LANTOS, Mr. LATOURETTE, Mr. LEACH, Mr. LEWIS of Georgia, Mr. LIPINSKI, Ms. LOFGREN, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MARKEY, Mr. MARTINEZ, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCHALE, Ms. MCKINNEY, Mr. MCNULTY, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MENENDEZ, Mr. MILLER of California, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Mr. MURTHA, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PASTOR, Mr. PAYNE, Mr. PORTER, Mr. RANGEL, Ms. RIVERS, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Mr. SANDERS, Mr. SAWYER, Mr. SCHUMER, Mr. SERRANO, Mr. SHAYS, Mr. SHERMAN, Mr. SKAGGS, Ms. SLAUGHTER, Mr. SPRATT, Mr. STARK, Mr. STOKES, Mrs. TAUSCHER, Mr. THOMPSON, Mr. TIERNEY, Mr. TORRES, Mr. TOWNS, Ms. VELÁZQUEZ, Mr. VENTO, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, and Mr. YATES):

H.R. 1500. A bill to designate certain Federal lands in the State of Utah as wilderness, and for other purposes; to the Committee on Resources.

By Ms. MOLINARI:

H.R. 1501. A bill to strengthen Federal law with respect to the prohibitions against and penalties for acts which sabotage or otherwise threaten the safety of rail transportation and mass transit; to the Committee on Transportation and Infrastructure, 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. POSHARD:

H.R. 1502. A bill to designate the U.S. courthouse located at 301 West Main Street in Benton, IL, as the ''James L. Foreman United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. SOUDER (for himself, Mrs. EMERSON, and Mr. PACKARD):

H.R. 1503. A bill to provide uniform standards for the awarding of compensatory and punitive damages in a civil action against a volunteer or volunteer service organization, and for other purposes; to the Committee on the Judiciary.

By Mr. SPRATT (for himself, Mr. COBLE, Mr. BAESLER, Mr. BALLENGER, Mr. BISHOP, Mr. BONIOR, Mr. BOUCHER, Mr. BURR of North Carolina, Mr. CARDIN, Mr. CHAMBLISS, Mrs. CLAYTON, Mr. CLYBURN, Mr. COMBEST, Mr. CRAMER, Mr. DEAL of Georgia, Mr. DEFAZIO, Mr. EVANS, Mr. EVERETT, Mr. FILNER, Mr. GOODE, Mr. GRAHAM, Mr. HEFNER, Mr. HILLEARY, Mr. HOLDEN, Mr. HOUGHTON, Mr. INGLIS of South Carolina, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JONES, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. MANTON, Mr. MCHALE, Mr. MCINTYRE, Mrs. MYRICK, Mr. NORWOOD, Mr. OLVER, Mr. PICKERING, Mr. RILEY, Ms. SLAUGHTER, Mr. SOLOMON, Mr. SPENCE, Mr. TAYLOR of North Carolina, Mrs. THURMAN, Mr. TORRES, Mr. TOWNS, Mr. TRAFICANT, and Mr. WELLER:

H.R. 1504. A bill to ensure the competitiveness of the U.S. textile and apparel industry; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. SERRANO, Mr. DELLUMS, Mr. KLECZKA, Mr. UNDERWOOD, Mr. FRANK of Massachusetts, Ms. CHRISTIAN-GREEN, Ms. PELOSI, Mr. HALL of Ohio, Ms. ROS-LEHTINEN, Mr. BERMAN, Mr. WAXMAN, Mr. CRAMER, Mr. EHRLICH, Mrs. CLAYTON, Mr. RANGEL, Mr. GONZALEZ, Mr. MOAKLEY, Mr. FROST, Mr. ACKERMAN, and Mr. SPENCE):

H.R. 1505. A bill to establish a congressional commemorative medal for organ donors and their families; to the Committee on Banking and Financial Services, 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 Ms. VELÁZQUEZ (for herself, Mr. CLAY, Mr. RANGEL, Mr. GONZALEZ, Ms. KILPATRICK, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. PELOSI, Mr. MANTON, Mr. HINCHEY, Mrs. MINK of Hawaii, Mrs. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mr. FLAKE, Ms. MCKINNEY, Mr. TOWNS, Mr. DELLUMS, Mr. THOMPSON, Mrs. CLAYTON, Mr. SERRANO, Mr. GUTIERREZ, Mr. FILNER, Mr. CLYBURN, Mrs. MALONEY of New York, Mr. PAYNE, Ms. FURSE, Ms. WATERS, Mr. CUMMINGS, Mr. PALLONE, Mr. PASTOR, Mr. OWENS, Mr. DAVIS of Illinois, Mr. ENGEL, Mr. HILLIARD, Mr. RUSH, Mr. MEEHAN, Mr. DIXON, Mr. BARRETT of Wisconsin, Mr. KENNEDY of Massachusetts, Mr. STARK, Mr. JACKSON, Mr. BONIOR, Ms. ROYBAL-ALLARD, Ms. WOOLSEY, and Mr. JEFFERSON):

H.R. 1506. A bill to amend the Public Health Service Act to prohibit discrimination regarding exposure to hazardous substances; to the Committee on Commerce.

