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House of Representatives

The House met at 10 a.m.

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

We remember this day those in our community who have special concern and who look to You, O gracious God, for comfort and blessing. Where there is need for healing, we pray that Your grace is sufficient for our needs; where there is need for assurance, we pray for Your presence; where there is need for hope, we pray for Your miracles. In all things, O loving God, we open our lives to Your grace and the sure and confident faith that Your spirit will lead us and show us the path ahead. This is our earnest prayer. 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 gentlewoman from Florida (Ms. ROS-LEHTINEN) come forward and lead the House in the Pledge of Allegiance.

Ms. ROS-LEHTINEN 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.

MESSAGE FROM THE SENATE

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

H.R. 433. An act to restore the management and personnel authority of the Mayor of the District of Columbia.

The message also announced that pursuant to Public Law 105-277, the Chair, on behalf of the Democratic Leader of the Senate and the Minority Leader of the House, announces the appointment of the following individuals to serve as members of the International Financial Institution Advisory Commission—

Richard L. Huber, of Connecticut; Jerome L. Levinson, of Maryland; Jeffrey D. Sachs, of Massachusetts; Estaban E. Torres, of California; and Paul A. Volcker, of New York.

The message also announced that pursuant to Public Law 94-304, as amended by Public Law 99-7, the Chair, on behalf of the Vice President, appoints the Senator from Colorado (Mr. CAMPBELL) as Co-Chairman of the Commission on Security and Cooperation in Europe.

The message also announced that pursuant to Public Law 96-388, as amended by Public Law 97-84, the Chair, on behalf of the President pro tempore, appoints the following Senators to the United States Holocaust Memorial Council—

the Senator from California (Mrs. BOXER); and the Senator from New Jersey (Mr. LAUTENBERG).

The message also announced that pursuant to Public Law 105-389, the Chair, on behalf of the Majority Leader, in consultation with the Democratic Leader, announces the appointment of the following citizens to serve as members of the First Flight Centennial Federal Advisory Board—

Peggy Baty, of Ohio; Lauch Faircloth, of North Carolina; and Wilkinson Wright, of Ohio.

The message also announced that pursuant to Public Law 99-498, the Chair, on behalf of the President pro tempore, appoints Donald R. Vickers, of Vermont, to the Advisory Committee on Student Financial Assistance for a term ending September 30, 2001.

The message also announced that pursuant to Public Law 101-509, the Chair, on behalf of the Majority Leader, announces the reappointment of C. John Sobotka, of Mississippi, to the Advisory Committee on the Records of Congress.

The message also announced that pursuant to Public Law 105-277, the Chair, on behalf of the Democratic Leader, announces the appointment of the following individuals to serve as members of the Parents Advisory Council on Youth Drug Abuse—

Darcy L. Jensen, of South Dakota (Representative of Non-Profit Organization); and

Dr. Lynn McDonald, of Wisconsin.

SUPPORT HOUSE JOINT RESOLUTION 54

(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, today I rise proudly in support of House Joint Resolution 54, to prohibit the desecration of the American flag.

I want to express my sincere thanks to my colleagues, the gentleman from California (Mr. DUKE CUNNINGHAM) and the gentleman from Pennsylvania (Mr. JOHN MURTHA), for reintroducing this tremendously important piece of legislation.

Mr. Speaker, more than one million men and women have sacrificed their lives defending this country and the freedom that this flag represents, and it would be a great dishonor for all of us now to turn our backs on those who gave so much to protect the American flag and what it symbolizes. We must fight for them now in protecting the symbol of this Nation.

Mr. Speaker, as a veteran of both the Vietnam and Persian Gulf wars, I proudly support this legislation, and I urge every member of this great, august body to do the same.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H723

AN AMERICA THAT TOLERATES CAPITAL CRIME WILL CONTINUE TO EXPERIENCE IT

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

Mr. TRAFICANT. Mr. Speaker, last year John William King and two accomplices kidnapped James Byrd, Jr. They tied Byrd to the back of a pickup truck, and they dragged Byrd to his death. Byrd's body was shredded to pieces. He was literally decapitated.

Yesterday, the jury convicted King. Today, they decide the sentence. I say a capital crime warrants a capital offense and, thus, is a capital punishment sentence.

An America that tolerates such crime will continue to experience it. I say the sentence should be very clear to all Americans. Good night, sweet prince. Let us not tolerate it in America.

I yield back the air-conditioning, the law library, and the three square meals to the taxpayers.

ADMINISTRATION'S CONFUSING FOREIGN POLICY

(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, there is confusion in the administration's foreign policy. One hand does not know what the other hand is doing.

The first hand has reached into our pockets and spent \$8 billion to establish a multi-ethnic country called Bosnia. That is \$8 billion that was not budgeted and that has shortchanged our entire Nation's defense, placing at risk our pilots because we have had to reduce needed maintenance on their aircraft.

The other hand is planning to spend more unbudgeted money to first bomb Serbia and then to send in troops to establish an ethnic nation called Albania. One hand wants a multi-ethnic country, the other hand wants an ethnic country.

Which is it, Mr. Speaker? What is it the administration is after? I think it is time we openly debate which hand we should shake; otherwise, we will be left empty-handed.

COMPOUND INTEREST AND SOCIAL SECURITY

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

Mr. SCHAFFER. Mr. Speaker, I would like to talk about something we will never hear the White House talk about: compound interest.

Compound interest is a simple concept. It makes people rich. In fact, compound interest is such a powerful force that Einstein once called it the most powerful force in the universe.

Money invested and then reinvested grows. And the more it grows, the faster it grows, and at increased rates. Money out of our paychecks goes to the Social Security Trust Fund and does not grow. It is spent. It is not a real trust fund. Now, money invested in stocks, bonds, mutual funds and other investment securities does grow.

Can anyone on the other side of the aisle tell me why the aging of America and the coming retirement of the baby boomers is a crisis for Social Security but not a problem for private sector retirement systems? It could be, as the Church Lady says, Satan. Or it could be simply a matter of compound interest and no principal.

SOCIAL SECURITY

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

Mr. GREEN of Texas. Mr. Speaker, Social Security represents one of the most successful programs ever enacted by our government because it guarantees a real retirement security for millions of Americans. However, recent studies show that one-third of the young people believe Social Security will not be able to provide this same guarantee when they reach retirement age.

It is our responsibility to take the appropriate steps to ensure that Social Security is safe and strong not only for my dad, who is 83 years old, but also for my generation of baby boomers, for the children I have, and also the grandchildren I will have someday. Our strong economy gives us an unprecedented opportunity to strengthen Social Security without radically changing it or raising taxes.

This Congress needs to strengthen it, not dismantle it, so that the money is there for the people who have paid into it.

ANNIVERSARY OF SHOOTDOWN BY CASTRO REGIME

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

Ms. ROS-LEHTINEN. Mr. Speaker, today marks the third anniversary of the callous murder of four innocent civilians by the Castro regime.

On a fateful day 3 years ago, Carlos Costa, Armando Alejandro, Mario de la Pena, and Pablo Morales boarded their Brothers to the Rescue planes, as they had done so many times before, to search the waters off the Atlantic Ocean and the Caribbean for Cuban refugees who risk their lives in makeshift rafts in search of freedom and liberty.

On the afternoon of February 24th, 1996, the ruthless nature of the Castro regime was once again clearly revealed. Like vultures awaiting their prey, Cuban Migs circled and hovered until they locked on to the frail Cessna

planes carrying Carlos, Armando, Mario and Pablo.

There would be no out outcry from the international community, as the strongest resolution obtained from the U.N. Human Rights Commission was one which only expressed dismay at the shootdown; and the Castro regime would continue to act with impunity.

Most recently, in an attempt to silence the independent journalists and the opposition leaders, the Castro regime implemented a law which classified a broad range of activities as illegal and carries a 30-year prison sentence.

For the sake of those four men, and for anyone who is suffering under Castro's tyranny, the U.S. cannot appease the Castro regime.

100TH ANNIVERSARY OF MARYLAND KNIGHTS OF COLUMBUS

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

Mr. BARTLETT of Maryland. Mr. Speaker, as we prepare for the 21st century and a new millennium, those of us who have the privilege and duty to serve as elected officials in Washington should recognize a fundamental truth. The United States of America's enduring strength as a Nation depends not upon the actions of the Federal Government but upon the hard work and contributions that millions of Americans undertake on a daily basis to improve their own lives and the lives of their families, neighborhoods and communities as individuals and through voluntary philanthropic organizations such as the Knights of Columbus.

March 2 marks the 100th anniversary of the founding of the Maryland State Council of the Knights of Columbus.

Knights of Columbus have worked and continue to work for the betterment of their country, States, church, community and fellow man through personal service and sacrifices. Through myriad activities the Knights contribute to four simple principles: charity, unity, fraternity and patriotism.

Mr. Speaker, I ask today that all Americans join me in saluting the accomplishments of the Knights of Columbus in Maryland. The work of the Knights of Columbus and other philanthropic organizations represent American ideals in action.

SAVE AND STRENGTHEN SOCIAL SECURITY

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

Mr. PITTS. Mr. Speaker, Social Security was created many years ago, back in the days when perjury was considered a crime. It helped bring peace of mind to millions of Americans who feared destitution or disability in their retirement years.

Now, Social Security is running headlong into fiscal reality that no amount of spin or denial or rhetoric will change. If reforms are not made, the system will renege on its promises within a generation.

The President himself has acknowledged this reality. However, his proposal, announced in the State of the Union speech, has a few major problems, problems so big that Federal Reserve Chairman Alan Greenspan has spoken out against them.

One problem is slick accounting. It just does not add up. The other major problem is the dangerous idea of making Uncle Sam the largest investor in Wall Street, a huge windfall for lobbyists but a deadly strike against retirement security for seniors.

We must work together, Republicans and Democrats, to save and strengthen Social Security for current and future generations.

USE BUDGET SURPLUS TO PROTECT SOCIAL SECURITY AND MEDICARE

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

Ms. STABENOW. Mr. Speaker, I would rise once again this morning to strongly urge my colleagues to come together to use the budget surpluses to protect both Social Security and Medicare for future generations. Both of these programs are success stories for the American people.

Prior to Social Security, over half of our retirees were in poverty in this country. Now, it is less than 10 percent. Medicare is the same success story, providing health care to millions of retirees and disabled across the country.

If we cannot dedicate the majority of the surpluses to both of these important investments for our retirees when we have a surplus, if we cannot pay down the debt when we have a surplus, when will we do it?

Putting dollars into Social Security and Medicare and paying down the debt is the right thing to do at this time, and I hope we will come together when we can. Now that we have a robust economy, we have the opportunity, with budget surpluses, to pay down the debt through paying back Social Security and Medicare. We need to do that first before we proceed with anything else.

DIFFERENCE OF OPINION ON RETIREMENT SECURITY

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

Mr. BALLENGER. Mr. Speaker, there seems to be a fundamental difference of opinion between the Democrats and the Republicans on the issue of retirement security.

Just this past weekend a distinguished Member of the other body men-

tioned repeatedly that his father would not have known how to invest for his own retirement. He needed the government to do it for him. That same government that every few years tells us proudly they have fixed Social Security, only to discover that it is going bankrupt again.

Mr. Speaker, the approximately 43 million Americans who own a mutual fund or retirement money invested in the stock market must really think that liberal Democrats take the Americans for fools. Or they might be laughing their way to the bank at the silliness of all these Washington-knows-best liberals who have so little faith in the ability of grown-ups to manage their own affairs that they are scandalized by the very idea that the average American ought to take advantage of the market prosperity, too.

While the liberal elites get rich and talk about their 401(k) plans at cocktail parties, they would deny the same opportunity to ordinary Americans who have to rely on a retirement system that has gone bankrupt. What arrogance.

SOCIAL SECURITY AND MEDICARE MUST WITHSTAND CRUSH OF BABY BOOMER RETIREMENTS

(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, when Franklin Roosevelt established Social Security more than six decades ago, he did it over the strong objections of Republicans here in Congress. Thirty years later, when Lyndon Johnson established Medicare, he faced similar opposition in this very Chamber. Both of these programs have been a big success. But it is funny how history has a way of repeating itself.

Our Nation faces an enormous challenge in ensuring that Social Security and Medicare can withstand the crush of baby boomer retirements. That is why Democrats want to reserve nearly 80 percent of the budget surplus to strengthen Social Security and Medicare.

Now, the Republicans also claim they want to use the budget surplus to save Social Security, but their numbers just do not add up. Their plan would divert money from the trust fund for tax cuts that disproportionately benefit the wealthy. And, even worse, their plan does not reserve a single penny of the surplus for Medicare.

Mr. Speaker, Democrats were right about Social Security in 1935, we were right about Medicare in 1965, and we are right in 1999 about putting Social Security and Medicare first.

□ 1015

REPUBLICANS ARE AWAITING PRESIDENT'S LEGISLATIVE PROPOSAL ON SAVING SOCIAL SECURITY

(Mrs. CUBIN asked and was given permission to address the House for 1 minute.)

Mrs. CUBIN. Mr. Speaker, the President has talked about saving Social Security many times since his State of the Union last month. We Republicans stand ready to work with him on this issue.

Although his proposal does contain a number of serious flaws, such as double counting over \$2 trillion and a foolish idea about how Uncle Sam should be the biggest investor in the stock market, we believe that there does exist some common ground on which both Republicans and Democrats can agree. But now is the time for the President to produce a legislative proposal, to move from rhetoric and concepts and ideas into actual legislation something that we can act on, something that will be set on the table so that we have a base on which to place our actions. His proposal in vague, broad terms needs to be introduced into this body in detail.

We share a common goal of strengthening Social Security, preserving the safety net, and giving younger workers more freedom to provide for their retirement needs. So let us get to work. Republicans are standing by waiting for the President's proposal.

LET US MEET IN THE CENTER

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

Ms. WOOLSEY. Mr. Speaker, we have been hearing for the last 4 months that the majority party wants to meet the Democrats in the center; they want to come together and work with us and meet us in the middle.

Well, I am telling my colleagues the middle does not start in the center and go to the right. The middle is the center between the left and the right. And meeting in the middle means that the Republicans would meet with Democrats, for starters, to invest our surplus and reduce our national debt by putting that surplus in Social Security and Medicare and not indulging in reckless tax cuts.

Let us think big. Let us really think in the center. Let us think for the majority of the people of this country. Let us look at the budget surplus, the future of our Nation, reducing our national debt, and protecting our children and their children and a safety net for Social Security and Medicare.

HONORING IRVING DILLARD'S 94TH BIRTHDAY

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

Mr. SHIMKUS. Mr. Speaker, on December 5, the residents of Collinsville, Illinois, had a celebration honoring Irving Dillard's 94th birthday. Although he was born and raised in Collinsville, his service to society does not stop at the Collinsville town border.

As a patriotic American, Irving Dillard first served in the U.S. Federal administration and in the Army during World War II. It is for this distinguished service that he received American, French, and British war decorations.

He also wrote for the St. Louis Post-Dispatch from the Great Depression to the Eisenhower presidency, where he is most noted for his speech regarding the advancement of civil rights and the protection of the Constitution. In fact, Justice William O. Douglas acknowledged him as "the one journalist who stood head and shoulders above all others when it came to the work of the Supreme Court."

After his distinguished career, he also lectured in Europe and spent a decade teaching journalism at Princeton University.

Despite his many worldly accomplishments, Mr. Dillard still considers Collinsville his home, and we are glad he does.

WHAT TO DO ABOUT SOCIAL SECURITY?

(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, now that my colleagues on the other side of the aisle have finished beating up on the President, perhaps we can deal with the real business of America. The most important issue facing us is what to do about Social Security.

We will hear my colleagues talk about big government and bad government, but the reality is that it was the government and the Democrats in Congress who gave us Social Security. We need to take strong steps to ensure its solvency.

The Democrats, along with President Clinton, have laid out a reasonable framework which says we will save the surplus for Social Security. Sixty-two percent of the surplus should go to preserving Social Security through the year 2055.

In addition, we want to save Medicare. We want to take an additional 15 percent of the surplus to make sure that Medicare remains solvent through the year 2025.

We have put forth on the table a framework for addressing the problems that really confront America, addressing the problems of our growing senior citizen population. On the Republican side, they are still trying to figure out what they want to do on tax cuts, tax cuts for the very wealthy.

We can spend money on our seniors or we can spend it on the very wealthy.

PRESIDENT HAS NO AUTHORITY TO WAGE WAR WITHOUT CONGRESSIONAL APPROVAL

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

Mr. PAUL. Mr. Speaker, the threats of bombing did not bring a peace agreement to Kosovo. The President has no authority to wage war, and yet Congress says nothing.

When will Congress assume its war power authority to rein in the President? An endless military occupation of Bosnia is ignored by Congress, and the spending rolls on, and yet there is no lasting peace.

For 9 years, bombing Iraq and killing innocent Iraqi children with sanctions has done nothing to restore stability to Iraq, but it has served to instill an ever-growing hatred toward America. It is now clear that the threats of massive bombing of Serbia have not brought peace to Kosovo.

Congress must assume its responsibility. It must be made clear that the President has no funds available to wage war without congressional approval. This is our prerogative. Therefore, the endless threats of bombing should cease. Congress should not remain timid.

Merely telling the President to reconsider his actions will have little effect. We must be firm and deny the funds to wage war without our consent. We live in a republic, not a monarchy.

CONGRATULATING THE VFW ON ITS 100TH ANNIVERSARY

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

Mr. HILL of Indiana. Mr. Speaker, I cannot begin to tell my colleagues how proud I am to be here in the seat that Lee Hamilton held for 34 years.

As a new member of the House Armed Services Committee, I know that we owe a lot to those who currently serve our country and also to those who served in the past.

This year, one of the Nation's oldest and most distinguished service organizations, the Veterans of Foreign Wars, celebrates its 100-year anniversary. This week, I will introduce a resolution calling on the Postal Service to issue a stamp to congratulate veterans of foreign wars for a century of work on behalf of our fighting men and women. It is the least we can do to honor those who have given us so much.

I also want to thank all the veterans back in Indiana and those who continue to contact me. I want to contact people like Elsie Foster of the Ladies' Auxiliary in New Albany whose four brothers served during World War II and whose husband served in the World War II and Korean War. Mrs. Foster, I want you to know that it was your request that convinced me to demand the stamp.

MARRIAGE TAX ELIMINATION ACT

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

Mr. WELLER. Mr. Speaker and my colleagues, let me ask a very basic and fundamental question: Is it right, is it fair that under our Tax Code that our Tax Code discriminates against married, working couples by forcing married, working couples to pay higher taxes just because they are married? Is it right that under our Tax Code that 21 million married, working couples pay on average \$1,400 more in higher taxes just because they are married, \$1,400 more than an identical working couple that lives together outside of marriage?

That is wrong. \$1,400 on the south side of the Chicago in the south suburbs of Illinois is 1 year's tuition in a local community college. It is 3 months of day care at a local child care center. \$1,400 is real money.

My colleagues, I believe that we should make fairness and simplicity a goal as we work to make changes in the Tax Code. Let us make elimination of the discrimination against married, working couples a priority.

The Marriage Tax Elimination Act now has 230 cosponsors, a bipartisan majority of this House. Let us make it the centerpiece of this year's balanced budget.

SOCIAL SECURITY AND MEDICARE ARE BEDROCK

(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, the United States Census projects that in the next 25 years the size of America's elderly population will grow by more than 50 percent. This means that during our lifetime, Social Security and Medicare will face serious financial strain. In light of these facts, we must do what is necessary and what is fair and responsible, use the budget surplus to protect Social Security and Medicare while we still have the means.

These two programs are bedrock. Two-thirds of our seniors rely on Social Security for over half their income. In the 30 years since its inception, Medicare has raised the percentage of seniors with health insurance from less than half to 99 percent. These two programs are important and currently too financially vulnerable to be ignored for a one-time tax break.

Democrats want to dedicate 77 percent of the surplus to save Medicare and Social Security. Unfortunately, the Republican leadership disagrees. The Republican tax plan is silent on Medicare. What we need to do is to be ready to work to save and protect Social Security and Medicare. Let us use this historic surplus to do just that.

**THERE IS NO BUDGET SURPLUS,
THERE IS SOCIAL SECURITY
SURPLUS**

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

Mr. CAMPBELL. Mr. Speaker, there is no budget surplus. There is no budget surplus. There is a Social Security surplus. It is \$125.5 billion, and we ought to use it for Social Security. There is a deficit in the budget if you do not count Social Security, and that deficit is \$12 billion.

It just is not right to go with spending plans, no matter how well-intentioned, when the source of those spending plans is Social Security. If my colleagues support, as the President does, increased college loans for students, and as the Speaker knows, I teach at a university, I would be one of the first to support it the moment we have a budget surplus. But I cannot support it. Nor can I support across-the-board tax cuts if the money comes from the Social Security surplus.

Let us make sure the Social Security surplus is spent for Social Security. And when the day comes, hosanna, that we have an honest budget surplus, we can have a debate between tax cuts and new spending plans. That day is not yet at hand.

**MEDICARE AND SOCIAL SECURITY
ARE TWO MOST POPULAR FED-
ERAL PROGRAMS**

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

Ms. NORTON. Mr. Speaker, I do not need to tell this body that Medicare and Social Security are the two most popular Federal programs, with good reason. The need has been long established and the people who benefit or their survivors have paid their dues to build this society.

These programs are in effect twins, but they were born about 30 years apart. We have been talking a lot about the eldest of the twins, Social Security, but we must not forget or neglect the other twin, the Medicare twin.

Time will run out sooner with Medicare than with Social Security. We have about 10 years to make sure that Medicare is there for everyone who needs it. We should devote 15 percent of the surplus to making sure with a bipartisan commitment not only to Social Security but going the rest of the way to Medicare.

The only thing that could get us in more trouble with the American people than letting Social Security drift into bankruptcy is not fixing Medicare. Let us do it together.

**PRESIDENT'S PROPOSAL ON SO-
CIAL SECURITY DOES NOT DO
WHAT THEY SAY IT WILL DO**

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

Mr. LINDER. Mr. Speaker, to sit and listen to all these wonderful speeches about saving Medicare and Social Security is a wonderful thing, but the President's proposal does not do what they say it is going to do. The President's proposal does not change structurally Social Security and Medicare. It just puts a bunch of cash in after a system that is failing because fewer people are going to work and more people are retiring.

Indeed, the President's budget borrows \$800 billion out of the Social Security Trust over the next 10 years and puts IOUs in its place. Is that not what we have been doing for the last 30 years? Is that not what we are trying to get out of, borrowing from Social Security and putting IOUs in place?

Indeed, the President's budget increases spending by a trillion dollars over 10 years and adds \$800 billion to the national debt. This is hardly saving anything. If we want to save Social Security and Medicare, we are going to have to make structural reforms, structural reforms that extend not into the next 10 years but in the next generation and beyond.

Allowing workers to put their own money into investments over time will do that, and the President is not proposing that at all.

**HISTORIC OPPORTUNITY TO USE
BUDGET SURPLUS FOR OUR SEN-
IORS**

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

Mr. MARKEY. Mr. Speaker, we have an historic opportunity. There is going to be, by all estimates, a budget surplus over the next 15 years. We can use that money for our seniors and say to them they do not have to worry again about whether or not Social Security is solvent; they do not have to worry again as to whether or not Medicare will be there for their health care bills.

But what the Republicans say is they want a 10 percent across-the-board tax cut. They want to return the money back into the pockets of ordinary people.

□ 1030

Well, Mr. Speaker, in 1997, structural reforms in Medicare and home health care resulted in a diminishing capacity to deal with the problems of the seniors in our country. In my own little area, instead of the 450,000 home visits for seniors who have a spouse with Alzheimer's or with Parkinson's, now this year only 270,000 visits.

That is what restructuring does. It reduces the benefit.

Let us save Medicare with the surplus.

**SOCIAL SECURITY IS GOING
BANKRUPT**

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

Mr. COOKSEY. Mr. Speaker, perhaps the first question that needs to be asked is:

Why does Social Security need to be saved?

The response, of course, is that Social Security is going bankrupt.

But the real question then becomes:

Why is Social Security going bankrupt?

The answer, as everyone knows, is because the baby boom generation will begin to retire in about 13 years.

But then the real question becomes:

Why should that matter? What kind of a system is it that goes bankrupt depending upon demographics, which is to say the number of people retiring compared to the number of workers?

It is a good thing that private insurance companies are not run that way. They are not run that way because to do so would be to run an illegal pyramid scheme.

Pyramid schemes are illegal for a good reason. They are positively guaranteed to go bankrupt.

Democrats and Republicans are waking up to the reality of a system that should need saving but that does. We should work together to produce a system that works for everyone, young and old alike.

**ELIMINATE THE MARRIAGE TAX
PENALTY**

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

Mr. CHABOT. Mr. Speaker, a lot of Americans look at what the government does and conclude that many of the things that it does simply make no sense. The marriage tax penalty certainly falls into that category. The Federal Government has actually set up a system that makes married couples pay more in taxes than couples that live together but are not married.

When people shake their heads when they hear about the latest crazy scheme coming out of Washington, Mr. Speaker, this is exactly the kind of thing that they have in mind.

There is no telling what absurd rationale the social engineers had in mind when they set up the marriage tax penalty, but Americans with common sense think it is time finally for some accountability. It is time to get rid of this dumb idea of taxing people more just because they get married. It is time to bring a little middle America common sense to a tax code that is an affront to the common sense of American citizens, and it is time that we reduce taxes for all Americans across the board.

Mr. Speaker, we are just overtaxing this country. Let us finally do something about it and lower taxes.

**PRESERVE AND PROTECT SOCIAL
SECURITY**

(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, what is it that the President wants to do with 38 percent of the Social Security funds?

There is a surplus in Social Security. The President is supporting taking 38 percent of that money and spending it on non-Social Security programs.

One of those programs is to expand AmeriCorps. AmeriCorps is a program that pays a lot of little yuppie college kids to do volunteer work and get paid for the volunteer work. They were doing it for free. The President, if an upper middle class family, the President is going to pay them. Might be a good program if they are a Democrat. I do not know. It does not make much sense to me in the real world.

But I do not want my grandmother's retirement money going into that, and the President is going to say, "I want 38 percent of your Social Security money, grandmother, and we're going to spend it on other programs."

That is wrong, Mr. President, and I hope the Democrats will join me in saying let us preserve and protect Social Security and only use the money for Social Security.

SOUTH ASIAN LEADERS BRING RENEWED HOPE OF PEACE

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

Mr. BEREUTER. Mr. Speaker, this Member rises as the chairman of the Subcommittee on Asia and the Pacific to praise the recent breakthrough in relations between India and Pakistan.

Last week, Indian Prime Minister Vajpayee and Pakistani Prime Minister Nawaz Sharif traveled on the first commercial bus service between the two countries in 51 years, arriving in Lahore, Pakistan, to discuss the future of those nations. This seemingly modest but symbolically important change brings renewed hope that the decades of hostility and conflict may soon come to an end.

In an historic meeting, the two leaders agreed to work together to reduce the risk between their newly nuclear states. They have agreed to continue their declared moratoriums on future nuclear testing, exchange information on warhead numbers and deployment, and provide advanced notification of future missile tests. India and Pakistan also have committed to signing the Comprehensive Test Ban Treaty within the next few months; and, importantly, they have agreed to intensify efforts to resolve the difficult issue of Kashmir.

Mr. Speaker, they should be encouraged by all Members of this body. This can be a breakthrough in relations between India and Pakistan.

SPECIAL EDUCATION

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

Mr. SESSIONS. Mr. Speaker, I appreciate the opportunity to address the House for a minute today, and today I would like to speak not just as a Congressman from the Fifth District of Texas but really as a parent.

My wife and I have a five-year-old Down syndrome little boy who is about to enter the school system in Dallas, Texas; and the discussion that my wife and I had was that we believe, as parents, that the Federal Government and our local school system should do a better job of funding the special education needs in not only our children but other special education children. And I hope that the American public is listening when they hear the Republican majority talking about the need for the Federal Government and the Congress to fully fund special needs and special education in school districts across this country.

That is what the Federal money should be spent for, because we are the people that put the rules and regulations on these school districts, and we need to fund that which we have asked them to do.

Mr. Speaker, I hope that the American public is listening, that the Republican majority does care about education, and we care about each and every one of our children.

WIRELESS COMMUNICATIONS AND PUBLIC SAFETY ACT OF 1999

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 76 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 76

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 438) to promote and enhance public safety through use of 911 as the universal emergency assistance number, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. 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 Commerce now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole

may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio (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.

Mr. Speaker, House Resolution 76 is an open rule providing for consideration of H.R. 438, the Wireless Communications and Public Safety Act of 1999. H. Res. 76 is a wide-open rule providing 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. The rule waives points of order against consideration of the bill for failure to comply with clause 4(a) of Rule 13 which by rule requires a 3-day layover for the committee report.

H. Res. 76 further allows the chairman of the Committee of the Whole to accord priority and recognition to those Members who have preprinted their amendments in the CONGRESSIONAL RECORD prior to the consideration.

The rule also allows the Chairman of the Committee of the Whole to postpone recorded votes and to reduce to 5 minutes the voting time on any proposed postponed question provided that the voting time on the first in any series of questions is not less than 15 minutes.

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

Mr. Speaker, H.R. 438 will promote public safety and consistency in the provision of emergency services through the universal use of 911 and enable States to develop the necessary communications infrastructure to provide such emergency services. Millions of American already know that 911 is the number to dial when they are in trouble and need emergency assistance. However, for thousands of miles across the country this is simply not true. Other numbers are used or no emergency system exists at all. H.R. 438

helps to end the confusion and makes 911 the universal emergency number.

This change is particularly important for wireless phones which often use other numbers, such as pound-77 or star-55, to link to local law enforcement. However, these codes can change from one cellular calling area to another, effectively eliminating the speed and safety that such a number can provide in emergency. H.R. 438 will make 911 the universal call for help that is already believed to be, so that public service is not jeopardized.

H.R. 438 will also help to develop the full capability of wireless communications by enhancing the ability of local authorities to locate distressed individuals through information provided by wireless carriers. It also contains the necessary privacy protections to ensure that this capability is not misused. With the passage of H.R. 438, Americans will know, once and for all, how to get help when they need it.

Mr. Speaker, H.R. 438 easily passed the Committee on Commerce by voice vote, as did this open rule from the Committee on Rules. I applaud the hard work put forth by the gentleman from Illinois (Mr. SHIMKUS) on this important legislation, and I urge my colleagues to support this open rule and the underlying bill.

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

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

Mr. Speaker, I want to thank my colleague, the gentleman from Georgia (Mr. LINDER), for yielding me the time.

This is an open rule. It will allow full and fair debate on H.R. 438, which is the Wireless Communications and Public Safety Act of 1999. As my colleague has described, this rule will provide for 1 hour of general debate to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Commerce. The rule permits amendments under the 5-minute rule, which is the normal amending process in the House. All Members on both sides of the aisle will have the opportunity to offer amendments.

In most parts of the country a caller from a standard telephone can call 911 to ask for emergency assistance or to report a crime. That is not so from the cellular or other wireless telephones. The Wireless Communications and Public Safety Act of 1999 designates 911 as the universal emergency number for both wireless and wire line telephone calls. This will improve public safety by eliminating confusion over what number to call for emergency services. This is especially important to travelers who do not know the emergency number for the place they are visiting.

The rule waives the prohibition against bringing up a bill under 3 days after the committee report was filed in the House. The committee report for this bill was filed only yesterday afternoon, less than 24 hours ago. The 3-day

layover rule is an important protection for the minority, and by waiving this rule so early in the House session I hope that we are not setting a pattern that will be followed for controversial bills.

I recognize the need to move legislation early in the session, to demonstrate that the House is serious about its business.

Moreover, the bill is not controversial. It has broad support on both sides of the aisle. Therefore, I will support the open rule.

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

Mr. LINDER. 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. GILLMOR). Pursuant to House Resolution 76 and Rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 438.

□ 1046

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. 438) to promote and enhance public safety through use of 911 as the universal emergency assistance number, and for other purposes, with Mr. KINGSTON 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 Louisiana (Mr. TAUZIN) and the gentleman from Massachusetts (Mr. MARKEY) each will control 30 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

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

Mr. Chairman, let me first compliment the gentleman from Massachusetts (Mr. MARKEY) for his excellent co-operation and work and the spirit by which we bring this bill to the floor today. I thank the gentleman from Virginia (Mr. BLILEY), the chairman, and the other members of the Subcommittee on Telecommunications, Trade, and Consumer Protection for the excellent work that they have done on this bill and the other bill that we will bring to the floor today, both bills dealing with the wireless telephone industry and its consumers and aspects that are extremely important to both the public safety and to the privacy of those communications.

I also want to thank my good friend the gentleman from Illinois (Mr. SHIMKUS) and my dear colleague, the gentlewoman from New Mexico (Mrs. WILSON) for sponsoring these bills and

for leading the charge to indeed make them the law of the land.

Mr. Chairman, 1997 was a landmark year in the history of this country. In 1997, more Americans bought cordless phones than wired phones, for the first time in the history of this technology. In fact, some 68 million Americans now carry wireless telephones or pagers. Studies show that most of those American subscribers of these wireless phones purchase them for safety reasons. People count on those phones to be their lifelines in emergencies.

A parent driving down an interstate highway with babies in the back seat draws comfort from knowing if the car is involved in a crash he or she can call 911 for help; an ambulance will be rolling in seconds. An older American driving alone on a long trip feels safer knowing that if an accident occurs or symptoms strike, he or she can use a wireless phone to dial 911 for help and the State police will be on the way.

There is a problem with that expectation, though. In many parts of our country, when a frantic parent or the suddenly disabled elder punches 911 on the wireless phone, nothing happens. In many regions, in fact, 911 is not the emergency number to call on a wireless phone. The ambulance and the police will not be coming. Someone may be facing a terrible life threatening emergency but they are on their own, because they do not know the local number to call for the emergency for help.

This bill will help fix that problem by making 911 the universal number to call in an emergency any time, anywhere in this country. The rule in America ought to be a simple uniform system. If there is an emergency, wherever someone is, on a highway, a byway, a bike path or a duck blind in south Louisiana, wherever someone is, they call 911.

911 does four things. First, it directs the Federal Communications Commission to use its existing exclusive authority to designate 911 as a universal emergency telephone number for wireless and wireline services. The bill also directs the FCC to provide support to the States to help them implement a comprehensive end-to-end emergency communications infrastructure.

The FCC required in 1997 that wireless carriers provide what is called automatic number identification of a wireless user when the user calls that emergency number, but only when the emergency call center requests it. These emergency call centers are called PSAPS for Public Safety Answering Points.

A recent study showed that only about 6 to 7 percent of wireless subscribers live in regions or operate in regions where PSAPS have undertaken the necessary upgrading to their existing plant to accept the additional number data. Thus, despite a year's passage of this deadline intended to enhance public safety to save American lives, only a minuscule amount of subscribers are benefiting.

The intent behind that requirement was that the PSAPS know the number of the wireless caller to call back, provide instructions, whether it be to a child, to an incapacitated adult or someone in a very dangerous situation who needs to be walked through to safety. That was step one.

The second requirement was that by October of the year 2001, wireless carriers provide automatic location information with each wireless call, but only upon the PSAP's request. If the past is prologue, October 2001 could easily roll around and the PSAP will not have undertaken the necessary upgrades to accept this additional data either, and that is critical, for unlike users who call 911 over the phone or in an office or a house, that is over a wireless network, a user on a cell phone rather than the user on a wireline network, particularly a driver often has no clear idea of his location. If they do not know where they are when they place a 911 call, how can anyone else know where they are?

Imagine the public safety benefits of placing a 911 call if someone can send out a radio signal that told rescuers exactly where they are. Imagine if we could take the search out of search and rescue. Imagine what a different fate those who were lost in the Swiss Alps would have seen had they been equipped with cell phone transmitting location information.