By Mr. WALSH (for himself, Mrs. ROUKEMA, Mr. HALL of Ohio, Mrs. CLAYTON, Mrs. MORELLA, Mr. WOLF, Mr. OBERSTAR, Mr. QUINN, Mr. LEACH, Ms. NORTON, Mrs. THURMAN, and Ms. WATERS):

H.R. 1507. A bill to amend the Food Stamp Act of 1977 to modify certain eligibility disqualifications, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Mr. STUMP (for himself, Mr. ABERCROMBIE, Mr. ARMEY, Mr. BACHUS, Mr. BAKER, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BATEMAN, Mr. BILIRAKIS, Mr. BLILEY, Mr. BOEHLERT, Mr. BROWN of California, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CHABOT, Mr. CHAMBLISS, Mr. CHRISTENSEN, Mr. COBLE, Mr. COLLINS, Mr. COOK, Mr. COOKSEY, Mr. COX of California, Mr. CRAMER, Mr. CRANE, Mr. CRAPO, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DELAY, Mr. DICKEY, Mr. DINGELL, Mr. DOOLITTLE, Mr. DREIER, Ms. DUNN, Mr. EDWARDS, Mrs. EMERSON, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, Mr. EVANS, Mr. EVERETT, Mr. EWING, Mrs. FOWLER, Mr. FOX of Pennsylvania, Mr. GIBBONS, Mr. GILMAN, Mr. GINGRICH, Mr. GOODLING, Mr. GOSS, Mr. HALL of Texas, Mr. HANSEN, Mr.

HASTERT, Mr. HAYWORTH, Mr. HEFLEY, Mr. HEFNER, Mr. HILLEARY, Mr. HORN, Mr. HOUGHTON, Mr. HUNTER, Mr. HUTCHINSON, Mr. HYDE, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON of Texas, Mr. JONES, Ms. KAPTUR, Mr. KASICH, Mr. KENNEDY of Massachusetts, Mr. KIM, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LAHOOD, Mr. LARGENT, Mr. LAZIO of New York, Mr. LEWIS of Kentucky, Mr. LIVINGSTON, Mr. MCHUGH, Mr. MCINNIS, Mr. MCKEON, Mr. MCNULTY, Mr. METCALF, Mr. MICA, Mr. MOAKLEY, Mr. MORAN of Kansas, Mr. MURTHA, Mr. NEY, Mr. PACKARD, Mr. PAPPAS, Mr. PAUL, Mr. POMBO, Ms. PRYCE of Ohio, Mr. QUINN, Mr. REGULA, Mr. RIGGS, Mr. ROGERS, Mr. ROHRABACHER, Mr. SALMON, Mr. DAN SCHAEFER of Colorado, Mr. SHADEGG, Mr. SHAYS, Mr. SHIMKUS, Mr. SKEEN, Mr. SKELTON, Mr. SMITH of Michigan, Mr. SNYDER, Mr. SOLOMON, Mr. SPENCE, Mr. STEARNS, Mr. STENHOLM, Mr. TANNER, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mr. THOMAS, Mrs. THURMAN, Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. WELDON of Florida, Mr. WELLER, Mr. WICKER, Mr. WOLF, and Mr. YOUNG of Florida):

H.J. Res. 75. Joint resolution to confer status as an honorary veteran of the U.S. Armed Forces on Leslie Townes (Bob) Hope; to the Committee on Veterans' Affairs.

By Mr. DUNCAN (for himself, Mr. BRYANT, Mr. WAMP, Mr. HILLEARY, and Mr. TANNER):

H. Con. Res. 69. Concurrent resolution expressing the sense of the Congress with respect to the establishment of waivers in State medical licensing laws regarding the provision of health care to indigent individuals; to the Committee on Commerce.

By Mr. BARRETT of Nebraska:

H. Res. 137. Resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mrs. MALONEY of New York (for herself, Mr. HORN, Mr. CUMMINGS, Ms. FURSE, Mr. DELLUMS, Mr. LANTOS, Mr. FROST, Ms. DELAURO, Mr. TOWNS, Mr. GUTIERREZ, Mr. MANTON, Mr. LEWIS of Georgia, Mr. FILNER, Mr. HASTINGS of Florida, Mr. OWENS, Ms. CARSON, Mr. HOYER, Mr. CLAY, and Mr. PORTMAN):

H. Res. 138. Resolution expressing the resolve of Congress to take an active role in eliminating racism; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 51: Mr. WATTS of Oklahoma, Mr. DOYLE, Mr. HEFLEY, Mr. BARCIA, Mr. CALVERT, Mr. NORWOOD, Mr. STUPAK, Mr. GREEN, Mr. MASCARA, Mr. PETERSON of Minnesota, Mr. MCINTYRE, and Mr. GOODE.

H.R. 108: Mr. ENGEL, Mr. BARRETT of Wisconsin, and Mr. TAYLOR of Mississippi.

H.R. 135: Mr. BISHOP, Ms. HARMAN, Mr. BALDACCI, Mr. BROWN of California, Mr. DEUTSCH, Mr. ETHERIDGE, Mr. FLAKE, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HOYER, Mr. JOHNSON of Wisconsin, Mr. ROEMER, Mr. SAWYER, Mr. SHERMAN, Mr. STRICKLAND, Mr. WYNN, and Mr. JEFFERSON.

H.R. 143: Mr. BARCIA, Mr. RIGGS, Mr. HORN, Mr. MEEHAN, and Mr. EHLERS.

H.R. 145: Mr. MALONEY of Connecticut, Mr. LAMPSON, Mr. CLYBURN, Ms. WOOLSEY, Mr. BISHOP, Mr. COLLINS, Mr. KLINK, Mr. MCHALE, and Mr. TORRES.

H.R. 165: Mr. GOODE.

H.R. 198: Mr. OWENS and Mr. STUMP.

H.R. 235: Mr. WATTS of Oklahoma, Mr. EVANS, Mr. MCGOVERN, Mrs. KELLY, Mrs. MEEK of Florida, and Mr. CAPPS.

H.R. 306: Mrs. JOHNSON of Connecticut.

H.R. 347: Mr. HEFLEY.

H.R. 409: Mrs. MCCARTHY of New York, Mr. DEAL of Georgia, Mr. HULSHOF, Mr. CANADY of Florida, Mr. ROTHMAN, Mr. GOODLATTE, Mr. MICA, Mr. SMITH of New Jersey, and Mr. BARRETT of Wisconsin.

H.R. 420: Mr. FATTAH, Mr. PRICE of North Carolina, and Mr. KUCINICH.

H.R. 443: Mr. GONZALEZ.

H.R. 475: Mr. GOODE and Mr. RAHALL.

H.R. 536: Mr. KUCINICH.

H.R. 551: Mr. DELLUMS.

H.R. 574: Mr. FILNER.

H.R. 586: Mr. BASS, Mr. BISHOP, and Mr. ROMERO-BARCELÓ.

H.R. 622: Mr. WELDON of Florida.

H.R. 659: Mr. BOUCHER, Mr. BONILLA, and Ms. KAPTUR.

H.R. 687: Mr. BROWN of Ohio, Ms. CHRISTIAN-GREEN, and Mr. MARKEY.

H.R. 689: Mr. MARTINEZ and Mr. FALEOMAVAEGA.

H.R. 710: Mr. FARR of California and Mr. MARTINEZ.

H.R. 716: Mr. BLILEY.

H.R. 722: Mr. LATHAM, Mr. SMITH of New Jersey, Mr. BEREUTER, Mr. HOBSON, Mr. NEY, Mr. WOLF, and Mr. STUMP.

H.R. 731: Mr. BOUCHER.

H.R. 744: Mr. LEWIS of Georgia, Mr. GUTIERREZ, Mr. FAZIO of California, Mr. MOAKLEY, and Mr. BLAGOJEVICH.

H.R. 755: Mr. MCINTYRE, Mr. RUSH, and Ms. DELAURO.

H.R. 794: Mr. MEEHAN and Mr. DELLUMS.

H.R. 816: Mr. POSHARD.

H.R. 855: Ms. JACKSON-LEE.

H.R. 896: Mr. KUCINICH.

H.R. 899: Mr. LEWIS of Georgia, Mr. RUSH, Mr. WEYGAND, and Mr. HINCHEY.

H.R. 922: Mr. CANADY of Florida.

H.R. 953: Mr. GUTKNECHT.

H.R. 956: Mr. FAZIO of California.

H.R. 965: Mr. PETERSON of Pennsylvania.

H.R. 971: Mr. MANTON.

H.R. 981: Mr. PORTER.

H.R. 983: Ms. DELAURO.

H.R. 991: Mr. ENGLISH of Pennsylvania.

H.R. 1038: Mr. FROST and Ms. LOFGREN.

H.R. 1049: Mr. MILLER of California.

H.R. 1104: Mr. FILNER, Mr. BECERRA, Mr. BOSWELL, Mr. RANGEL, Mr. NADLER, and Mr. MENENDEZ.

H.R. 1146: Mr. BARR of Georgia.

H.R. 1161: Mr. GIBBONS and Mr. RUSH.

H.R. 1166: Ms. DELAURO, Mr. NEAL of Massachusetts, Mr. WAXMAN, Ms. FURSE, Ms. STABENOW, Mr. MANTON, Ms. NORTON, Mr. MEEHAN, Mr. ACKERMAN, Mr. PICKETT, Mr. CRAMER, Mr. METCALF, Mr. CLEMENT, Mr. TORRES, Mr. ALLEN, Mr. WALSH, and Mr. PASTOR.