The wireless carriers are busy preparing to meet this location information deadline, but all their preparations will come to naught if the PSAPS have not undertaken the necessary upgrades. So the bill addresses this weak link in the chain of public safety by requiring the FCC to work with the States to develop a statewide plan for developing end-to-end communications infrastructure for wireless services; to the PSAP, to intelligent traffic systems, automatic crash notifications technologies, triad algorithms and medical response, in short, a way to locate someone who calls for help in a 911 emergency.

Third, the bill establishes parity between the wireless and the wireline communications industries in protection from liability for the provision of telephone services, including 911 service, and in the use of that 911 service. This parity would be extended on a State-by-State basis. Imagine a community that does not have 911 service available because they are scared of lawsuits involved in the use of that 911 service insofar as a wireless telephone network is concerned.

They are protected from that on the wireline side. They are not protected on the wireless side and so they do not implement a 911 strategy. This bill provides that wireless providers of telephone service would receive at least as much protection from liability as local exchange companies, the local wireline carriers receive in providing telephone services in a given State, subject to a two-year period during which the States may choose to enact the wire-

less liability statute that differs from such parity.

Therefore, other than the 911 service, States may opt out of this parity paradigm. The bill provides for users of wireless 911 service to receive the same protection from liability under Federal or State laws, as users of wireline 911 services receive. This good Samaritan principle would again apply on a State-by-State basis.

Fourth and lastly, the bill protects wireless users' privacy by limiting the disclosure of location information to specific instances, and I want to particularly thank my friend, the gentleman from Massachusetts (Mr. MARKEY) for his contributions in this critically important area of privacy in the use of cellular phones and in the 911 systems.

While it will help rescuers to find victims in emergencies and cut down on that golden hour following a car crash, where we have learned in the hearings, for example, time is the issue, that golden hour is a critical hour; lives are either saved or lost on the highway. Location information is nevertheless sensitive personal information that must be treated with great care.

We do not want police knowing everywhere someone is traveling on the highway for no good reason. There is a lot of privacy in where someone goes and what they are doing in their life that the government and police agencies do not necessarily need to know about. Protecting privacy and location when that is important is equally important in a 911 structure.

Under H.R. 438, a carrier can disclose location information only in an emergency and only to the public safety personnel or the immediate family. If a carrier seeks to use location information for marketing purposes, it must obtain the customer's prior express authorization. In short, the location of someone's travels is not going to be commercialized for purposes without their permission. It is simply going to be available to public safety information and to family when necessary.

Location information may also be transmitted as part of an automatic crash notification system, such as the one called OnStar, where the crash triggers a cell phone mounted in the car to automatically dial 911, without the driver or the passenger actually dialing the number.

Last year, in fact a year and a half ago I think it is, we witnessed in America the first car crash, head-on collision, between a car equipped with the OnStar system and one that was not. There were parties seriously injured in both cars. The car dialed up the satellite. The car summoned help. Ambulances and emergency services arrived and both loads of people were treated and helped with emergency services because the automatic dialing system inside the car called for help, located those individuals and got emergency help to them.

H.R. 438 permits providers of information or database managers who provide emergency support services to PSAPS to receive subscriber lists and unlisted data but only for the purposes of assisting in the delivery of emergency service. Thus, the bill enhances a user's public safety while also protecting their privacy interest. It encourages the development of cellular and other wireless services by providing parity and liability protection and it takes the FCC, it tasks the FCC, rather, with working with the States to develop the end-to-end infrastructure for delivering emergency services.

H.R. 438 is an important public service bill. This is a great bill for this Congress to begin its work this year on, and I commend all of my colleagues who have contributed to it.

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

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

Mr. Chairman, let me begin by commending the gentleman from Louisiana (Mr. TAUZIN), the chairman, for the exemplary way in which he has handled this very important path-breaking piece of legislation. He, along with the gentleman from Virginia (Mr. BLILEY), have treated myself and the gentleman from Michigan (Mr. DINGELL) very well in terms of ensuring that the minority have their views completely included in terms of the deliberations and ultimate product which has been produced.

We also want to compliment the gentleman from Illinois (Mr. SHIMKUS) for the work and the leadership which he has given on this issue. He is the lead sponsor of the bill.

□ 1100

Just as the gentleman from Louisiana has been saying, this is a new era which we are in in which 68 million Americans now subscribe to some form of wireless technology. 68 million. This was something that was rare in America in 1990 and has almost reached the point of ubiquity in terms of either subscribing or thinking about subscribing to this technology.

As a result, we have to update our laws to ensure that we are moving in a direction which deals with the implications of the introduction of such a pervasive technology.

What this bill does today is to take something which was relatively experimental a decade ago and to transform it into a national emergency system; something where it makes it possible for Americans in their automobiles, as they are walking, if they have an emergency health or safety condition which has developed, to dial up a 911 number and to be able to immediately access the resources which they would need in order to deal with the problem that has now confronted them or their family.

This is a dramatic change in terms of how our country is going to deal with these issues. When we are in our home we try to teach young people how to dial if there is a fire or a police emergency. When we are younger, each one

of us is taught that the firebox is at the end of the street and to only pull it when there is an emergency. But it has been put there for that purpose and do not allow anyone else ever to pull it, because it would not be right because it has been put there for that particular reason.

Now, because of this new technology, people are able to travel anywhere, to any corner of our country, far away from those corner fireboxes, far away from the wire-fixed land phone system, and still be able to call in.

What this legislation does is ensure that it is a national system, that there are standards that are established that will ensure that it will work for all Americans when they are on the road.

There is a particular part of this legislation, and the gentleman from Louisiana referred to it, that I think will serve our country well, which is that even as it makes it possible to dial up in the event of an emergency on a wireless phone, it also creates the more sinister side of cyberspace which is the capacity to be able to use this as a national tracking system. No matter where we are in our car with our cell phone, that someone might be able to track us where we went.

What the legislation makes quite clear, and I thank the gentleman for including this provision, an amendment which we had which we put into last year's bill and now is reincluded in this legislation, which guarantees that the information can be used only for emergency purposes and it cannot be reused for any other purpose unless there has been a preauthorization by the consumer giving authority to a company or to public authorities to be able to use it for other purposes. I think that is the correct balance, and I think the legislation with that balance is something which is going to serve our country very well.

The gentleman from Louisiana has gone through all the details. There is no point in going through the litany of all of the excellent provisions which are built into the legislation. But, again, I cannot compliment the gentleman from Louisiana (Chairman TAUZIN) and the gentleman from Virginia (Chairman BLILEY) enough in terms of the way we have been treated. The gentleman from Michigan (Mr. DINGELL) and the rest of the Democrats on the committee appreciate it. And, again, a tip of the hat to the gentleman from Illinois (Mr. SHIMKUS) for his good work.

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

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

Mr. Chairman, in a brief moment I will recognize the author of the legislation, but I wanted to thank the gentleman from Massachusetts (Mr. MARKEY) for his kind words and to assure him that that standard of cooperation is one that the gentleman from Virginia (Mr. BLILEY) and I hope to emulate in all aspects of our committee's work in this important area, that is so

bipartisan, of extending communication services to the bulk of our citizenry in a fashion that is competitive and fair and also addresses public interest concerns and these important privacy concerns that the gentleman from Massachusetts has been so much a leader on. I want to compliment him on that.

Mr. Chairman, I also see in the Chamber, and I know that she will be speaking in a minute, the gentlewoman from Missouri (Ms. DANNER), my dear friend, who was kind enough to come to our committee and lead the charge and address the issue of 911 safety concerns, particularly the concerns of citizens that she brought to our attention who have suffered because of the fact that they did not have a common number in this country.

I know that we will be hearing from the gentlewoman later, but I want to thank her on behalf of the committee for her contributions on this important issue.

Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. SHIMKUS), the author of the legislation.

Mr. SHIMKUS. Mr. Chairman, I thank the gentleman from Louisiana and the gentleman from Virginia (Chairman BLILEY) for their help and support. I also thank the gentleman from Michigan (Mr. DINGELL), the ranking member; and the gentleman from Massachusetts (Mr. MARKEY) for their help and support in working on this legislation.

Mr. Chairman, we have bought our second cellular phone for the simple purpose of my wife's protection when she is on the road. In the last 3 years, I have personally called 911 on vehicle accidents, all in my 20th District in Illinois, which is mostly rural, 19 counties and over 300 miles long.

One of those calls was for a vehicle that we could not find. It was off the road, and we actually had to get on foot to search it out. Another call was made, since I border the metropolitan St. Louis area, right on the famous Poplar Street Bridge. Not knowing exactly how the State of Missouri would answer and receive the 911 transmission, knowing that in this legislation that there are many States did not have it.

So, I think most Americans now have experienced and I think they would be surprised to find out that 911 is not the national number.

The purpose of H.R. 438 is to improve our Nation's wireless 911 system so we can reduce response times to emergencies and basically save lives. Reducing emergency response time will help to lessen the impact of serious injuries and, again, save lives. Studies show that crashes and care time for fatal accidents is over 30 minutes in urban areas and over 50 minutes in rural areas. I know the gentlewoman from Missouri (Ms. DANNER) is going to mention that fact. In rural areas, this is truly an important piece of legislation.

Mr. Chairman, reducing this time by mere minutes could save thousands of lives each year. There are 68 million wireless phone users, as we have heard before, across the Nation who make an average of 98,000 emergency calls every day. Even though every American is taught to dial 911 in an emergency, these teachings may be worthless in some areas of the United States because dialing 911 on wireless phones does not always connect one to the emergency service provider.

In fact, today there are currently 25 different wireless emergency numbers across the country. Travelers may never figure out the emergency number they need. H.R. 438 makes 911 the universal emergency number for all phones so that everyone has simple access to emergency help.

In order to make 911 work on every phone, we must have reliable phone networks both in the wireless and in the wireline. This legislation encourages States to develop coordinated plans to eliminate dead zones, ensure seamless wireless networks, and upgrade their 911 systems so that public safety officials and emergency medical service providers can get the best available information as quickly as possible.

The bill also extends to wireless providers and users of 911 services the same liability standard that each State has already established for its wireline providers and users of 911 services. We do not want to penalize and punish the good Samaritans in our society who are trying to help someone in need. This legislation addresses that issue.

Finally, the bill provides protection for call location. And I thank the gentleman from Massachusetts (Mr. MARKEY) for improving the legislation, because there is a concern in the public about the ability of location devices.

Mr. Chairman, I am a big fan of Star Trek and the communication badges and they know where everyone is at and all they have to do is identify them and they can get beamed across to another part of the ship. Well, our society and our country is not prepared for the "next generation." We still like part of the old generation where we have some privacy in thought, word, deed and location; and so I appreciate the gentleman's support in that aspect of this legislation.

Finally, the bill provides that protection for call location information concerning users of wireless phones, including such information provided by an automatic crash notification system. Without express written consent from the customer, location information may not be released.

Again, I would like to thank the gentleman from Virginia (Mr. BLILEY), our full committee chairman; the gentleman from Louisiana (Mr. TAUZIN), my subcommittee chairman; and the ranking members on both the full committee and the subcommittee. I urge all of my colleagues to support this legislation.

Mr. MARKEY. Mr. Chairman, I yield 4 minutes to the gentlewoman from Missouri (Ms. DANNER), who has given us great leadership on this issue.

Ms. DANNER. Mr. Chairman, first of all, let me express my appreciation to the gentleman from Louisiana (Chairman TAUZIN), the gentleman from Massachusetts (Mr. MARKEY), ranking member; and the gentleman from Illinois (Mr. SHIMKUS), the sponsor of the bill; for bringing this very important legislation to the floor.

Over 100 years ago, Henry Wadsworth Longfellow said, and I quote, "All things come around to him who will but wait." And I have waited, sometimes impatiently, Mr. Chairman, for this legislation to come to the floor.

Two years ago, I recognized the need for legislation to address the problem we are discussing today, the problem faced by cellular telephone users who require emergency assistance. In March of 1997, I introduced legislation to accomplish that purpose. Now, 2 years later, I am very pleased that my concept has come to the floor incorporated in this very important bill we are discussing today.

As we all know, wireless technology has helped to simplify or maybe in some instances complicate our lives, but one important attribute of cellular telephones is that they greatly increase the ability of individuals to quickly report accidents or other emergencies and help speed the arrival of assistance.

Let me share a true story that demonstrates the current limits of wireless telephone service, a tragedy that might have ended very differently had this legislation been in place in 1997.

On Thanksgiving Day in 1997, a couple from Kansas was driving south on U.S. 71 in southwestern Missouri. They observed a minivan that was ahead of them being driven in an erratic fashion, weaving back and forth at high rates of speed, crossing first the shoulder then the center line.

Using the cellular telephone they had at their disposal, they began dialing numbers. Unfortunately, having come from Kansas into our State of Missouri, they were not aware that our cellular emergency number is "star 55." I might mention that in Kansas they have two emergency numbers, a different one if one is on the toll road.

This couple first tried to reach the Missouri Highway Patrol, but the number they dialed brought forth a message saying that it was a toll call, and they had to first give a credit card number if they wanted to reach the highway patrol. Next, they dialed 911. This connected them to an administrative number at the Joplin Police Department. Unfortunately, that phone call was not answered.

Next, as they were approaching Neosho, they tried the Neosho Police Department; and their first call was unanswered. They dialed again. The second call was finally answered. However, by that time, unfortunately, trag-

ically, it was too late. For as the police of Neosho were beginning to establish their roadblock, this minivan crossed the lane, hit an oncoming vehicle in which a 22-year-old mother was killed and her 2-year-old son. And I might say that the little baby boy was in a car seat in the rear of the vehicle.

This tragic accident might have been avoided if the caller had been able to reach the proper authority on the first attempt.

Mr. Chairman, I am pleased that the bill that we are voting upon and hopefully will pass today includes, among many other important provisions, the designation of 911 as the universal cellular assistance number. Adoption of this bill will provide one of the many positive utilizations of cellular telephones: their use in emergency situations.

Mr. Chairman, I urge my colleagues to vote in favor of this very important public safety legislation which can and will literally save lives.

Mr. TAUZIN. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. STEARNS), my good colleague on the committee.

Mr. STEARNS. Mr. Chairman, I also rise in strong support of H.R. 438, the Wireless Communications and Public Safety Act, which will begin creating a national, seamless emergency system.

In today's world, a wireless telephone user cannot automatically, believe it or not, dial 911 in order to reach emergency personnel.

□ 1115

For instance, if you go into the State of Nevada, a citizen would have to dial NHP, that is right, NHP. In Arkansas, a resident would have to dial 55. And somebody in Virginia would have to call 77 or put the star sign 77 or the pound sign 77 to get the 911.

So, for many of us, we felt that was not right. So this legislation would require the FCC to designate 911 as the universal emergency telephone number for both wireless and wireline calls.

The bill also would require the FCC to provide support to the States in their development of their Statewide plans.

As the Chairman knows, the House passed similar legislation overwhelmingly in the last Congress with my support and others. But the previous bill contained a glaring provision that should not have been included in the bill. The previous legislation unnecessarily co-opted local decision-making authority regarding access to Federal sites in deploying necessary equipment for the transmission of wireless networks.

The previous bill wanted to establish an ability to fund the creation of a seamless 911 system, but frankly, in my opinion, it was done at the detriment of local officials playing a role at deciding the location of wireless towers.

This mistake has been corrected in this version, which makes the bill more

palatable, especially for our colleagues in the Senate. Obviously, it will likely pass the other body, I think, with ease. It is necessary this morning and imperative to allow our local cities and counties to play a primary role in tower siting issues that affect, of course, their local communities.

Another important change in the bill is the provision to grant liability protection to wireless providers. The liability protection will establish a legal parity between wireline providers and wireless companies that have to carry emergency calls on their systems and help provide emergency services. Wireless providers should and will have equal protection under the law as wireline providers do.

Finally, Mr. Chairman, H.R. 438 would also grant privacy protection to wireless consumers by prohibiting carriers from releasing a user's location information. Location information will only be given to emergency personnel responding to an emergency call and will be given to family members to notify them of the emergency situation. Location information can also be distributed with the wireless consumers consent.

Mr. Chairman, I appreciate all the work that the gentleman from Louisiana (Chairman TAUZIN) has done, the gentleman from Illinois (Mr. SHIMKUS) has done, and also the gentleman from Virginia (Chairman BLILEY), and keep up the good work.

Mr. TAUZIN. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I simply want to take the time to thank our staff; to, first of all, thank the minority staff, Andy LEVIN and Colin Crowell, who have been so helpful and instrumental in helping us get this bill done; to thank the majority staff, Tricia Paoletta, Mike O'Rielly, Hugh Halpern and Cliff Riccio, as well as my own staffer, Monica Azare, who all contributed so much to moving this bill forward and I think perfecting it.

I want to say, as we move this bill forward, that we should always, I think, take time to say special thanks to both hardworking staffers on both our personal staff and the committee staff because they toil very often late at night and sometimes with not enough recognition for how much of a contribution they make to this body as a whole. Our thanks go out to all of them collectively.

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

Mr. MARKEY. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I thank my colleague, the gentleman from Massachusetts, for allowing me to address the House and support the bill.

The number of wireless subscribers in our country totals about 68 million, and that number continues to grow. Although being in my fourth term in Congress, the first time I became aware

of 911 was as a State Representative in Houston in the early 1980s, and we created a 911 system in Harris County, Texas, due to the cooperation from Harris County and the City of Houston. Then Texas went on to create the 911 system around the State.

So it is great to see what we have learned in our individual States, whether it be in Missouri with the gentlewoman from Missouri (Ms. DANNER) or any other State and now this idea has come to Washington, which is the way it should be.

We have experimented with it on the local level and learned what works and what does not. Now we can create an emergency wireless network for our whole country.

H.R. 438 is the first step in increasing safety in our Nation. First by designating 911 as the emergency number for not only wireless calls but also wireline calls.