H.R. 1172: Mr. ADERHOLT, Mr. ARCHER, Mr. BACHUS, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BATEMAN, Mr. BILBRAY, Mr. BONILLA, Mr. BONO, Mr. BUNNING of Kentucky, Mr. BURR of North Carolina, Mr. CALVERT, Mr. CAMPBELL, Mr. CANADY of Florida, Mr. CANNON, Mr. CHABOT, Mrs. CHENOWETH, Mr. COBLE, Mr. COOK, Mr. COOKSEY, Mr. CRANE, Mrs. CUBIN, Ms. DANNER, Mr. DELAY, Mr. DICKEY, Ms. DUNN, Mrs. EMERSON, Mr. EVERETT, Mr. EWING, Mr. FOLEY, Mr. GALLEGLY, Mr. GIBBONS, Mr. HALL of Texas, Mr. HAYWORTH, Mr. HOSTETTLER, Mr. HULSHOF, Mr. HUNTER, Mr. ISTOOK, Mr. SAM JOHNSON, Mrs. KELLY, Mr. KIM, Mr. KNOLLENBERG, Mr. LATHAM, Mr. LEWIS of Kentucky, Mr. MCKEON, Mr. MANZULLO, Mr. MICA, Mr. NEY, Mr. NORWOOD, Mr. PACKARD, Mr. PAPPAS, Mr. PAUL, Mr. PETERSON of Minnesota, Mr. PETERSON of Pennsylvania, Mr. PITTS, Mr. POMBO, Mr. RAMSTAD, Mr. ROHRABACHER, Mr. ROYCE, Mr. RYUN, Mr. SALMON, Mr. SANFORD, Mr. SHADEGG, Mr. SHIMKUS, Mr. SKEEN, Mrs. LINDA SMITH of Washington, Mr. SNOWBARGER, Mr. SOUDER, Mr. STUMP, Mr. TAYLOR of Mississippi, Mr. THOMAS, Mr. TIERNEY, Mr. WATTS of Oklahoma, Mr. WELDON of Florida, Mr. WELLER, Mr. WHITFIELD, and Mr. YOUNG of Alaska.

H.R. 1174: Mr. OBERSTAR, Mr. CUNNINGHAM, Mr. COSTELLO, Mr. BLUMENAUER, and Mr. MCGOVERN.

H.R. 1189: Mr. BOYD, Mr. HINOJOSA, and Mr. LAHOOD.

H.R. 1193: Mr. PACKARD, Mr. WICKER, and Mr. SMITH of Michigan.

H.R. 1215: Mr. OLVER, Mr. FRANK of Massachusetts, and Mr. REYES.

H.R. 1231: Mr. GOODE.

H.R. 1245: Mr. FALEOMAVAEGA and Ms. KILPATRICK.

H.R. 1246: Mr. FALEOMAVAEGA.

H.R. 1306: Ms. HOOLEY of Oregon, Mr. PASTOR, Mr. RILEY, Mr. LATOURETTE, Mr. LAZIO of New York, Mrs. EMERSON, Mr. BEREUTER, Mrs. MORELLA, and Mr. SCHUMER.

H.R. 1321: Mr. DAVIS of Florida.

H.R. 1327: Mr. TALENT, Mr. LATHAM, Mr. SOLOMON, Ms. MOLINARI, and Mr. HULSHOF.

H.R. 1335: Mr. ACKERMAN, Mr. BARRETT of Wisconsin, Mr. BOEHLERT, Mr. BONIOR, Ms. BROWN of Florida, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. CUNNINGHAM, Mr. DAVIS of Virginia, Mr. DEFAZIO, Mr. DELLUMS, Mr. DEUTSCH, Mr. ENGEL, Mr. FILNER, Mr. FORBES, Mr. FRANK of Massachusetts, Mr. FROST, Mr. HALL of Ohio, Mr. HASTINGS of Florida, Mr. HAYWORTH, Mr. HILLIARD, Mr. HINCHEY, Ms. JACKSON-LEE, Mr. KING of New York, Mrs. LOWEY, Mr. MCGOVERN, Mr. MANTON, Mrs. MEEK of Florida, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. PAYNE, Mr. QUINN, Mr. RUSH, Mr. SABO, Mr. ADAM SMITH of Washington, Mr. SOUDER, Mr. WALSH, Mr. WATTS of Oklahoma, and Mr. WYNN.

H.R. 1346: Mr. UPTON, Mr. EHLERS, and Mr. NEY.

H.R. 1355: Mr. MCCOLLUM and Mr. RUSH.

H.R. 1360: Mr. LIVINGSTON.

H.R. 1366: Mr. BARRETT of Wisconsin.

H.R. 1367: Ms. FURSE.

H.R. 1407: Mr. GIBBONS.

H.R. 1415: Mr. GREEN, Mr. WATTS of Oklahoma, Mr. KLECZKA, Mr. MCINTOSH, Mr. JONES, and Mr. STARK.

H.R. 1437: Mr. MANTON, Mr. RUSH, Mr. KENNEDY of Rhode Island, Ms. SLAUGHTER, Mr. SANDERS, and Mr. BORSKI.

H.R. 1438: Mr. MARKEY, Mr. LAMPSON, and Ms. PELOSI.

H.R. 1450: Mr. TIERNEY.

H.R. 1451: Mr. HASTINGS of Florida, Mr. DAVIS of Virginia, Mr. FRANK of Massachusetts, Mr. FROST, Mr. HILLIARD, and Mr. FILNER.

H.R. 1475: Mr. NEUMANN.

H.J. Res. 54: Mr. ETHERIDGE.

H.J. Res. 65: Ms. KILPATRICK, Mr. MCGOVERN, and Mr. RUSH.