It has been said before during this debate that many States have different emergency wireless numbers. In fact, I had the opportunity a few weeks ago to drive from Houston to Washington, and going through Mississippi, Alabama, Virginia, Tennessee, to see the different numbers that each State has made this bill even more important.

H.R. 438 builds on the existing number of wireless networks and subscribers to form an expansive emergency end-to-end wireless safety network in the United States.

Again, I think it is so important that we are doing this today, and I am a little disappointed that we did not have the funding mechanisms to upgrade the State PSAPs and for the research and development for the automatic crash notification system.

However, I also understand that the concerns about local control for the siting of the towers, and for local zoning concerns. But, again, coming from Houston where we are the largest city in the world, I guess, without zoning, so it is not a big concern.

I also hope that the FCC will continue their public safety efforts, because I think our chairman of our subcommittee noted a lot of this could have been done by the regulatory agency, and hopefully they will do that.

I also hope that the Federal Communications Commission will continue with their public safety agenda. I have heard that only 6–7% of the country is in compliance with the Phase 1 wireless location requirement. I hope that the FCC will take the appropriate steps to ensure that Phase 1 location identification technology is in place in a timely fashion all around the country.

H.R. 438 will save lives. In order to save lives we have to make sure that emergency services can quickly get out to the site of an accident. That is the basic premise of this legislation to help save lives.

H.R. 438 is a great start in increasing safety in our country. It will start the deployment of an E-911 system for our country. However, in order to ensure the full deployment of an end to end wireless communications emergency network, we all must work together on all lev-

els of government and between all agencies in our government.

I stand in support of H.R. 438 and encourage my colleagues to do the same.

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

Mr. Chairman, again, this is a very important piece of legislation. The FCC has the responsibility for ensuring that these location technologies are built into wireless technologies over the next 2 or 3 or 4 years. We want to encourage the FCC to make progress on that issue, meeting the deadlines which have been established. At that point, we will have an ability to get help for everyone in the country who has a wireless phone and at the same time protect their privacy. That is a good balance. This is a good bill.

I want to congratulate the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Virginia (Mr. BLILEY) once again, and all the staff who have worked on it, the litany of saints that the gentleman from Louisiana (Mr. TAUZIN) mentioned and everyone else that helped.

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

Mr. TAUZIN. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, let me again thank my friend, the gentleman from Massachusetts (Mr. MARKEY). I am not sure if the House is aware of it, but the gentleman from Massachusetts and I also, in the context of this bill, engaged the Park Service in an interesting experiment to see how fast the Park Service could authorize the installation of cellular towers in Rock Creek Park, which is now an area of our country which is considered a hole in the cellular system where people enjoying that park cannot call 911 or any other number because cellular phones will not work in it.

Almost a year ago, I guess, we had hearings, and the Park Service promised us that within 90 days they would process an application. Rock Creek Park is still waiting for the approval of an application. Our latest hearings on this bill, they promised us again, in 75 days, they would complete the application leading to the installation of cellular service for Rock Creek Parkway and all the residents in the area as well as those who enjoy Rock Creek Park.

It is a good example of problems we have across America, getting out there and then having a safety net system like 911 available to help them.

I want to thank my friend again for all of his excellent work on this bill, for our cooperative efforts in issues like this. I regret the bill does not move the process of cellular location towers forward. But as the gentleman from Florida (Mr. STEARNS) pointed out, it was a necessary task to leave that language out of the bill in order to ensure passage of this good legislation.

But let me say, as we conclude debate on this bill, that I hope the communities of America who have passed

moratoriums against additional tower siting will rethink those moratoriums and will instead come up with zoning plans that effectively, under their own discretion, get towers located so that people not only can have cellular service without losing signals as they move from one area to another but that they can also have this incredibly important safety system, the E-911 system, available for them and their family when they are in desperate need of emergency help.

Mr. Chairman, as I said, this is a great way for us to start this session. I think we have demonstrated the way we can work cooperatively in a bipartisan fashion to do something good for our country.

This is a good start because we have focused on something that is critically important to every American, every American who is out there driving our highways, riding the bike paths or running on those bike paths or enjoying the great outdoors in our parks and wonderful areas such as we have along I-10 in south Louisiana that my friend, the gentleman from Texas (Mr. GREEN), drove on his way up here; that they will know, when something goes wrong, there is a number they can call, and they can get help. Mr. Chairman, this is good legislation.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank you for giving me the opportunity to speak on behalf of this bill, which further standardizes our emergency infrastructure around the country.

One of the great benefits of wireless technology, and specifically, cellular phones, is the improvement of safety on the roadways. Whereas in past years, people who had car trouble or had become involved in a traffic accident had to rely on passers-by to notify the proper authorities, now, cellular phone users can dial for help from nearly everywhere in the United States.

In fact, many purchasers of cellular phones do so with the sole intention of using it as a safety device—much like a fire extinguisher. Many cellular service providers have elaborated on that concept by offering cellular calling plans that cost less than “landlines,” based on the fact that they will only be used on great occasion. Still others have marketed their products in a way that promotes the use of cellular phones as measure of security.

This bill enhances the safety value of wireless phones by standardizing the phone number “911” for exclusive use by emergency agencies. Although this is currently standardized on land-based phone systems, this is not the case with cellular systems. This will remedy that problem so that there is no confusion for consumers who are in need of assistance. And in a time of emergency—one second of confusion could mean the difference between life and death.

However, before I fully endorse this bill, I would like to raise an area of concern, for my district and for the city of Houston. Houston recently adopted a new phone number designation for nonemergency phone calls—“311”. That number was designated in order to offload nonemergency phone calls from 911, thereby freeing up our scarce emergency resources.

One important aspect of 311 is educating the public that it should be used in place of 911 in nonemergency situations. And while I believe that this bill and the 311 program will both prove themselves to be valuable and effective programs, I hope that this bill will not adversely affect the implementation of 311.

Having said that, I would hope that the Conference Committee will take a close look at the issue of 311, and if any problems are foreseen, that they would place clarifying language in the Conference Committee Report so that there will be some guidance for local and State legislators as well as the courts on this matter.

I look forward to seeing H.R. 438 enacted into law, and encourage my colleagues to support it, along with other efforts at enhancing the safety of this country for our citizens.

Mr. BLILEY. Mr. Chairman, at the outset, let me thank the sponsor of H.R. 438, the gentleman from Illinois, Mr. SHIMKUS, for his hard work on this issue. Let me also thank the subcommittee chair, Mr. TAUZIN, for his leadership on this important issue over the last Congress and this Congress as well.

As I said in December when I outlined the priorities for the Commerce Committee this Congress, we intent to move telecommunications legislation that promotes consumers access to emergency personnel in times of need and promotes wireless communications privacy. Today, we take the first step by bringing to the floor H.R. 438, a bill to solidify the use of 911 as the emergency telephone number for consumers to dial in emergency situations and other purposes. Tomorrow, the House will consider H.R. 514, a bill to strengthen the privacy protections afforded wireless communications consumers. These two bills complement each other by improving and facilitating consumer utilization of wireless communications. They also have important public interest benefits—improving personal safety and privacy protections. I am hopeful that the other body will consider the hard work of the House when it receives these two bills and will quickly take similar action. While we couldn't quite enact these bills into law last Congress, these bills deserve the attention of the other body of this Congress.

As many Members of the House already know, the growth rate in wireless telephone subscribers has been phenomenal. The Cellular Telecommunications Industry Association indicates that there are over 68 million wireless subscribers in the United States today and the demand for wireless services continues to grow. One reason for this significant growth is that more and more subscribers are purchasing wireless telephones for safety.

Whether traveling with our children or grandchildren, or driving on unfamiliar roads, an increasing number of Americans are comforted by knowing that in the case of an emergency they could make a telephone call to reach a close relative or police. Far too often, however, that critical call cannot go through. In order for a successful emergency call to be made, wireless communications users need to know what number to dial to reach emergency personnel. And the problem doesn't lie just with wireless communications. In some parts of our Nation, the seemingly ubiquitous telephone number 911 is not the number used by the local community for emergencies. This situation causes consumer confusion that can delay or prevent emergency personnel from

reaching people in need. There are approximately 15 emergency numbers used around the country for wireless calls. These range from 911, to *55, #77, the acronym of the State highway police, to the local sheriff or police department. Take a moment to imagine trying to get emergency help on an interstate highway when you are not certain of your precise location, and then stumbling through the telephone number possibilities while a loved one suffers. Representative DANNER testified at a hearing before the Subcommittee on Telecommunications, Trade, and Consumer Protection last year that to drive through the six States from her district in Missouri to Washington, DC, a driver would have to know 5 different emergency wireless numbers.

H.R. 438 will resolve this problem once and for all. The bill designates 911 as the universal emergency telephone number. When a consumer picks up a telephone or pulls out a pocket phone they can be confident that dialing 911 will reach proper emergency personnel. This simple concept will have a significant impact on overall public safety and consumer welfare.

H.R. 438 will require the Federal Communications Commission to provide technical support to the States and encourage the development of statewide plans to develop end-to-end emergency communications network, by working both with the States and interested parties in the private sector.

H.R. 438 provides liability parity between wireline and wireless carriers. After examining the issue closely, the Committee felt strongly that wireless carriers should be afforded every legal protection provided a wireline carrier in a given State in order to provide the emergency communications in need. The bill allows States to "opt-out" of the liability parity scheme if it develops its own protections within a two year period. This will provide adequate time for States to take action if they so choose but will also provide a Federal standard to promote common legal treatment of wireless carriers.

The Committee has been told by a small minority that liability protections for wireless carriers are inappropriate and the other body will eliminate them during the process. I hope that this is not the case. Anything that promotes public safety should not be dropped merely because it is opposed by the powerful lobby groups. Wireless carriers have carefully made the case as to why liability parity is justified in this limited instance and how public safety will be enhanced if it is enacted. This provision should remain in any companion bill.

H.R. 438 will also provide privacy protections for consumers in the use of subscriber call location information. Call location information is a technology that will help locate consumers dialing from a wireless telephone. In many instances today, wireless users dial the appropriate telephone number but are unable to describe exactly where they are. Technology that is available today and newer technologies in the experimental stages are being deployed to help public service answering points (PSAP's) locate the exact position of a wireless call without requiring consumer input. This technology already exists in a wireline world. Its use in a wireless world will help speed the deployment of personnel in emergency situations.

As call location information technologies are deployed, it is equally important that we en-

sure that this information is treated confidentially. It is not appropriate to let government or commercial parties collect such information or keep tabs on the exact location of individual subscribers. H.R. 438 will ensure that such call location information is not disclosed without the authorization of the user, except in emergency situations, and only to specific personnel.

Lastly, the bill will clarify the privacy protections of current law to ensure that emergency support services, such as those provided by information or database management service providers, can receive subscriber list information from telecommunications carriers in a timely, unbundled and reasonable manner. It is important that emergency support service providers have accurate and timely information to ensure that the service they offer the PSAP is the best that can be done. Emergency support service providers should not have to pay for information they don't need and should not be forced to pay exorbitant rates or wait for such information. The bill provides a balanced requirement to alleviate concerns about obtaining such information from telecommunications companies by emergency support service providers.

Before closing, I want to thank my good friend, the chairman of the Committee on the Judiciary, Mr. HYDE, for his assistance in moving this legislation forward. With his understanding, we were able to resolve a last-minute jurisdictional issue between his committee and the Committee on Commerce. Without objection, at this point in the RECORD, I want to insert an exchange of letters between the committees on this legislation.

I urge all of my colleagues to support H.R. 438.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, February 23, 1999.

Hon. TOM BLILEY,
Chairman, Committee on Commerce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing you regarding H.R. 438, the "Wireless Communications and Public Safety Act of 1999," legislation that has been ordered reported by the Committee on Commerce. As ordered reported, H.R. 438 contains language within the Rule X jurisdiction of the Committee on the Judiciary.

Section 4 of H.R. 438 governs the legal liability under Federal and state law of wireless carriers and wireless 911 service users. As you know, matters relating to immunity and limitations on liability fall within the jurisdiction of this committee.

I am, however, willing to forgo a sequential referral of this bill with the understanding that the Commerce Committee accedes to this committee's jurisdictional claim on this matter. We will, of course, insist that the Speaker name conferees from this committee on section 4 of this bill and any similar Senate provision.

Sincerely,

HENRY J. HYDE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, February 23, 1999.

Hon. HENRY HYDE,
Chairman, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR HENRY: Thank you for your letter regarding your Committee's jurisdictional interest in H.R. 438, the Wireless Communications and Public Safety Act of 1999.

I acknowledge your committee's jurisdiction over section 4 of this legislation and appreciate your cooperation in moving the bill to the House floor expeditiously. I agree that your decision to forgo further action on the bill will not prejudice the Judiciary Committee with respect to its jurisdictional prerogatives on this or similar provisions, and will support your request for conferees on those provisions within the Committee on the Judiciary's jurisdiction should they be the subject of a House-Senate conference. I will also include a copy of your letter and this response in the Congressional Record when the legislation is considered by the House.

Thank you again for your cooperation.

Sincerely,

TOM BLILEY,
Chairman.

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

The CHAIRMAN pro tempore (Mr. LINDER). All time for general debate has expired.

The amendment in the nature of a substitute printed in the bill shall be considered by sections as an original bill for the purpose of amendment and, pursuant to the rule, each section is considered read.

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

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Wireless Communications and Public Safety Act of 1999".

The CHAIRMAN pro tempore. Are there any amendments to section 1?

The Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. FINDINGS AND PURPOSE.

(a) *FINDINGS.*—The Congress finds that—

(1) the establishment and maintenance of an end-to-end emergency communications infrastructure among members of the public, local public safety, fire service, and law enforcement officials, emergency dispatch providers, and hospital emergency and trauma care facilities will reduce response times for the delivery of emergency care, assist in delivering appropriate care, and thereby prevent fatalities, substantially reduce the severity and extent of injuries, reduce time lost from work, and save thousands of lives and billions of dollars in health care costs;

(2) the rapid, efficient deployment of emergency telecommunications service requires state-wide coordination of the efforts of local public safety, fire service, and law enforcement officials, and emergency dispatch providers, and the designation of 911 as the number to call in emergencies throughout the Nation;

(3) improved public safety remains an important public health objective of Federal, State,

and local governments and substantially facilitates interstate and foreign commerce;

(4) the benefits of wireless communications in emergencies will be enhanced by the development of state-wide plans to coordinate the efforts of local public safety, fire service, and law enforcement officials, emergency dispatch providers, emergency medical service providers on end-to-end emergency communications infrastructures; and

(5) the construction and operation of seamless, ubiquitous, and reliable wireless telecommunications systems promote public safety and provide immediate and critical communications links among members of the public, emergency medical service providers and emergency dispatch providers, public safety, fire service and law enforcement officials, and hospital emergency and trauma care facilities.

(b) *PURPOSE.*—The purpose of this Act is to encourage and facilitate the prompt deployment throughout the United States of a seamless, ubiquitous, and reliable end-to-end infrastructure for communications, including wireless communications, to meet the Nation's public safety and other communications needs.

The CHAIRMAN pro tempore. Are there any amendments to section 2?

The Clerk will designate section 3.

The text of section 3 is as follows:

SEC. 3. UNIVERSAL EMERGENCY TELEPHONE NUMBER.

(a) *ESTABLISHMENT OF UNIVERSAL SERVICE EMERGENCY TELEPHONE NUMBER.*—Section 251(e) of the Communications Act of 1934 (47 U.S.C. 251(e)) is amended by adding at the end the following new paragraph:

"(3) *UNIVERSAL EMERGENCY TELEPHONE NUMBER.*—The Commission and any agency or entity to which the Commission has delegated authority under this subsection shall designate 911 as the universal emergency telephone number within the United States for reporting an emergency to appropriate authorities and requesting assistance. Such designation shall apply to both wireline and wireless telephone service. In making such designation, the Commission (and any such agency or entity) shall provide appropriate transition periods for areas in which 911 is not in use as an emergency telephone number on the date of enactment of the Wireless Communications and Public Safety Act of 1999."

(b) *TECHNICAL SUPPORT.*—The Federal Communications Commission shall provide technical support to States to support and encourage the development of statewide plans for the deployment and functioning of a comprehensive end-to-end emergency communications infrastructure, including enhanced wireless 911 service, on a coordinated statewide basis. In supporting and encouraging such deployment and functioning, the Commission shall consult and cooperate with State and local officials responsible for emergency services and public safety, the telecommunications industry (specifically including the cellular and other wireless telecommunications service providers), the motor vehicle manufacturing industry, emergency medical service providers and emergency dispatch providers, special 911 districts, public safety, fire service and law enforcement officials, consumer groups, and hospital emergency and trauma care personnel (including emergency physicians, trauma surgeons, and nurses).

The CHAIRMAN pro tempore. Are there any amendments to section 3?

The Clerk will designate section 4.

The text of section 4 is as follows:

SEC. 4. PARITY OF PROTECTION FOR PROVISION OR USE OF WIRELESS SERVICE.

(a) *PROVIDER PARITY.*—A wireless carrier, and its officers, directors, employees, vendors, and agents, shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent of immunity or other protection from liability in a particular ju-

isdiction that a local exchange company, and its officers, directors, employees, vendors, or agents, have under Federal and State law applicable in such jurisdiction with respect to wireline services, including in connection with an act or omission involving—

(1) development, design, installation, operation, maintenance, performance, or provision of wireless service;

(2) transmission errors, failures, network outages, or other technical difficulties that may arise in the course of transmitting or handling emergency calls or providing emergency services (including wireless 911 service); and

(3) release to a PSAP, emergency medical service provider or emergency dispatch provider, public safety, fire service or law enforcement official, or hospital emergency or trauma care facility of subscriber information related to emergency calls or emergency services involving use of wireless services.

(b) *USER PARITY.*—A person using wireless 911 service shall have immunity or other protection from liability in a particular jurisdiction of a scope and extent that is not less than the scope and extent of immunity or other protection from liability under Federal or State law applicable in such jurisdiction in similar circumstances of a person using 911 service that is not wireless.

(c) *EXCEPTION FOR STATE LEGISLATIVE ACTION.*—The immunity or other protection from liability required by subsection (a)(1) shall not apply in any State that, prior to the expiration of 2 years after the date of enactment of this Act, enacts a statute that specifically refers to this section and establishes a different standard of immunity or other protection from liability with respect to an act or omission involving development, design, installation, operation, maintenance, performance, or provision of wireless service (other than wireless 911 service). The enactment of such a State statute shall not affect the immunity or other protection from liability required by such subsection (a)(1) with respect to acts or omissions occurring before the date of enactment of such State statute.

The CHAIRMAN pro tempore. Are there any amendments to section 4?

The Clerk will designate section 5.

The text of section 5 is as follows:

SEC. 5. AUTHORITY TO PROVIDE CUSTOMER INFORMATION.

Section 222 of the Communications Act of 1934 (47 U.S.C. 222) is amended—

(1) in subsection (d)—

(A) by striking "or" at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting a semicolon;

(C) by adding at the end the following new paragraphs:

"(4) to provide call location information concerning the user of a commercial mobile service (as such term is defined in section 332(d))—

"(A) to a public safety answering point, emergency medical service provider or emergency dispatch provider, public safety, fire service, or law enforcement official, or hospital emergency or trauma care facility, in order to respond to the user's call for emergency services;

"(B) to inform the user's legal guardian or members of the user's immediate family of the user's location in an emergency situation that involves the risk of death or serious physical harm; or

"(C) to providers of information or database management services solely for purposes of assisting in the delivery of emergency services in response to an emergency; or

"(5) to transmit automatic crash notification information as part of the operation of an automatic crash notification system.";

(2) by redesignating subsection (f) as subsection (h) and by inserting before such subsection the following new subsections:

"(f) *AUTHORITY TO USE WIRELESS LOCATION INFORMATION.*—For purposes of subsection

(c)(1), without the express prior authorization of the customer, a customer shall not be considered to have approved the use or disclosure of or access to—

“(1) call location information concerning the user of a commercial mobile service (as such term is defined in section 332(d)), other than in accordance with subsection (d)(4); or

“(2) automatic crash notification information to any person other than for use in the operation of an automatic crash notification system.

“(g) **SUBSCRIBER LISTED AND UNLISTED INFORMATION FOR EMERGENCY SERVICES.**—Notwithstanding subsections (b), (c), and (d), a telecommunications carrier that provides telephone exchange service shall provide information described in subsection (h)(3)(A) (including information pertaining to subscribers whose information is unlisted or unpublished) that is in its possession or control (including information pertaining to subscribers of other carriers) on a timely and unbundled basis, under nondiscriminatory and reasonable rates, terms, and conditions to providers of emergency services, and providers of emergency support services, solely for purposes of delivering or assisting in the delivery of emergency services.”;

(3) in subsection (h)(1)(A) (as redesignated by paragraph (2)), by inserting “location,” after “destination,”; and

(4) in such subsection (h), by adding at the end the following new paragraphs:

“(4) **PUBLIC SAFETY ANSWERING POINT.**—The term ‘public safety answering point’ means a facility that has been designated to receive emergency calls and route them to emergency service personnel.

“(5) **EMERGENCY SERVICES.**—The term ‘emergency services’ means 911 emergency services and emergency notification services.

“(6) **EMERGENCY NOTIFICATION SERVICES.**—The term ‘emergency notification services’ means services that notify the public of an emergency.

“(7) **EMERGENCY SUPPORT SERVICES.**—The term ‘emergency support services’ means information or data base management services used in support of emergency services.”.

The CHAIRMAN pro tempore. Are there any amendments to section 5?

The Clerk will designate section 6.

The text of section 6 is as follows:

SEC. 6. DEFINITIONS.

As used in this Act:

(1) The term “State” means any of the several States, the District of Columbia, or any territory or possession of the United States.

(2) The term “public safety answering point” or “PSAP” means a facility that has been designated to receive emergency calls and route them to emergency service personnel.

(3) The term “wireless carrier” means a provider of commercial mobile services or any other radio communications service that the Federal Communications Commission requires to provide wireless emergency service.

(4) The term “enhanced wireless 911 service” means any enhanced 911 service so designated by the Federal Communications Commission in the proceeding entitled “Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems” (CC Docket No. 94-102; RM-8143), or any successor proceeding.

(5) The term “wireless 911 service” means any 911 service provided by a wireless carrier, including enhanced wireless 911 service.

The CHAIRMAN pro tempore. Are there any amendments to section 6?

Are there any amendments to the bill?

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

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

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

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HORN) having assumed the chair, Mr. LINDER, Chairman pro tempore 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. 438) to promote and enhance public safety through use of 911 as the universal emergency assistance number, and for other purposes, pursuant to House Resolution 76, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the committee amendment in the nature of a substitute.

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

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

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

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

The question was taken, and the Speaker pro tempore announced the yeas appeared to have it.

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

The yeas and nays were ordered.

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

[Roll No. 24]

YEAS—415

Abercrombie	Boucher	Cunningham	Fowler	Lipinski	Royce
Ackerman	Boyd	Danner	Frank (MA)	LoBiondo	Ryan (WI)
Aderholt	Brady (PA)	Davis (FL)	Franks (NJ)	Lofgren	Ryun (KS)
All	Brown (CA)	Davis (VA)	Frelinghuysen	Lowey	Sabo
Andrews	Brown (FL)	Deal	Frost	Lucas (KY)	Salmon
Archer	Brown (OH)	DeFazio	Gallely	Lucas (OK)	Sanchez
Armey	Bryant	DeGette	Gejdenson	Luther	Sandlin
Bachus	Burr	DeLahunt	Gekas	Maloney (CT)	Sanford
Baird	Burton	DeLauro	Gephardt	Maloney (NY)	Sawyer
Baker	Buyer	DeLay	Gibbons	Manzullo	Saxton
Baldacci	Callahan	DeMint	Gilchrest	Markey	Scarborough
Baldwin	Calvert	Deutsch	Gillmor	Martinez	Schaffer
Ballenger	Camp	Diaz-Balart	Gilman	Mascara	Schakowsky
Barcia	Campbell	Dickey	Gonzalez	Matsui	Scott
Barr	Canady	Dicks	Goode	McCarthy (MO)	Sensenbrenner
Barrett (NE)	Cannon	Dingell	Goodlatte	McCarthy (NY)	Serrano
Barrett (WI)	Capuano	Dixon	Goodling	McCollum	Sessions
Bartlett	Cardin	Doggett	Gordon	McCrery	Shadegg
Barton	Carson	Dooley	Goss	McDermott	Shaw
Bass	Castle	Doolittle	Graham	McGovern	Shays
Bateman	Chabot	Doyle	Granger	McHugh	Sherman
Becerra	Chambliss	Dreier	Green (TX)	McIntosh	Sherwood
Bentsen	Clay	Duncan	Green (WI)	McIntyre	Shimkus
Bereuter	Clayton	Dunn	Greenwood	McKeon	Shows
Berkley	Clement	Edwards	Gutierrez	McKinney	Shuster
Berman	Clyburn	Ehlers	Gutknecht	McNulty	Simpson
Berry	Coble	Ehrlich	Hall (OH)	Meehan	Sisisky
Biggart	Coburn	Emerson	Hall (TX)	Meek (FL)	Skeen
Bilbray	Collins	English	Hansen	Meeks (NY)	Skelton
Bilirakis	Combest	Eshoo	Hastings (FL)	Menendez	Slaughter
Bishop	Condit	Etheridge	Hastings (WA)	Metcalf	Smith (MI)
Blagojevich	Conyers	Evans	Hayes	Mica	Smith (NJ)
Bliley	Cook	Everett	Hayworth	Millender-	Smith (TX)
Blumenauer	Cooksey	Ewing	Hefley	McDonald	Smith (WA)
Blunt	Costello	Farr	Herger	Miller (FL)	Snyder
Boehlert	Cox	Fattah	Hill (MT)	Miller, Gary	Souder
Boehner	Coyne	Filner	Hilleary	Miller, George	Spence
Bonilla	Cramer	Fletcher	Hilliard	Minge	Spratt
Bonior	Crane	Foley	Hinojosa	Mink	Stabenow
Bono	Crane	Forbes	Hobson	Moakley	Stark
Borski	Crowley	Forbes	Hoefel	Mollohan	Stearns
Boswell	Cubin	Ford	Hoekstra	Moore	Stenholm
	Cummings	Fossella	Holden	Moran (KS)	Strickland
			Holt	Moran (VA)	Stump
			Hooley	Morella	Stupak
			Horn	Murtha	Sununu
			Hostettler	Myrick	Sweeney
			Houghton	Nadler	Talent
			Hoyer	Napolitano	Tancredo
			Hulshof	Nethercutt	Tanner
			Hunter	Ney	Tauscher
			Hutchinson	Northup	Tauzin
			Hyde	Norwood	Taylor (MS)
			Inslee	Nussle	Taylor (NC)
			Istook	Oberstar	Terry
			Jackson (IL)	Obey	Thomas
			Jackson-Lee	Olver	Thompson (CA)
			(TX)	Ortiz	Thompson (MS)
			Jefferson	Ose	Thornberry
			Jenkins	Oxley	Thune
			John	Packard	Thurman
			Johnson (CT)	Pallone	Tiahrt
			Johnson, E. B.	Pascrell	Tierney
			Johnson, Sam	Pastor	Toomey
			Jones (NC)	Payne	Towns
			Jones (OH)	Pease	Trafficant
			Kanjorski	Pelosi	Turner
			Kaptur	Peterson (MN)	Udall (CO)
			Kasich	Peterson (PA)	Udall (NM)
			Kelly	Petri	Upton
			Kildee	Phelps	Velazquez
			Kilpatrick	Pickett	Vento
			Kind (WI)	Pitts	Visclosky
			King (NY)	Pombo	Walden
			Kingston	Pomeroy	Walsh
			Klecza	Porter	Wamp
			Klink	Portman	Waters
			Knollenberg	Price (NC)	Watkins
			Kolbe	Pryce (OH)	Watt (NC)
			Kucinich	Quinn	Watts (OK)
			Kuykendall	Radanovich	Waxman
			LaFalce	Rahall	Weiner
			LaHood	Ramstad	Weldon (FL)
			Lampson	Rangel	Weldon (PA)
			Lantos	Regula	Weller
			Largent	Reynolds	Wexler
			Larson	Riley	Weygand
			Latham	Rivers	Whitfield
			LaTourrette	Rodriguez	Wicker
			Lazio	Roemer	Wilson
			Leach	Rogan	Wise
			Lee	Rogers	Wolf
			Levin	Rohrabacher	Woolsey
			Lewis (CA)	Ros-Lehtinen	Wu
			Lewis (GA)	Rothman	Wynn
			Lewis (KY)	Roukema	Young (AK)
			Linder	Roybal-Allard	Young (FL)

NAYS—2

Chenoweth Paul

NOT VOTING—16

Brady (TX)	Hinchey	Pickering
Capps	Kennedy	Reyes
Davis (IL)	Livingston	Rush
Engel	McInnis	Sanders
Ganske	Neal	
Hill (IN)	Owens	

□ 1151

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HILL of Indiana. Mr. Speaker, during rollcall vote No. 24 on H.R. 438, I was unavoidably detained. Had I been present, I would have voted "yes."

Mr. MCINNIS. Mr. Speaker, due to business in Colorado, I will be unable to vote on the following bill, H.R. 438. Had I been able to vote, I would have voted "yea."

PERSONAL EXPLANATION

Mr. TAYLOR of Mississippi. Mr. Speaker, during rollcall vote No. 23, H.R. 171, and No. 24, H.R. 193, I was unavoidably detained. Had I been present, I would have voted "yes."

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 438, the bill just passed.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 436, GOVERNMENT WASTE, FRAUD, AND ERROR REDUCTION ACT OF 1999

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 43 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 436) to reduce waste, fraud, and error in Government programs by making improvements with respect to Federal management and debt collection practices, Federal payment systems, Federal benefit 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 section 303 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 Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. During consideration of the bill for amend-

ment, the chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio (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.

Mr. Speaker, House Resolution 43 is an open rule providing for consideration of H.R. 436, the Government Waste, Fraud and Error Reduction Act of 1999, a bill to reduce waste, fraud and error in government programs by making improvements to the Federal management and debt collection practices, Federal payment systems, and Federal benefit programs.

H. Res. 43 is an open rule, providing 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Government Reform. The rule waives section 303 of the Congressional Budget Act, prohibiting consideration of legislation providing new budget authority or contract authority for a fiscal year until the budget resolution for that fiscal year has been agreed to against the consideration of the bill.

Section 303 of the Budget Act prohibits consideration of legislation providing new budget authority or contract authority for a fiscal year until the budget resolution for that fiscal year has been agreed to. This is simply a technical waiver. The rule also provides that the bill will be considered as read.

Members who have preprinted their amendments in the RECORD prior to their consideration will be given priority in recognition to offer their amendments if otherwise consistent with House rules.

The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce votes to 5 minutes on a postponed question if the vote follows a 15-minute vote.

□ 1200

Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, the Federal Government's failure to collect delinquent debt is costing American taxpayers billions of dollars each year. According to the Department of the Treasury, the Federal Government is owed approximately \$50 billion in delinquent debt, and that is not including taxes. Of that amount, more than \$47 billion has been delinquent over 180 days. The Federal Government also writes off an additional \$10 billion each year.

H.R. 436, the Government Waste, Fraud and Error Reduction Act of 1999, is identical to H.R. 457 that passed the U.S. House of Representatives last year with overwhelming bipartisan support. Unfortunately, the Senate did not take up this legislation. We are bringing the bill back before the American people because we believe it is the right thing to do. This legislation builds on prior Federal debt collection initiatives such as the Debt Collection Improvement Act of 1996 by providing Federal agencies with additional tools to collect their debt collection.

The Congressional Budget Office estimated in the 105th Congress that this legislation would actually save the Federal Government \$14 million over a 4-year period. By forcing agencies to make debt collection a priority and giving them the tools to be successful, this legislation stops the lax attitudes of Federal agencies over the handling of our tax dollars. It is unfortunate that these common sense ideas have to be mandated by Congress in order for Federal agencies to pay attention. The savings generated by this bill is just one part of the billions of dollars that are wasted each and every year by this government.

I am proud of the strides this Congress, the Republican majority, has made to reduce waste, fraud and abuse. We must continue to be vigilant in search of a smaller, smarter government.

In this era of surpluses there have been calls for my colleagues on the left to increase government spending. This legislation conveys the absurdity of those suggestions. I believe it is wrong for the Federal Government to spend more on government programs until it has properly accounted for and been efficient in that which the money has been spent up to now. Taxpayers work hard for the tax dollars they send to Washington, and it is time that we stop throwing their money at problems without demanding proper accountability of those dollars and, more importantly, results which are measurable.

This legislation puts us on the right track. It is not a silver bullet. It does not eliminate waste, fraud and error in the government. Rather, it is a tool to help government deal more carefully with that problem.

I urge my colleagues to pass this fair, open rule and 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. Speaker, I want to thank my colleague, the gentleman from Texas (Mr. SESSIONS), for yielding me the time.

This is an open rule. It will allow full and fair debate. As my colleague from Texas has described, this rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform.

The rule also permits amendments under the 5-minute rule, which is the normal amending process in the House of Representatives. All Members on both sides of the aisle will have the opportunity to offer amendments.

This bill establishes new procedures for agencies to collect debts owed to the Federal Government, and according to the Congressional Budget Office the bill would increase collections by millions of dollars over the next 5 years.

The bill is identical to H.R. 4857 which passed the House by voice vote last year, and earlier this month the Committee on Government Reform passed H.R. 436 by voice vote.

Mr. Speaker, improving the ability to collect debts owed to the government is a goal that we all can support. I urge adoption of the bill.

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

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

Mr. OSE. Mr. Speaker, I rise today to express my support for the Government Waste, Fraud and Error Reduction Act. One of the reasons I chose to enter politics 5½ weeks ago is because I wanted to put an end to the wasteful practices of our government, and I am here to work with the other 432 Members to get that done. I was stunned to learn that the Federal Government is owed over \$50 billion, \$50 billion, and that is not including taxes.

Mr. Speaker, this act seeks to improve the debt collection abilities of the Federal Government. This bill gets tough on government debtors, prohibiting delinquent debtors from obtaining any Federal permit or license until their debt is repaid. It withholds Social Security benefits from those who owe past-due child support. The government will no longer be in the business of rewarding such debtors.

In addition, the bill allows the government to contract out debt collection services to private agencies. What a concept. This practice has proven to be an effective measure in closing difficult cases in the private sector. We ought to use it in the public.

Mr. Speaker, the ability to collect on any debt, either public or private, is a fundamental component of our economy and legal system. The taxpayer deserves the same protections as private citizens when a loan is extended

by the Federal Government. As we eliminate waste and fraud, we will have more money to spend on education, on Social Security, on national defense or health care.

Let us pass this bill. Let us begin saving the taxpayers' money. Let us make a difference.

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

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

Mr. CALVERT. Mr. Speaker, I rise today in strong support of H.R. 436 and the rule, the Government Waste, Fraud and Error Reduction Act.

Since 1995, Congress has worked diligently to send Federal money back to the States and communities, but Congress also has the responsibility to ensure that our tax dollars are spent wisely. We have trimmed the size of the Federal Government, reined in excessive spending and eradicated redundant programs. We have a balanced budget for the first time in 30 years and a budget surplus of \$70 billion in 1998, with the prediction that it will be almost \$2.5 trillion over the next 10 years.

The next logical step is to combat fraud, abuse and errors that cost taxpayers their hard-earned money. The Federal Government has more than \$50 billion in delinquent non-tax debts and gives up collecting on about \$10 billion each year. This is government waste at its worst, and for taxpayers this is certainly an outrage.

H.R. 436 is responsible legislation. It collects delinquent debts owed to the government and ensures that benefits do not go to those who are ineligible. It places special emphasis on the worst delinquent debtors, those who owe taxpayers over \$1 million.