H. Con. Res. 13: Mr. CLYBURN, Mr. BAKER, Mr. ENSIGN, Mr. DICKEY, and Mr. WISE.

H. Con. Res. 60: Mr. GONZALEZ, Mr. ROTHMAN, Mr. DOOLITTLE, Mr. HASTINGS of Washington, Mr. MANZULLO, Mr. SAWYER, Mr. TURNER, Mr. WELDON of Florida, Mr. BAKER, Mr. SHERMAN, Mr. BOYD, Mr. BISHOP, Mrs. MORELLA, Mr. NORWOOD, Mr. RYUN, Mrs. LINDA SMITH of Washington, Mr. SMITH of Michigan, Mr. UPTON, Mr. SCARBOROUGH, Mr. FLAKE, Mr. SHAW, Mr. ENSIGN, Mrs. MYRICK, Mr. SHIMKUS, Ms. NORTON, Mr. FAZIO of California, Ms. DEGETTE, Mr. BORSKI, Mr. BILBRAY, Mrs. FOWLER, Mr. ADAM SMITH of

Washington, Mr. SCHIFF, Mr. TAUZIN, Mr. BALLENGER, Mr. COSTELLO, Ms. LOFGREN, and Mr. MASCARA.

H. Res. 37: Ms. STABENOW and Ms. BROWN of Florida.

H. Res. 61: Ms. RIVERS, Mr. HASTINGS of Washington, Mr. KOLBE, and Mr. CAPPS.

H. Res. 83: Mr. FILNER, Mr. KUCINICH, Mr. HILLIARD, and Mr. FROST.

H. Res. 103: Mr. FALEOMAVAEGA.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2

OFFERED BY: MR. ENSIGN

AMENDMENT NO. 28: Page 333, after line 2, insert the following new section:

SEC. 708. TREATMENT OF PHA REPAYMENT AGREEMENT.

(a) LIMITATION ON SECRETARY.—During the 2-year period beginning on the date of the enactment of this Act, if the Housing Authority of the City of Las Vegas, Nevada, is otherwise in compliance with the Repayment Lien Agreement and Repayment Plan approved by the Secretary on February 12, 1997, the Secretary of Housing and Urban Development shall not take any action that has the effect of reducing the inventory of senior citizen housing owned by such housing authority that does not receive assistance from the Department of Housing and Urban Development.

(b) ALTERNATIVE REPAYMENT OPTIONS.—During the period referred to in subsection (a), the Secretary shall assist the housing authority referred to in such subsection to identify alternative repayment options to the plan referred to in such subsection and to execute an amended repayment plan that will not adversely affect the housing referred to in such subsection.

(c) RULE OF CONSTRUCTION.—This section may not be construed to alter—

(1) any lien held by the Secretary pursuant to the agreement referred to in subsection (a); or

(2) the obligation of the housing authority referred to in subsection (a) to close all remaining items contained in the Inspector General audits numbered 89 SF 1004 (issued January 20, 1989), 93 SF 1801 (issued October 30, 1993), and 96 SF 1002 (issued February 23, 1996).

H.R. 2

OFFERED BY: MS. JACKSON-LEE

AMENDMENT NO. 29: Page 25, strike line 21 and all that follows through page 31, line 18, and insert the following:

SEC. 105. ECONOMIC SELF-SUFFICIENCY ACTIVITIES.

(a) COOPERATION AGREEMENTS.—

(1) REQUIREMENT.—A public housing

Page 32, line 1, strike ''facilitate'' and all that follows through ''may'' on line 5.

Page 32, strike line 8 and insert the following:

(2) CONTENTS.—A public housing agency

Page 32, line 10, strike ''paragraph'' and insert ''section''.

Page 32, strike line 22 and insert the following:

(3) CONFIDENTIALITY.—This section

Page 33, strike line 3 and all that follows through ''(f)'' on page 35, line 3, and insert ''(b)''.

Page 35, strike lines 15 through 23.

H.R. 2

OFFERED BY: MS. JACKSON-LEE

AMENDMENT NO. 30: Page 99, strike line 12 and all that follows through line 25 on page 99, and insert the following:

SEC. 223. PREFERENCES FOR OCCUPANCY.

(a) IN GENERAL.—Except for projects or portions of projects designated for occupancy pursuant to section 227 with respect to which the Secretary has determined that application of this section would result in excessive delays in meeting the housing needs of such families, each public housing agency shall establish a system for making dwelling units in public housing available for occupancy that—

(1) for not less than 50 percent of the units that are made available for occupancy in a given fiscal year, gives preference to families that occupy substandard housing (including families that are homeless or living in a shelter for homeless families), are paying more than 50 percent of family income for rent, or are involuntarily displaced (including displacement because of disposition of a multifamily housing project under section 203 of the Housing and Community Development Amendments of 1978) at the same time they are seeking assistance under this Act; and

(2) for any remaining units to be made available for occupancy, gives preference in accordance with a system of preferences established by the public housing agency in writing and after public hearing to respond to local housing needs and priorities, which may include—

(A) assisting very low-income families who either reside in transitional housing assisted under title IV of the Stewart B. McKinney Homeless Assistance Act, or participate in a program designed to provide public assistance recipients with greater access to employment and educational opportunities;

(B) assisting families identified by local public agencies involved in providing for the welfare of children as having a lack of adequate housing that is a primary factor in the imminent placement of a child in foster care, or in preventing the discharge of a child from foster care and reunification with his or her family;

(C) assisting youth, upon discharge from foster care, in cases in which return to the family or extended family or adoption is not available;

(D) assisting families that include one or more adult members who are employed; and

(E) achieving other objectives of national housing policy as affirmed by the Congress.

Page 100, line (1) strike ''(c)'' and insert ''(b)''.