This is common sense legislation, and I urge all of my colleagues to support it and support the rule. I would like to thank my friend from Long Beach, California, (Mr. HORN) for bringing this legislation to the floor. His commitment to helping our taxpayers and improving the functions of government is to be commended.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. LUCAS).

Mr. LUCAS of Kentucky. Mr. Speaker, I rise in support of the rule. I rise in support of H.R. 436, the Government Waste, Fraud and Error Reduction Act of 1999. The goal of this legislation is to help reduce waste in government programs by improving Federal management of debt and collection practices, payment systems and benefit programs. Like many Kentucky taxpayers, I consider this to be a very worthy goal.

Mr. Speaker, this legislation would give Federal agencies additional tools to improve government efficiency and accountability. Agencies would be able to bar delinquent debtors from obtaining certain Federal benefits until the

debt is repaid. Agencies would be able to use private debt collection contractors to maximize the collection of overdue nontax debts, and agencies would be required to establish programs to reduce the nontax debts held by the agency and obtain the maximum value for loan and debt assets. In addition, H.R. 436 would help the collection of child support by allowing the offset of Social Security benefits to a recipient who owes past-due support to the State.

People who work hard and play by the rules should not have to pick up the tab for deadbeat dads and others who will not pay their debts. As individuals, we are expected to pay our debts. As a Nation, we expect efficiency and accountability from the agencies that have been created to serve us. It is important to give those agencies the tools to do the job that we require of them. Therefore, I urge passage of H.R. 436.

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

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

Mr. Speaker, at this time, I would like to once again reinforce what is occurring here today. We are joining with the minority to talk about a very important issue. This is a bipartisan-supported bill. It makes sense for taxpayers. It makes sense for all of America.

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.

PROVIDING FOR CONSIDERATION OF H.R. 409, FEDERAL FINANCIAL ASSISTANCE MANAGEMENT IMPROVEMENT ACT OF 1999

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 75 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 75

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 409) to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. Each section of the bill shall be considered as read. During consideration of the bill for amendment, the chairman of the Committee of the Whole may accord priority in recognition on the

basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. 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.

□ 1215

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), 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.

Mr. Speaker, House Resolution 75 is an open rule providing for consideration of H.R. 409, a bill to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public.

H. Res. 75 is an open rule providing 1 hour of general debate, divided equally between the chairman and ranking minority of the Committee on Government Reform.

The rule provides that each section of the bill shall be considered as read. The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. This rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote. Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, I recently joined with the gentleman from Texas (Mr. ARMEY), the majority leader, to highlight the waste from overlapping and duplication in our Federal Government. We used one simple example to illustrate the billions of dollars that are wasted each year, what we call the pizza example. Currently, if a company produces pizza with meat toppings, the USDA is responsible for inspecting the plant. If, however, a company produces cheese pizza, it is the FDA's responsibility.

As amazing as it seems to have two different bureaucracies for each top-

ping on pizza in your refrigerator, consider the fact that there are 12 different Federal agencies that oversee food safety in this country. Does that sound like an efficient system to you? We think not. It sounds like to me, on the one hand, the right hand does not know what the left hand is doing and, consequently, taxpayers are left holding the bag for this inefficiency.

Unfortunately, it does not end just with pizzas. There are currently over 600 different Federal financial assistance programs to implement domestic policy. Report after report has shown that the Federal administrative requirements are duplicative, burdensome or conflicting, which impedes the cost-effective delivery of services at the local level. Every dollar wasted complying with this bureaucratic red tape removes precious funds and resources from those programs' noble goals of feeding the poor or providing health care or other services to American citizens.

H.R. 409, the Federal Financial Assistance Management Improvement Act of 1999, aims to improve the delivery of much-needed services by streamlining and simplifying the Federal financial assistance administrative procedures and reporting requirements. Identical legislation, S. 1642, passed the Senate in the 105th Congress.

The bill is simple and straightforward. It requires Federal agencies to develop plans within 18 months that do the following: streamline application, administrative and reporting requirements; develop a uniform grant application for related programs; develop and expand the use of electronic grant applications and reporting via the Internet; demonstrate interagency coordination in simplifying requirements for cross-cutting programs; and set annual goals to further the purposes of this act.

Agencies would consult with outside parties in the development of such plans. Plans and follow-up annual reports would be submitted to Congress and could be included as part of other managed reports as required by law.

In addition to overseeing and coordinating agency activities, the Office of Management and Budget, known as OMB, would be responsible for developing common rules that cut across program and agency lines by creating a release form that allows grant information to be shared by programs.

The bill sunsets in 5 years, and the National Academy for Public Administrators would submit an evaluation just prior to its sunset.

The bill has been endorsed by the major State and local governing organizations, such as the National Governors Association, the National Council of State Legislatures, the National Association of Counties, the Council of State Governments, the National League of Cities, the International City and County Management Association and the U.S. Conference of Mayors.

This legislation, we believe, is on the right track. I urge my colleagues to pass this fair, open rule and the underlying things that it will accomplish in this legislation.

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

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

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

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague, the gentleman from Texas (Mr. SESSIONS), for yielding me the customary 30 minutes.

Mr. Speaker, I support this rule that allows Members to offer all germane amendments to the underlying bill, the Federal Financial Assistance Management Improvement Act.

Our legislative process works best when bills are first considered and perfected through our committee system. While this bill has not had the full benefit of the committee process, I know of no opposition to the bill.

I would like to congratulate the gentleman from California (Mr. HORN), the chairman, and the gentleman from Texas (Mr. TURNER), the ranking member of the Subcommittee on Government Management, Information and Technology, for working together to craft the bill and possible manager's amendments.

H.R. 409 seeks to streamline the process of delivering Federal assistance to individuals and localities. It is designed to simplify the grant application and reporting process by eliminating duplicative or conflicting administrative requirements.

Like all my colleagues, I support efforts to reduce unnecessary paperwork requirements and endorse both legislative and executive efforts to streamline regulations.

Mr. Speaker, I support this open rule that will allow full and fair debate on H.R. 409.

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

Mr. SESSIONS. 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.

MAKING IN ORDER AS ORIGINAL BILL THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NUMBERED 1, PRINTED IN THE CONGRESSIONAL RECORD, DURING CONSIDERATION OF H.R. 436, GOVERNMENT WASTE, FRAUD, AND ERROR REDUCTION ACT OF 1999

Mr. HORN. Mr. Speaker, I ask unanimous consent that during the consideration of H.R. 436 in the Committee of the Whole, pursuant to House Resolution 43, that it be in order to consider

as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute that is printed in the CONGRESSIONAL RECORD at pages H-718 through H-721; that the amendment in the nature of a substitute be considered as read; that points of order against the amendment in the nature of a substitute for failure to comply with clause 4 of rule XXI and section 303 of the Congressional Budget Act of 1974 be waived; and that 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 that amendment in the nature of a substitute.

This language has been cleared with our friends on the other side of the aisle.

The SPEAKER pro tempore. The Clerk will report the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute numbered 1, printed in the CONGRESSIONAL RECORD, offered by Mr. Horn:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Government Waste, Fraud, and Error Reduction Act of 1999".

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Purposes.
- Sec. 3. Definition.
- Sec. 4. Application of Act.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

- Sec. 101. Improving financial management.
- Sec. 102. Improving travel management.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

- Sec. 201. Miscellaneous corrections to subchapter II of chapter 37 of title 31, United States Code.
- Sec. 202. Barring delinquent Federal debtors from obtaining Federal benefits.
- Sec. 203. Collection and compromise of nontax debts and claims.

TITLE III—SALE OF NONTAX DEBTS OWED TO UNITED STATES

- Sec. 301. Authority to sell nontax debts.
- Sec. 302. Requirement to sell certain nontax debts.

TITLE IV—TREATMENT OF HIGH VALUE NONTAX DEBTS

- Sec. 401. Annual report on high value nontax debts.
- Sec. 402. Review by Inspectors General.
- Sec. 403. Requirement to seek seizure and forfeiture of assets securing high value nontax debt.

TITLE V—FEDERAL PAYMENTS

- Sec. 501. Transfer of responsibility to Secretary of the Treasury with respect to prompt payment.
- Sec. 502. Promoting electronic payments.
- Sec. 503. Debt services account.

SEC. 2. PURPOSES.

The purposes of this Act are the following:

- (1) To reduce waste, fraud, and error in Federal benefit programs.
- (2) To focus Federal agency management attention on high-risk programs.
- (3) To better collect debts owed to the United States.

(4) To improve Federal payment systems.

(5) To improve reporting on Government operations.

SEC. 3. DEFINITION.

As used in this Act, the term "nontax debt" means any debt (within the meaning of that term as used in chapter 37 of title 31, United States Code) other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.

SEC. 4. APPLICATION OF ACT.

No provision of this Act shall apply to the Department of the Treasury or the Internal Revenue Service to the extent that such provision—

- (1) involves the administration of the internal revenue laws; or
- (2) conflicts with the Internal Revenue Service Restructuring and Reform Act of 1998, the Internal Revenue Code of 1986, or the Tariff Act of 1930.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

SEC. 101. IMPROVING FINANCIAL MANAGEMENT.

Section 3515 of title 31, United States Code, is amended—

- (1) in subsection (a)—
 - (A) by striking "1997" and inserting "2000"; and
 - (B) by inserting "Congress and" after "submit to"; and
- (2) by striking subsections (e), (f), (g), and (h).

SEC. 102. IMPROVING TRAVEL MANAGEMENT.

(a) LIMITED EXCLUSION FROM REQUIREMENT REGARDING OCCUPATION OF QUARTERS.—Section 5911(e) of title 5, United States Code, is amended by adding at the end the following new sentence: "The preceding sentence shall not apply with respect to lodging provided under chapter 57 of this title."

(b) USE OF TRAVEL MANAGEMENT CENTERS, AGENTS, AND ELECTRONIC PAYMENT SYSTEMS.—

(1) REQUIREMENT TO ENCOURAGE USE.—The head of each executive agency shall, with respect to travel by employees of the agency in the performance of the employment duties by the employee, require, to the extent practicable, the use by such employees of travel management centers, travel agents authorized for use by such employees, and electronic reservation and payment systems for the purpose of improving efficiency and economy regarding travel by employees of the agency.

(2) PLAN FOR IMPLEMENTATION.—(A) The Administrator of General Services shall develop a plan regarding the implementation of this subsection and shall, after consultation with the heads of executive agencies, submit to Congress a report describing such plan and the means by which such agency heads plan to ensure that employees use travel management centers, travel agents, and electronic reservation and payment systems as required by this subsection.

(B) The Administrator shall submit the plan required under subparagraph (A) not later than March 31, 2000.

(c) PAYMENT OF STATE AND LOCAL TAXES ON TRAVEL EXPENSES.—

(1) IN GENERAL.—The Administrator of General Services shall develop a mechanism to ensure that employees of executive agencies are not inappropriately charged State and local taxes on travel expenses, including transportation, lodging, automobile rental, and other miscellaneous travel expenses.

(2) REPORT.—Not later than March 31, 2000, the Administrator shall, after consultation with the heads of executive agencies, submit to Congress a report describing the steps taken, and proposed to be taken, to carry out this subsection.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

SEC. 201. MISCELLANEOUS CORRECTIONS TO SUBCHAPTER II OF CHAPTER 37 OF TITLE 31, UNITED STATES CODE.

(a) CHILD SUPPORT ENFORCEMENT.—Section 3716(h)(3) of title 31, United States Code, is amended to read as follows:

"(3) In applying this subsection with respect to any debt owed to a State, other than past due support being enforced by the State, subsection (c)(3)(A) shall not apply."

(b) DEBT SALES.—Section 3711 of title 31, United States Code, is amended by striking subsection (i).

(c) GAINSHARING.—Section 3720C(b)(2)(D) of title 31, United States Code, is amended by striking "delinquent loans" and inserting "debts".

(d) PROVISIONS RELATING TO PRIVATE COLLECTION CONTRACTORS.—

(1) COLLECTION BY SECRETARY OF THE TREASURY.—Section 3711(g) of title 31, United States Code, is amended by adding at the end the following:

"(11) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a private collection contractor shall not be precluded from verifying the debtor's current employer, the location of the payroll office of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor.

"(12) In evaluating the performance of a contractor under any contract entered into under this subsection, the Secretary of the Treasury shall consider the contractor's gross collections net of commissions (as a percentage of account amounts placed with the contractor) under the contract. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria.

"(13) In selecting contractors for performance of collection services, the Secretary of the Treasury shall evaluate bids received through a methodology that considers the bidder's prior performance in terms of net amounts collected under Government collection contracts of similar size, if applicable. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria."

(2) COLLECTION BY PROGRAM AGENCY.—Section 3718 of title 31, United States Code, is amended by adding at the end the following:

"(h) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a private collection contractor shall not be precluded from verifying the current place of employment of the debtor, the location of the payroll office of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor.

"(i) In evaluating the performance of a contractor under any contract for the performance of debt collection services entered into by an executive, judicial, or legislative agency, the head of the agency shall consider the contractor's gross collections net of commissions (as a percentage of account amounts placed with the contractor) under the contract. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria.

"(j) In selecting contractors for performance of collection services, the head of an executive, judicial, or legislative agency shall evaluate bids received through a methodology that considers the bidder's prior performance in terms of net amounts collected

under government collection contracts of similar size, if applicable. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria."

(3) CONSTRUCTION.—None of the amendments made by this subsection shall be construed as altering or superseding the provisions of title 11, United States Code, or section 6103 of the Internal Revenue Code of 1986.

(e) CLERICAL AMENDMENT.—Section 3720A(h) of title 31, United States Code, is amended—

(1) beginning in paragraph (3), by striking the close quotation marks and all that follows through the matter preceding subsection (i); and

(2) by adding at the end the following:

"For purposes of this subsection, the disbursing official for the Department of the Treasury is the Secretary of the Treasury or his or her designee."

(f) CORRECTION OF REFERENCES TO FEDERAL AGENCY.—Sections 3716(c)(6) and 3720A(a), (b), (c), and (e) of title 31, United States Code, are each amended by striking "Federal agency" each place it appears and inserting "executive, judicial, or legislative agency".

(g) INAPPLICABILITY OF ACT TO CERTAIN AGENCIES.—Notwithstanding any other provision of law, no provision in this Act, the Debt Collection Improvement Act of 1996 (chapter 10 of title III of Public Law 104-134; 31 U.S.C. 3701 note), chapter 37 or subchapter II of chapter 33 of title 31, United States Code, or any amendments made by such Acts or any regulations issued thereunder, shall apply to activities carried out pursuant to a law enacted to protect, operate, and administer any deposit insurance funds, including the resolution and liquidation of failed or failing insured depository institutions.

(h) CONTRACTS FOR COLLECTION SERVICES.—Section 3718 of title 31, United States Code, is amended—

(1) in the first sentence of subsection (b)(1)(A), by inserting "or, if appropriate, any monetary claim, including any claims for civil fines or penalties, asserted by the Attorney General" before the period;

(2) in the third sentence of subsection (b)(1)(A)—

(A) by inserting "or in connection with other monetary claims" after "collection of claims of indebtedness";

(B) by inserting "or claim" after "the indebtedness"; and

(C) by inserting "or other person" after "the debtor"; and

(3) in subsection (d), by inserting "or any other monetary claim of" after "indebtedness owed".

SEC. 202. BARRING DELINQUENT FEDERAL DEBTORS FROM OBTAINING FEDERAL BENEFITS.

(a) IN GENERAL.—Section 3720B of title 31, United States Code, is amended to read as follows:

"§ 3720B. Barring delinquent Federal debtors from obtaining Federal benefits

"(a)(1) A person shall not be eligible for the award or renewal of any Federal benefit described in paragraph (2) if the person has an outstanding nontax debt that is in a delinquent status with any executive, judicial, or legislative agency, as determined under standards prescribed by the Secretary of the Treasury. Such a person may obtain additional Federal benefits described in paragraph (2) only after such delinquency is resolved in accordance with those standards.

"(2) The Federal benefits referred to in paragraph (1) are the following:

"(A) Financial assistance in the form of a loan (other than a disaster loan) or loan insurance or guarantee.

"(B) Any Federal permit or Federal license required by law.

"(b) The Secretary of the Treasury may exempt any class of claims from the application of subsection (a) at the request of an executive, judicial, or legislative agency.

"(c)(1) The head of any executive, judicial, or legislative agency may waive the application of subsection (a) to any Federal benefit that is administered by the agency based on standards promulgated by the Secretary of the Treasury.

"(2) The head of an executive, judicial, or legislative agency may delegate the waiver authority under paragraph (1) to the chief financial officer or, in the case of any Federal performance-based organization, the chief operating officer of the agency.

"(3) The chief financial officer or chief operating officer of an agency to whom waiver authority is delegated under paragraph (2) may redelegate that authority only to the deputy chief financial officer or deputy chief operating officer of the agency. Such deputy chief financial officer or deputy chief operating officer may not redelegate such authority.

"(d) As used in this section, the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of title 31, United States Code, is amended by striking the item relating to section 3720B and inserting the following:

"3720B. Barring delinquent Federal debtors from obtaining Federal benefits."

(c) CONSTRUCTION.—The amendment made by this section shall not be construed as altering or superseding the provisions of title 11, United States Code.

SEC. 203. COLLECTION AND COMPROMISE OF NONTAX DEBTS AND CLAIMS.

(a) USE OF PRIVATE COLLECTION CONTRACTORS AND FEDERAL DEBT COLLECTION CENTERS.—Paragraph (5) of section 3711(g) of title 31, United States Code, is amended to read as follows:

"(5)(A) Nontax debts referred or transferred under this subsection shall be serviced, collected, or compromised, or collection action thereon suspended or terminated, in accordance with otherwise applicable statutory requirements and authorities.

"(B) The head of each executive agency that operates a debt collection center may enter into an agreement with the Secretary of the Treasury to carry out the purposes of this subsection.

"(C) The Secretary of the Treasury shall—

"(i) maintain a schedule of private collection contractors and debt collection centers operated by agencies that are eligible for referral of claims under this subsection;

"(ii) maximize collections of delinquent nontax debts by referring delinquent nontax debts to private collection contractors promptly;

"(iii) maintain competition between private collection contractors;

"(iv) ensure, to the maximum extent practicable, that a private collection contractor to which a nontax debt is referred is responsible for any administrative costs associated with the contract under which the referral is made.

"(D) As used in this paragraph, the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930."

(b) LIMITATION ON DISCHARGE BEFORE USE OF PRIVATE COLLECTION CONTRACTOR OR DEBT COLLECTION CENTER.—Paragraph (9) of section 3711(g) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (A) through (H) as clauses (i) through (viii);

(2) by inserting "(A)" after "(9)";

(3) in subparagraph (A) (as designated by paragraph (2) of this subsection) in the matter preceding clause (i) (as designated by paragraph (1) of this subsection), by inserting "and subject to subparagraph (B)" after "as applicable"; and

(4) by adding at the end the following:

"(B)(i) The head of an executive, judicial, or legislative agency may not discharge a nontax debt or terminate collection action on a nontax debt unless the debt has been referred to a private collection contractor or a debt collection center, referred to the Attorney General for litigation, sold without recourse, administrative wage garnishment has been undertaken, or in the event of bankruptcy, death, or disability.

"(ii) The head of an executive, judicial, or legislative agency may waive the application of clause (i) to any nontax debt, or class of nontax debts if the head of the agency determines that the waiver is in the best interest of the United States.

"(iii) As used in this subparagraph, the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930."

TITLE III—SALE OF NONTAX DEBTS OWED TO UNITED STATES

SEC. 301. AUTHORITY TO SELL NONTAX DEBTS.

(a) PURPOSE.—The purpose of this section is to provide that the head of each executive, judicial, or legislative agency shall establish a program of nontax debt sales in order to—

(1) minimize the loan and nontax debt portfolios of the agency;

(2) improve credit management while serving public needs;

(3) reduce delinquent nontax debts held by the agency;

(4) obtain the maximum value for loan and nontax debt assets; and

(5) obtain valid data on the amount of the Federal subsidy inherent in loan programs conducted pursuant to the Federal Credit Reform Act of 1990 (Public Law 93-344).

(b) SALES AUTHORIZED.—(1) Section 3711 of title 31, United States Code, is amended by inserting after subsection (h) the following new subsection:

"(i)(1) The head of an executive, judicial, or legislative agency may sell, subject to section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) and using competitive procedures, any nontax debt owed to the United States that is administered by the agency.

"(2) Costs the agency incurs in selling nontax debt pursuant to this subsection may be deducted from the proceeds received from the sale. Such costs include—

"(A) the costs of any contract for identification, billing, or collection services;

"(B) the costs of contractors assisting in the sale of nontax debt;

"(C) the fees of appraisers, auctioneers, and realty brokers;

"(D) the costs of advertising and surveying; and

"(E) other reasonable costs incurred by the agency, as determined by the Director of the Office of Management and Budget.

"(3) Sales of nontax debt under this subsection—

"(A) shall be for—

"(i) cash; or

"(ii) cash and a residuary equity, joint venture, or profit participation, if the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the proceeds will be greater than the proceeds from a sale solely for cash;

"(B) shall be without recourse against the United States; and

“(C) shall transfer to the purchaser all rights of the United States to demand payment of the nontax debt, other than with respect to a residuary equity, joint venture, or profit participation under subparagraph (A)(ii), but shall not transfer to the purchaser any rights or defenses uniquely available to the United States.

“(3) This subsection is not intended to limit existing statutory authority of the head of an executive, judicial, or legislative agency to sell loans, nontax debts, or other assets.”.

SEC. 302. REQUIREMENT TO SELL CERTAIN NONTAX DEBTS.

Section 3711 of title 31, United States Code, is amended further by adding at the end the following new subsection:

“(j)(1)(A) The head of each executive, judicial, or legislative agency shall sell any nontax loan owed to the United States by the later of—

“(i) the date on which the nontax debt becomes 24 months delinquent; or

“(ii) 24 months after referral of the nontax debt to the Secretary of the Treasury pursuant to section 3711(g)(1) of title 31, United States Code. Sales under this subsection shall be conducted under the authority in section 301.

“(B) The head of an executive, judicial, or legislative agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, may exempt from sale delinquent debt or debts under this subsection if the head of the agency determines that the sale is not in the best financial interest of the United States.

“(2) The head of each executive, judicial, or legislative agency shall sell each loan obligation arising from a program administered by the agency, not later than 6 months after the loan is disbursed, unless the head of the agency determines that the sale would interfere with the mission of the agency administering the program under which the loan was disbursed, or the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that a longer period is necessary to protect the financial interests of the United States. Sales under this subsection shall be conducted under the authority in section 301.

“(3) After terminating collection action, the head of an executive, judicial, or legislative agency shall sell, using competitive procedures, any nontax debt or class of nontax debts owed to the United States unless the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the sale is not in the best financial interests of the United States. Sales under this paragraph shall be conducted under the authority of subsection (i).

“(4)(A) The head of an executive, judicial, or legislative agency shall not, without the approval of the Attorney General, sell any nontax debt that is the subject of an allegation of or investigation for fraud, or that has been referred to the Department of Justice for litigation.

“(B) The head of an executive, judicial, or legislative agency may exempt from sale under this subsection any class of nontax debts or loans if the head of the agency determines that the sale would interfere with the mission of the agency administering the program under which the indebtedness was incurred.”.

TITLE IV—TREATMENT OF HIGH VALUE NONTAX DEBTS

SEC. 401. ANNUAL REPORT ON HIGH VALUE NONTAX DEBTS.

(a) IN GENERAL.—Not later than 90 days after the end of each fiscal year, the head of

each agency that administers a program that gives rise to a delinquent high value nontax debt shall submit a report to Congress that lists each such debt.

(b) CONTENT.—A report under this section shall, for each debt listed in the report, include the following:

(1) The name of each person liable for the debt, including, for a person that is a company, cooperative, or partnership, the names of the owners and principal officers.

(2) The amounts of principal, interest, and penalty comprising the debt.

(3) The actions the agency has taken to collect the debt, and prevent future losses.

(4) Specification of any portion of the debt that has been written-down administratively or due to a bankruptcy proceeding.

(5) An assessment of why the debtor defaulted.

(c) DEFINITIONS.—In this title:

(1) AGENCY.—The term “agency” has the meaning that term has in chapter 37 of title 31, United States Code, as amended by this Act.

(2) HIGH VALUE NONTAX DEBT.—The term “high value nontax debt” means a nontax debt having an outstanding value (including principal, interest, and penalties) that exceeds \$1,000,000.

SEC. 402. REVIEW BY INSPECTORS GENERAL.

The Inspector General of each agency shall review the applicable annual report to Congress required in section 401 and make such recommendations as necessary to improve performance of the agency. Each Inspector General shall periodically review and report to Congress on the agency’s nontax debt collection management practices. As part of such reviews, the Inspector General shall examine agency efforts to reduce the aggregate amount of high value nontax debts that are resolved in whole or in part by compromise, default, or bankruptcy.

SEC. 403. REQUIREMENT TO SEEK SEIZURE AND FORFEITURE OF ASSETS SECURING HIGH VALUE NONTAX DEBT.

The head of an agency authorized to collect a high value nontax debt that is delinquent shall, when appropriate, promptly seek seizure and forfeiture of assets pledged to the United States in any transaction giving rise to the nontax debt. When an agency determines that seizure or forfeiture is not appropriate, the agency shall include a justification for such determination in the report under section 401.

TITLE V—FEDERAL PAYMENTS

SEC. 501. TRANSFER OF RESPONSIBILITY TO SECRETARY OF THE TREASURY WITH RESPECT TO PROMPT PAYMENT.

(a) DEFINITION.—Section 3901(a)(3) of title 31, United States Code, is amended by striking “Director of the Office of Management and Budget” and inserting “Secretary of the Treasury”.

(b) INTEREST.—Section 3902(c)(3)(D) of title 31, United States Code, is amended by striking “Director of the Office of Management and Budget” and inserting “Secretary of the Treasury”.

(c) REGULATIONS.—Section 3903(a) of title 31, United States Code, is amended by striking “Director of the Office of Management and Budget” and inserting “Secretary of the Treasury”.

SEC. 502. PROMOTING ELECTRONIC PAYMENTS.

(a) EARLY RELEASE OF ELECTRONIC PAYMENTS.—Section 3903(a) of title 31, United States Code, is amended—

(1) by amending paragraph (1) to read as follows:

“(1) provide that the required payment date is—

“(A) the date payment is due under the contract for the item of property or service provided; or

“(B) no later than 30 days after a proper invoice for the amount due is received if a specific payment date is not established by contract;” and

(2) by striking “and” after the semicolon at the end of paragraph (8), by striking the period at the end of paragraph (9) and inserting “; and”, and by adding at the end the following:

“(10) provide that the Secretary of the Treasury may waive the application of requirements under paragraph (1) to provide for early payment of vendors in cases where an agency will implement an electronic payment technology which improves agency cash management and business practice.”.

(b) AUTHORITY TO ACCEPT ELECTRONIC PAYMENT.—

(1) IN GENERAL.—Subject to an agreement between the head of an executive agency and the applicable financial institution or institutions based on terms acceptable to the Secretary of the Treasury, the head of such agency may accept an electronic payment, including debit and credit cards, to satisfy a nontax debt owed to the agency.

(2) GUIDELINES FOR AGREEMENTS REGARDING PAYMENT.—The Secretary of the Treasury shall develop guidelines regarding agreements between agencies and financial institutions under paragraph (1).

SEC. 503. DEBT SERVICES ACCOUNT.

(a) TRANSFER OF FUNDS TO DEBT SERVICES ACCOUNT.—The Secretary of the Treasury may transfer balances in accounts established before the date of the enactment of this Act pursuant to section of 3711(g)(7) of title 31, United States Code, to the Debt Services Account established under subsection (b). All amounts transferred to the Debt Services Account under this section shall remain available until expended.

(b) ESTABLISHMENT OF DEBT SERVICES ACCOUNT.—Subsection (g)(7) of section 3711 of title 31, United States Code, is amended by striking the second sentence and inserting the following: “Any fee charged pursuant to this subsection shall be deposited into an account established in the Treasury to be known as the ‘Debt Services Account’ (hereinafter referred to in this section as the ‘Account’).”

(c) REIMBURSEMENT OF FUNDS.—Section 3711(g) of title 31, United States Code, is amended—

(1) by striking paragraph (8);

(2) by redesignating paragraphs (9) and (10) as paragraphs (8) and (9), respectively; and

(3) by amending paragraph (9) (as redesignated by paragraph (2)) to read as follows:

“(9) To carry out the purposes of this subsection, including services provided under sections 3716 and 3720A, the Secretary of the Treasury may—

“(A) prescribe such rules, regulations, and procedures as the Secretary considers necessary;

“(B) transfer such funds from funds appropriated to the Department of the Treasury as may be necessary to meet liabilities and obligations incurred prior to the receipt of fees that result from debt collection; and

“(C) reimburse any funds from which funds were transferred under subparagraph (B) from fees collected pursuant to sections 3711, 3716, and 3720A. Any reimbursement under this subparagraph shall occur during the period of availability of the funds transferred under subparagraph (B) and shall be available to the same extent and for the same purposes as the funds originally transferred.”.

(d) DEPOSIT OF TAX REFUND OFFSET FEES.—The last sentence of section 3720A(d) of title 31, United States Code, is amended to read as follows: “Amounts paid to the Secretary of the Treasury as fees under this section shall

be deposited into the Debt Services Account of the Department of the Treasury described in section 3711(g)(7) and shall be collected and accounted for in accordance with the provisions of that section."

Mr. HORN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

GOVERNMENT WASTE, FRAUD, AND ERROR REDUCTION ACT OF 1999

The SPEAKER pro tempore (Mr. SESSIONS). Pursuant to House Resolution 43 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 436.

□ 1227

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. 436) to reduce waste, fraud, and error in Government programs by making improvements with respect to Federal management and debt collection practices, Federal payment systems, Federal benefit programs, and for other purposes, with Mr. GIBBONS 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 California (Mr. HORN) and the gentleman from Texas (Mr. TURNER) each will control 30 minutes.

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

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

Mr. Chairman, the Federal Government's failure to collect delinquent debts is costing American taxpayers billions of dollars each year. According to the Department of the Treasury, the Federal Government is owed approximately \$50 billion in delinquent nontax debt. The tax debt is even more. Of that amount, more than \$47 billion has been delinquent for more than 180 days.

In addition, the Federal Government also writes off an additional \$10 billion in delinquent nontax debt each year. To facilitate the collection of this enormous amount of nontax debt owed to the Federal Government, the taxpayers, Congress passed and the President signed into law, in 1996, the Debt Collection Improvement Act.

This bipartisan legislation, in which the gentlewoman from New York (Mrs. MALONEY), the then Ranking Democrat

on the Subcommittee on Government Management, Information and Technology, was the coauthor, and she had had great experience with this in the New York City Council, and this legislation established significant new debt collection tools and enhanced existing ones. These included centralized servicing of debts more than 180 days delinquent at the Department of Treasury's Financial Management Service and at designated agency debt collection centers.

The 1996 act also enhanced existing debt collection tools such as the Federal payment offset, a program where a portion of a Federal payment to a delinquent debtor can be intercepted to satisfy the delinquent Federal debt. The legislation also expanded the use of private collection agencies to assist in collecting delinquent nontax debts.

The bill before the House of Representatives, H.R. 436, the Government Waste, Fraud, and Error Reduction Act of 1999, builds on the 1996 Debt Collection Improvement Act by providing the Federal government with additional tools to improve its collection of delinquent nontax debts. The bill includes provisions that seek to reduce waste, fraud and error in the Federal benefit and credit programs. H.R. 436 prohibits Federal agencies from discharging or writing off nontax debts prior to the initiation of collection activity.

The bill also expands the application of gain-sharing, a procedure that allows Federal agencies to retain a portion of the amounts they collect. It is an incentive to make sure that that agency is really on top of the nontax debt.

□ 1230

Under the Debt Collection Improvement Act of 1996, agencies are only permitted to retain a percentage of the delinquent loans that they collect. H.R. 436, the bill before us now, would expand that to allow agencies to retain a portion of all delinquent debts, not just loans that they collect. The expansion of gains-sharing will give agencies greater incentive to collect debts and increase taxpayer savings.

The bill authorizes the offset, or withholding, of Social Security benefits to recipients who owe past-due child support to a State. Currently, Social Security benefits can be intercepted to offset a recipient's debt to the Federal Government. This bill would assist States in their efforts to collect billions of dollars in unpaid child support. According to the Congressional Budget Office, this added offset authority would recover \$17 million each year in past-due child support.

To help eliminate waste, fraud and error in Federal benefits and credit programs, H.R. 436 authorizes Federal agencies to bar delinquent debtors from obtaining a Federal permit or license or receiving financial assistance in the form of a loan or loan guarantee until the delinquent debt is repaid.

H.R. 436 promotes the sale of new and delinquent loans by Federal agencies. Loan sale programs would benefit the Federal Government in a number of ways. Loans that are sold in a competitive market could yield substantial proceeds, could reduce administrative costs and also allow agencies to focus their limited resources on other programs.

An agency, with the guidance from the Office of Management and Budget, could exempt any class of debt, such as farm loans, foreign loans, whatever they are, from the sale provisions of this bill if it is determined that the sale would interfere with the agency's program or missions.

This bill also focuses its attention on large debts. It requires agencies to report annually to Congress on their uncollected, high-value delinquent debts that are greater than \$1 million.

H.R. 436 contains these important provisions and a variety of others designed to improve the efficiency and effectiveness of the Federal debt collection programs. This measure has strong bipartisan support. Since the very beginning, both parties on the Committee on Government Reform have worked together on the original act, as I noted earlier, and on the revisions to that act. I am sure down the line there will still be other revisions.

This legislation is similar to what passed the House of Representatives unanimously last year under suspension of the rules by a voice vote, and that was the end of the second session of the 105th Congress. The bill did not have an opportunity to be taken up at the end of the rush of legislation by the Senate. The bill has been the subject of a hearing held by the Subcommittee on Government Management, Information, and Technology on March 2, 1998.

The amendment in the nature of a substitute that I have placed at the desk clarifies provisions of H.R. 436 and incorporates recommendations offered by the administration in consultation with the Committee on Government Reform to improve Federal payment systems and financial management.

Mr. Chairman, I would like to thank in particular the gentleman from California (Mr. WAXMAN), ranking Democrat on the full Committee on Government Reform. And, as I mentioned earlier, the gentlewoman from New York (Mrs. MALONEY) has been a key author of the legislation and the gentleman from Texas (Mr. TURNER), the new ranking member on the Subcommittee on Government Management, Information, and Technology. Their assistance has been invaluable in getting this important legislation to the floor.

H.R. 436 is a significant step forward in the battle to collect the billions of dollars in delinquent debts that are owed to the American taxpayers. I urge my colleagues to support this legislation.

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

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

Mr. Chairman, I would like to first commend the gentleman from California (Mr. HORN), my good friend, for his outstanding leadership on government management issues generally and in particular for his leadership in debt collection, which is the subject of this bill before the House today.

The gentlewoman from New York (Mrs. MALONEY) has sponsored a number of debt collection initiatives as the former ranking member on the Subcommittee on Government Management, Information and Technology, which she did during the 105th Congress. And I would also like to commend the gentlewoman for her outstanding leadership in trying to bring a bill before the House that is a true bipartisan bill that will improve the debt collection practices of the Federal Government.

H.R. 436 is a fiscal reform bill. It finishes a process begun in 1996 with the Debt Collection Improvement Act, which represented a bipartisan effort by the gentleman from California (Chairman HORN) and the gentlewoman from New York (Mrs. MALONEY). Under the Debt Collection Improvement Act, the Treasury Department is authorized to use new tools designed to recoup as much as \$1 billion in delinquent nontax debt each year.