Page 100, line 4, after ''preferences'' insert ''under subsection (a)(2)''.

H.R. 2

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 31: Page 120, line 2, strike ''and''.

Page 120, line 23, strike the period and insert a semicolon.

Page 120, after line 23, insert the following:

(3) in subsections (c)(1)(A) and (d)(1)(A), by striking ''make their best efforts,'' each place it appears and inserting ''to the maximum extent that is possible and'';

(4) in subsection (c)(1)(A), by striking ''to give'' and inserting ''give''; and

(5) in subsection (d)(1)(A), by striking ''to award'' and inserting ''award''.

OFFERED BY: MS. JACKSON-LEE

AMENDMENT NO. 32: Page 188, strike line 13 and all that follows through line 3 on page 189, and insert the following:

(d) PREFERENCES FOR ASSISTANCE.—

(1) IN GENERAL.—Each public housing agency that receives amounts under this title shall establish a system for making housing assistance available on behalf of eligible families that—

(A) for not less than 90 percent of such families, gives preference to families that occupy substandard housing (including families that are homeless or living in a shelter for homeless families), are paying more than 50 percent of family income for rent, or are involuntarily displaced (including displacement because of disposition of a multifamily housing project under section 203 of the Housing and Community Development Amendments of 1978) at the time they are seeking assistance under this title; except that any family otherwise eligible for assistance under this title may not be denied preference for assistance (or delayed or otherwise adversely affected in the provision of such assistance) solely because the family resides in public housing; and

(B) for any remaining assistance in any 1-year period, gives preference to families who qualify under a system of local preferences established by the public housing agency in writing and after public hearing to respond to local housing needs and priorities, which may include—

(i) assisting very low-income families who either reside in transitional housing assisted under title IV of the Stewart B. McKinney Homeless Assistance Act, or participate in a program designed to provide public assistance recipients with greater access to employment and educational opportunities;

(ii) assisting families identified by local public agencies involved in providing for the welfare of children as having a lack of adequate housing that is a primary factor in the imminent placement of a child in foster care, or in preventing the discharge of a child from foster care and reunification with his or her family;

(iii) assisting youth, upon discharge from foster care, in cases in which return to the family or extended family or adoption is not available;

(iv) assisting families that include one or more adult members who are employed; and

(v) achieving other objectives of national housing policy as affirmed by the Congress.

Page 189, line 4, strike ''(3)'' and insert ''(2)''.

Page 189, line 8, after ''preferences'' insert ''under paragraph (1)(B)''.

H.R. 2

OFFERED BY: MRS. JOHNSON OF CONNECTICUT

AMENDMENT NO. 33: Page 316, after line 19, insert the following new subsection:

(c) INELIGIBILITY OF SEXUALLY VIOLENT PREDATORS FOR ADMISSION TO PUBLIC HOUSING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a public housing agency shall prohibit admission to public housing for any household that includes any individual who is a sexually violent predator.

(2) SEXUALLY VIOLENT PREDATOR.—For purposes of this subsection, the term ''sexually violent predator'' means an individual who—

(A) is a sexually violent predator (as such term is defined in section 170101(a)(3) of such Act); and

(B) is subject to a registration requirement under section 170101(a)(1)(B) or 170102(c) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(a)(1)(B), 14072(c)), as provided under section 170101(b)(6)(B) or 170102(d)(2), respectively, of such Act.

Page 316, line 20, strike ''(c)'' and insert ''(d)''.

Page 316, lines 21 and 22, strike ''and (b)'' and insert '', (b), and (c)''.

Page 317, line 22, strike ''(d)'' and insert ''(e)''.

Page 318, line 13, strike ''(e)'' and insert ''(f)''.

Page 321, line 9, after ''CHILDREN'' insert ''AND SEXUALLY VIOLENT PREDATORS''.

Page 321, line 11, after the comma insert ''the Federal Bureau of Investigation,''.

Page 321, line 15, insert a comma before ''and''.

Page 321, line 18, after ''under'' insert the following: ''the national database established pursuant to section 170102 of such Act or''.

Page 321, line 19, after ''program'' insert '', as applicable,''.

Page 323, line 12, after ''criminal record'' insert ''(including on the basis that an individual is a sexually violent predator, pursuant to section 641(c))''.

Page 323, line 21, strike ''641(d)'' and insert ''641(e)''.

H.R. 2

OFFERED BY: MR. KNOLLENBERG

AMENDMENT NO. 34: Page 25, after line 20, insert the following new subsection:

(e) AVAILABILITY OF INCOME MATCHING INFORMATION.—

(1) DISCLOSURE TO PHA.—A public housing agency shall require any family described in paragraph (2) who receives information regarding income, earnings, wages, or unemployment compensation from the Department of Housing and Urban Development pursuant to income verification procedures of the Department of disclose such information, upon receipt of the information, to the public housing agency that owns or operates the public housing dwelling unit in which such family resides or that provides the housing assistance on behalf of such family, as applicable.

(2) APPLICABILITY TO FAMILIES RECEIVING PUBLIC HOUSING OR CHOICE-BASED HOUSING ASSISTANCE.—A family described in this paragraph is a family that resides in a dwelling unit—

(A) that is a public housing dwelling unit; or

(B) for which housing assistance is provided under title III (or under the program for tenant-based assistance under section 8 of the United States Housing Act of 1937 (as in effect before the effective date of the repeal under section 601(b) of this Act)).

(3) PROTECTION OF APPLICANTS AND PARTICIPANTS.—Section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 3544) is amended—

(A) in subsection (b)—

(i) in paragraph (2), by striking ''and'' at the end;

(iii) in paragraph (3), by striking the period at the end and inserting ''; and ''; and

(ii) by adding at the end the following new paragraph:

''(4) only in the case of an applicant or participant that is a member of a family described in section 104(e)(2) of the Housing Opportunity and Responsibility Act of 1997, sign an agreement under which the applicant or participant agrees to provide to the appropriate public housing agency the information required under such section 104(e)(1) of the Housing Opportunity and Responsibility Act of 1997 for the sole purpose of the public housing agency verifying income information pertinent to the applicant's or participant's eligibility or level of benefits, and comply with such agreement.''; and

(B) in subsection (c)—

(i) in paragraph (2)(A), in the matter preceding clause (I)—

(I) by inserting before ''or'' the first place it appears the following: '', pursuant to section 104(e)(1) of the Housing Opportunity and Responsibility Act of 1997 from the applicant or participant,''; and

(II) by inserting ''or 104(e)(1)'' after ''such section 303(i)''; and (ii) in paragraph (3)—

(I) in subparagraph (A), by inserting '', section 104(e)(1) of the Housing Opportunity and Responsibility Act of 1997,'' after ''Social Security Act''; and

(II) in subparagraph (A), by inserting ''or agreement, as applicable,'' after ''consent''; (III) in subparagraph (B), by inserting ''section 104(e)(1) of the Housing Opportunity and Responsibility Act of 1997,'' after ''Social Security Act,''; and

(IV) in subparagraph (B), by inserting ''such section 104(e)(1),'' after ''such section 303(i),'' each place it appears.

H.R. 2

OFFERED BY: MR. KNOLLENBERG

AMENDMENT NO. 35. At the end of the bill, add the following new title:

TITLE VIII—ACCESS TO AND DISCLOSURE OF INFORMATION

SEC. 801. REINSTITUTION OF REQUIREMENTS REGARDING HUD ACCESS TO CERTAIN INFORMATION OF STATE AGENCIES.

(a) IN GENERAL.—Subsection (i) of section 303 of the Social Security Act (42 U.S.C. 503(i)) is amended by striking paragraph (5).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to requests for information made after the date of the enactment of this Act.

SEC. 802. DISCLOSURE OF INFORMATION BY HUD TO PUBLIC HOUSING AGENCIES.

(a) IN GENERAL.—Paragraph (7) of section 6103(l) of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information) is amended by adding at the end the following new subparagraph:

''(E) RETURN INFORMATION FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.—

''(i) IN GENERAL.—The Secretary of Housing and Urban Development may, upon written request by any public housing agency administering a program described in subparagraph (D)(ix), disclose return information from returns which have been disclosed to the Department of Housing and Urban Development under this paragraph to such public housing agency.

''(ii) RESTRICTION ON DISCLOSURE.—The Secretary of Housing and Urban Development shall disclose return information under this subparagraph only for purposes of, and to the extent necessary in, determining eligibility for, or the correct amount of, benefits under a program referred to in subparagraph (D)(ix).

''(iii) PUBLIC HOUSING AGENCY.—For purposes of this paragraph, the term 'public housing agency' has the meaning given such term by section 3(b) of the United States Housing Act of 1937.''

(b) REPEAL OF TERMINATION REGARDING HOUSING ASSISTANCE PROGRAMS.—Subparagraph (D) of section 6103(l)(7) of such Code is amended by striking the last sentence.

(c) CONFORMING AMENDMENT.—Clause (ix) of section 6103(l)(7)(D) of such Code is amended—

(1) by inserting ''(or, for purposes of subparagraph (E), by a public housing agency)'' after ''Secretary of Housing and Urban Development'', and

(2) by inserting ''or a public housing agency'' after ''Department of Housing and Urban Development'' the second place that it appears.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to requests for information made after the date of the enactment of this Act.

SEC. 803. CONSENT TO DISCLOSE INFORMATION AND PROTECTIONS AGAINST IMPROPER USE OF INFORMATION

Section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 3544) is amended—

(1) in subsection (b)(3)—

(A) by inserting after ''participant'' the following: '', and authorizing the Secretary to release information pursuant to section 6103(l)(7)(E) of such Act with respect to such applicant or participant,''; and

(B) by inserting ''or public housing agency (as applicable)'' before ''verifying''; and

(2) in subsection (c)—

(A) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking ''section 6103(l)(7)(D)(ix)'' and inserting ''subparagraph (D)(ix) or (E) of section 6103(l)(7)'';

(ii) by striking ''or the Secretary of the Treasury'' and inserting '', the Secretary of the Treasury, or the Secretary of Housing and Urban Development''; and

(iii) by inserting ''or section 6103(l)(7)(E)'' after ''such section 303(i)''; and

(B) in paragraph (3), by striking ''section 6103(l)(7)(D)(ix)'' each place it appears and inserting ''subparagraph (D)(ix) or (E) of section 6103(l)(7)''.

OFFERED BY: MR. MORAN OF VIRGINIA

AMENDMENT NO. 36: Page 99, after line 11, insert the following new subsection:

(e) OPTIONAL TIME LIMITATION ON OCCUPANCY BY FAMILIES RECEIVING WELFARE ASSISTANCE FOR PHA'S WITH WAITING LISTS OF 1 YEAR OR LONGER.—

(1) 5-YEAR LIMITATION.—A public housing agency described in paragraph (2) may, at the option of the agency and on an agency-wide basis, limit the duration of occupancy in a public housing dwelling unit of each family that includes an individual who, as an adult, receives assistance under any welfare program (or programs) for 60 consecutive months occurring after the effective date of this Act, to such 60 consecutive months.

(2) APPLICABILITY ONLY TO PHA'S WITH WAITING LISTS OF 1 YEAR OR LONGER.—A public housing agency described in this paragraph is an agency that, upon the conclusion of the 60-month period referred to in paragraph (1) for any family, has a waiting list for occupancy in public housing dwelling units that contains a sufficient number of families such that the last family on such lists who will be provided a public housing dwelling unit will be provided the unit 1 year or more from such date (based on the turnover rate for public housing dwelling units of the agency).

(3) TREATMENT OF TEMPORARY STOPPAGE OF ASSISTANCE.—For purposes of paragraph (1), nonconsecutive months in which an individual receives assistance under a welfare program shall be treated as being consecutive if such months are separated by a period of 6 months or less during which the individual does not receive such assistance.

(4) EXCEPTIONS FOR WORKING, ELDERLY, AND DISABLED FAMILIES.—The provisions of paragraph (1) shall not apply to—

(A) any family that contains an adult member who, during the 60-month period referred to in such paragraph, obtains employment; except that, if at any time during the 12-month period beginning upon the commencement of such employment, the family does not contain an adult member who has employment, the provisions of paragraph (1) shall apply and the nonconsecutive months during which the family did not contain an employed member shall be treated for purposes of such paragraph as being consecutive;

(B) any elderly family; or

(C) any disabled family.

(5) PREFERENCES FOR FAMILIES MOVING TO FIND EMPLOYMENT.—A public housing agency may, in establishing preferences under section 321(d), provide a preference for any family that—

(A) occupied a public housing dwelling unit owned or operated by a different public housing agency, but was limited in the duration of such occupancy by reason of paragraph (1) of this subsection; and

(B) is determined by the agency to have moved to the jurisdiction of the agency to obtain employment.

(6) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

(A) WELFARE PROGRAM.—The term ''welfare program'' means a program for aid or assistance under a State program funded under part A of title IV of the Social Security Act (as in effect before or after the effective date of the amendments made by section 103(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996).

(B) EMPLOYMENT.—The term ''employment'' means employment in a position that—

(i) is not a job training or work program required under a welfare program; and

(ii) involves an average of 20 or more hours of work per week.

H.R. 2

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 37: Page 16, line 2, strike ''counseling'' and all that follows through ''(F)'' on line 9, and insert the following:

other programs and services as determined by the public housing agency, and (D)

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 38: Page 43, line 19 strike ''of any'' and all that follows through line 19, and insert the following:

of—

(A) any homeownership programs of the agency under subtitle D of title II or section 329 for the agency;

(B) the requirements and assistance available under the programs described pursuant to subparagraph (A); and

(C) the annual goals of the agency for additional availability of homeownership units.

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 39: Page 56, strike lines 14 through 18, and insert the following:

Pet ownership policy shall be established by the public housing agency. When establishing such policy, the public housing agency shall consider the positive effects of pet ownership.

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 40: Page 294, strike line 5 and all that follows through page 297, line 4.

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 41: Page 294, strike line 6 and all that follows through page 297, line 4, and insert the following:

Section 227 of the Housing and Urban-Rural Recovery Act of 1983 (12 U.S.C. 1701*r*—1) is hereby repealed.

H.R. 2

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 42: Page 331, strike lines 11 through 15 and insert the following:

SEC. 705. ASSISTANCE UNDER HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974.

The Housing and Community Development Act of 1974 is amended—

(1) in section 108(q)(4) (42 U.S.C. 5308(q)(4))—

(A) by striking ''and'' after the semicolon in subparagraph (C);

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) when applicable as determined by the Secretary, the extent of regional cooperation demonstrated by the proposed plan; and''; and

(2) in section 105 (42 U.S.C. 5305), by adding at the end the following new subsection:

H.R. 2

OFFERED BY: MS. VELÁZQUEZ

AMENDMENT NO. 43: Page 104, lines 12 and 13, strike ''not less than $25 nor more than $50'' and insert ''not more than $25''.

Page 105, line 6, before the period insert ''or the Secretary''.

H.R. 2

OFFERED BY: MS. VELÁZQUEZ

AMENDMENT NO. 44: Page 193, strike lines 4 and 5 and insert the following:

(B) shall be not more than $25; and

Page 194, line 3, before the period insert ''or the Secretary''.

H.R. 867

OFFERED BY: MS. EDDIE BERNICE JOHNSON OF TEXAS

AMENDMENT NO. 7: At the end of section 12(b), add the following:

(7) Assistance in establishing outreach programs to help States better identify and recruit minority families to adopt children.