The Federal Government currently carries about \$30 billion in delinquent debts on its books that could be potentially collected. Much of this debt, however, is old and perhaps it is unrealistic to be collectable. But the older the debt gets, the more difficult it is to recover.

This bill would encourage Federal agencies to initiate debt collection activities and to sell nontax debt that is not an integral part of the agency's mission. Additionally, this bill encourages the government, when awarding contracts to private collection agencies, to consider those agencies' past performance records, including the amount of money they have previously collected and the existence and frequency of debtor complaints.

H.R. 436 provides the government with the necessary flexibility to evaluate its contractors to assure that the government can consider factors other than just the net collections. For example, it is important to the government to utilize private contractors to assess the feasibility of debt collection and, in turn, to send out debt collection notices, conduct the necessary paperwork, and to resolve claims through administrative processes that may not necessarily result in any collections.

By providing flexibility and encouraging agencies to optimize debt collection incentives, we can ensure that the government is more efficient and more effective.

Mr. Chairman, this resolution focuses attention on debtors who owe the United States Government over \$1 million in nontax debt. By working to decrease these high-risk debts, our government should reduce its outstanding delinquent debts substantially.

The bill also authorizes the Department of the Treasury to withhold certain Federal Social Security, black lung, and railroad retirement payments from those owing past-due child support, an area that the gentlewoman from New York has taken a strong interest in the drafting of this legislation.

The Congressional Budget Office estimates that these withholdings should result in an additional \$10 million in child support collections for those who are due such support across this country. It is possible that this provision could recoup even more than the \$10 million.

This bill should provide the government with an increased capacity to recover money that is rightfully owed to the taxpayers of the United States. The bill should result in an additional \$18 million that can be returned to the taxpayers over the 1999 to the 2004 period. It should continue to provide this kind of return well into the future.

Mr. Chairman, this bill passed out of the Committee on Government Reform with bipartisan support, with the leadership of the gentleman from California (Chairman HORN) and the gentlewoman from New York. Both have been very active in the area of debt collection and have created the framework that we now have in the Debt Collection Improvement Act. The gentleman from California has been very receptive to the administration's concerns regarding this bill, and the administration is not opposed.

For these reasons, I am glad to join with my colleagues here today in support of H.R. 436.

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

Mr. HORN. Mr. Chairman, I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN). He has taken a great interest as a new member of the committee in this matter, and I am delighted to have his support on the floor.

Mr. WALDEN of Oregon. Mr. Chairman, I would like to thank the gentleman from California, the distinguished chairman of our Subcommittee on Government Management, Information and Technology, for bringing forth this important piece of legislation.

Mr. Chairman, I would also like to speak to the importance of ensuring that Federal agencies create incentives for debt collection contractors to obtain voluntary payments from debtors before instituting involuntary collection actions such as wage garnishment or litigation against that debtor.

I say that because I have learned that under the Department of Education's contract, for example, the contractor has a greater incentive to collect a debt through involuntary administrative wage garnishment procedures rather than through voluntary payments from the debtor. This is because the methodology used by the Department of Education to evaluate the performance of its contractors, allocate

accounts among contractors and pay bonuses is weighted in favor of wage garnishment rather than voluntary collections. The preparation of cases for litigation is also given substantial weight.

Mr. Chairman, as the gentleman from California and I have discussed, I would like to see the Debt Collection Act amended at some point to require that voluntary collections be given greater emphasis and these coercive methods, give them less emphasis.

In my view, the performance of a debt collection contractor in achieving netback collections for the government should be in the order of 75 percent, if not more, of the weighting in the evaluation methodology and the preparation of cases for litigation or wage garnishment should receive no more than, say, 20 percent combined.

These reforms would help, I believe, the Federal Government to do a better job of debt collection in a fair, efficient and voluntary manner which I think would be preferable.

However, given the administration's objections to such an amendment and in the spirit of trying to minimize our differences in an effort to pass good and meaningful legislation, I will not be offering that amendment. But it is a topic that I hope we can discuss in the future.

While I understand the desire of the administration to have unfettered discretion as to how these contracts are administered, I have trouble accepting the suggestion that the infliction of wage garnishment or litigation on a debtor is more preferable to a more voluntary action convincing that debtor to pay. As everyone knows, it is just this sort of approach to collections that caused our friends at the IRS problems at times with the public.

Mr. Chairman, I look forward to working with the gentleman from California and the gentleman from Texas and the administration and members of our committee to address these issues and make Federal debt collections both more voluntary and more effective.

Mr. TURNER. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Mrs. MALONEY), who has worked countless hours on this bill as the ranking member of the Subcommittee on Government Management, Information and Technology.

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of the bill; and I applaud the hard work of the gentleman from California (Chairman HORN) and the gentleman from Texas (Mr. TURNER), ranking member, in bringing this legislation to the floor.

I would like to comment on the statement of the gentleman from Oregon (Mr. WALDEN), who spoke about certainly supporting voluntary efforts first. This bill does that. Before there is any movement to centralize collections or to initiate any effort to collect it, there are three attempts to persuade the debtor to pay what is owed to the taxpayers of this country. At least

three letters and phone calls have to go out trying to persuade this person to live up to their obligations before any other method or any other project is encountered.

Mr. Chairman, the legislation before us builds on the success of the Debt Collection Improvement Act of 1996, which the gentleman from California and I authored over 3 years ago. When we introduced the Debt Collection Improvement Act, we had just conducted a study that showed that over \$50 billion was owed to the taxpayers of this country, \$50 billion in nontax debt, \$50 billion that could be used for teachers, police officers, roads, mass transit, all types of things to help our people in this country.

Furthermore, the government was writing off, writing off and forgetting about over more than \$10 billion of that debt each year. Our original bill, which received widespread bipartisan support, simply employed good business, common-sense tools to collect this debt. First, it centralized collection and management in Treasury, whose mission it is to bring in revenues that are owed to this country and to manage our finances.

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It called upon common sense good business tactics such as computerizing the debt, cross-servicing, certainly not handing out a debt to a bad debtor, managing it better. These efforts, according to Treasury, should bring in billions of dollars to our citizens.

The bill we have today builds on the successes of the original piece of legislation. It prohibits agencies from writing off debt without making significant efforts to collect it, first through persuasion, then through letters, phone calls, all types of efforts, and then finally allowing the private sector to come in and try to collect that debt before it is written off or forgotten about.

This bill is a strong piece of legislation. It will significantly aid the government in its efforts to collect the money that is owed to the hardworking citizens of our country. It builds on some of the successes of better management in our original bill, strengthens gain sharing, rewards agencies that do well by allowing them to keep part of the money that they are managing better.

My only disappointment with this legislation before us is that it does not contain a provision that many of us had worked on that was attached to last year's version of the bill. My provision would institute greater data sharing practices and information among government agencies, to strengthen Federal debt collection efforts, and provide for stronger verification of eligibility for Federal benefits.

This provision was supported by the administration, by OMB, who estimated it would bring in roughly a billion a year. As the Chairman knows, there were concerns raised about permitting access to the national direc-

tory of new hires, so the provision was removed from this bill that is before us today.

I am optimistic that we can address these concerns and agree on a bill that permits greater data sharing among agencies in a manner that is responsible and fair.

I applaud the gentleman from California (Chairman HORN) for his leadership. He apparently is setting up some meetings on this with his colleagues, and I appreciate that. I know that he is supportive. I look forward to working with him to improve this legislation, to enact this legislation today, and I thank him for his support for this legislation and his hard work.

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

Mr. Chairman, I particularly appreciate the comments made by our two previous speakers, the gentleman from Oregon (Mr. WALDEN) and the gentleman from New York (Mrs. MALONEY). Both have had excellent ideas. I know, as the gentleman from New York (Mrs. MALONEY) is aware, we will have an annual hearing at least on the effectiveness of this legislation when conducted by any administration.

So a lot of the ideas that still are good and are not in law, we will be glad to consider them when we hold our major hearing this year on the 1996 law and next year when we have given them a year to implement the revisions.

As the gentleman from Texas (Mr. TURNER) noted, the administration is in support of this legislation. I insert for the RECORD the statement of administration policy, dated February 23, 1999 with reference to H.R. 436, Government Waste, Fraud, and Error Reduction Act of 1999.

The Administration supports House passage of the amendment in the nature of a substitute to H.R. 436 to be offered by Chairman Horn, the sponsor of the bill. The administration intends to advise agencies on criteria to be used in exercising the authority to exempt classes of debts or loans from sale as provided in H.R. 436.

Mr. Chairman, the statement is as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, February 23, 1999 (House).

STATEMENT OF ADMINISTRATION POLICY
(This statement has been coordinated by OMB with the concerned agencies.)

H.R. 436—GOVERNMENT WASTE, FRAUD, AND ERROR REDUCTION ACT OF 1999
(Horn (R) CA and 6 cosponsors)

The Administration supports House passage of the amendment in the nature of a substitute to H.R. 436 to be offered by Chairman Horn, the sponsor of the bill. The Administration intends to advise agencies on criteria to be used in exercising the authority to exempt classes of debts or loans from sale as provided in H.R. 436.

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

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

Mr. Chairman, I would merely close by again commending the gentleman from California (Chairman HORN) on his leadership in this effort to improve the debt collection practices of the Federal Government. I think the taxpayers are the winners for the effort that he has made along with the efforts of the gentleman from New York (Mrs. MALONEY) on working on this issue for many years.

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

Mrs. ROUKEMA. Mr. Chairman, I rise in support of the Government Waste, Fraud and Error Reduction Act. Clearly, it is in the best interests of the taxpayers of the United States to identify, track and sanction those persons who owe the government of the United States past due debt. This legislation provides the agencies of the federal government many of the tools they need to improve the debt collection practices.

I am particularly pleased this bill has recognized the continuing national scandal that we all know as the national child support enforcement system. Each and every day we read new stories about fathers with obvious means ignoring his legal and moral obligation to his children. In fact, each year over \$5 billion in the basic necessities of life are denied to children of divorce due to lack of child support payments. This, in turn, forces mothers, and some dads, into endless, expensive and debasing legal battles just to get the basic support to which they are legally and morally entitled. As you know, for these families, it is just a short drop onto the welfare rolls. That's when these families become bona fide "wards of the state."

Years ago, in one of the many significant reforms of the child support enforcement that I have been involved in, this Congress gave the federal government the authority to attach Social Security benefits in cases of past due child support orders. This legislation takes that common-sense reform one more step by granting the states the authority to attach Social Security benefits in cases where they are owed back child support.

Mr. Chairman, this is an important step. For those of us who have been involved in the effort to strengthen our child support enforcement system, we know that the national network is only as strong as its weakest link. Families trying to collect their legal child support payments must know that there are no more safe haven for child support deadbeats—that delinquent fathers cannot escape their legal and moral obligations by simply fleeing across state lines.

This provision alone—allowing the states to attach Social Security benefits—could bring in an additional \$10 to \$17 million in past due support each year.

Child support evasion is not a victimless crime. There are many victims—the first being the children and the last being the taxpayer. Through this single provision of H.R. 436 we are taking additional steps to protect all of them.

Mr. HORN. Mr. Chairman, I urge adoption of this legislation, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the order of the House of today, the amendment in the nature of

a substitute by the gentleman from California (Mr. HORN) is considered as an original bill for the purpose of amendment under the 5-minute rule and is considered read.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Government Waste, Fraud, and Error Reduction Act of 1999".

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Purposes.
- Sec. 3. Definition.
- Sec. 4. Application of Act.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

- Sec. 101. Improving financial management.
- Sec. 102. Improving travel management.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

- Sec. 201. Miscellaneous corrections to subchapter II of chapter 37 of title 31, United States Code.
- Sec. 202. Barring delinquent Federal debtors from obtaining Federal benefits.
- Sec. 203. Collection and compromise of nontax debts and claims.

TITLE III—SALE OF NONTAX DEBTS OWED TO UNITED STATES

- Sec. 301. Authority to sell nontax debts.
- Sec. 302. Requirement to sell certain nontax debts.

TITLE IV—TREATMENT OF HIGH VALUE NONTAX DEBTS

- Sec. 401. Annual report on high value nontax debts.
- Sec. 402. Review by Inspectors General.
- Sec. 403. Requirement to seek seizure and forfeiture of assets securing high value nontax debt.

TITLE V—FEDERAL PAYMENTS

- Sec. 501. Transfer of responsibility to Secretary of the Treasury with respect to prompt payment.
- Sec. 502. Promoting electronic payments.
- Sec. 503. Debt services account.

SEC. 2. PURPOSES.

The purposes of this Act are the following:

- (1) To reduce waste, fraud, and error in Federal benefit programs.
- (2) To focus Federal agency management attention on high-risk programs.
- (3) To better collect debts owed to the United States.
- (4) To improve Federal payment systems.
- (5) To improve reporting on Government operations.

SEC. 3. DEFINITION.

As used in this Act, the term "nontax debt" means any debt (within the meaning of that term as used in chapter 37 of title 31, United States Code) other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.

SEC. 4. APPLICATION OF ACT.

No provision of this Act shall apply to the Department of the Treasury or the Internal Revenue Service to the extent that such provision—

- (1) involves the administration of the internal revenue laws; or
- (2) conflicts with the Internal Revenue Service Restructuring and Reform Act of 1998, the Internal Revenue Code of 1986, or the Tariff Act of 1930.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

SEC. 101. IMPROVING FINANCIAL MANAGEMENT.

Section 3515 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "1997" and inserting "2000"; and

(B) by inserting "Congress and" after "submit to"; and

(2) by striking subsections (e), (f), (g), and (h).

SEC. 102. IMPROVING TRAVEL MANAGEMENT.

(a) **LIMITED EXCLUSION FROM REQUIREMENT REGARDING OCCUPATION OF QUARTERS.**—Section 5911(e) of title 5, United States Code, is amended by adding at the end the following new sentence: "The preceding sentence shall not apply with respect to lodging provided under chapter 57 of this title."

(b) **USE OF TRAVEL MANAGEMENT CENTERS, AGENTS, AND ELECTRONIC PAYMENT SYSTEMS.**—

(1) **REQUIREMENT TO ENCOURAGE USE.**—The head of each executive agency shall, with respect to travel by employees of the agency in the performance of the employment duties by the employee, require, to the extent practicable, the use by such employees of travel management centers, travel agents authorized for use by such employees, and electronic reservation and payment systems for the purpose of improving efficiency and economy regarding travel by employees of the agency.

(2) **PLAN FOR IMPLEMENTATION.**—(A) The Administrator of General Services shall develop a plan regarding the implementation of this subsection and shall, after consultation with the heads of executive agencies, submit to Congress a report describing such plan and the means by which such agency heads plan to ensure that employees use travel management centers, travel agents, and electronic reservation and payment systems as required by this subsection.

(B) The Administrator shall submit the plan required under subparagraph (A) not later than March 31, 2000.

(c) **PAYMENT OF STATE AND LOCAL TAXES ON TRAVEL EXPENSES.**—

(1) **IN GENERAL.**—The Administrator of General Services shall develop a mechanism to ensure that employees of executive agencies are not inappropriately charged State and local taxes on travel expenses, including transportation, lodging, automobile rental, and other miscellaneous travel expenses.

(2) **REPORT.**—Not later than March 31, 2000, the Administrator shall, after consultation with the heads of executive agencies, submit to Congress a report describing the steps taken, and proposed to be taken, to carry out this subsection.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

SEC. 201. MISCELLANEOUS CORRECTIONS TO SUBCHAPTER II OF CHAPTER 37 OF TITLE 31, UNITED STATES CODE.

(a) **CHILD SUPPORT ENFORCEMENT.**—Section 3716(h)(3) of title 31, United States Code, is amended to read as follows:

"(3) In applying this subsection with respect to any debt owed to a State, other than past due support being enforced by the State, subsection (c)(3)(A) shall not apply."

(b) **DEBT SALES.**—Section 3711 of title 31, United States Code, is amended by striking subsection (i).

(c) **GAINSHARING.**—Section 3720C(b)(2)(D) of title 31, United States Code, is amended by striking "delinquent loans" and inserting "debts".

(d) **PROVISIONS RELATING TO PRIVATE COLLECTION CONTRACTORS.**—

(1) **COLLECTION BY SECRETARY OF THE TREASURY.**—Section 3711(g) of title 31, United States Code, is amended by adding at the end the following:

"(11) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a pri-

ate collection contractor shall not be precluded from verifying the debtor's current employer, the location of the payroll office of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor.

"(12) In evaluating the performance of a contractor under any contract entered into under this subsection, the Secretary of the Treasury shall consider the contractor's gross collections net of commissions (as a percentage of account amounts placed with the contractor) under the contract. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria.

"(13) In selecting contractors for performance of collection services, the Secretary of the Treasury shall evaluate bids received through a methodology that considers the bidder's prior performance in terms of net amounts collected under Government collection contracts of similar size, if applicable. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria."

(2) **COLLECTION BY PROGRAM AGENCY.**—Section 3718 of title 31, United States Code, is amended by adding at the end the following:

"(h) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a private collection contractor shall not be precluded from verifying the current place of employment of the debtor, the location of the payroll office of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor.

"(i) In evaluating the performance of a contractor under any contract for the performance of debt collection services entered into by an executive, judicial, or legislative agency, the head of the agency shall consider the contractor's gross collections net of commissions (as a percentage of account amounts placed with the contractor) under the contract. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria.

"(j) In selecting contractors for performance of collection services, the head of an executive, judicial, or legislative agency shall evaluate bids received through a methodology that considers the bidder's prior performance in terms of net amounts collected under government collection contracts of similar size, if applicable. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria."

(3) **CONSTRUCTION.**—None of the amendments made by this subsection shall be construed as altering or superseding the provisions of title 11, United States Code, or section 6103 of the Internal Revenue Code of 1986.

(e) **CLERICAL AMENDMENT.**—Section 3720A(h) of title 31, United States Code, is amended—

(1) beginning in paragraph (3), by striking the close quotation marks and all that follows through the matter preceding subsection (i); and

(2) by adding at the end the following:

"For purposes of this subsection, the disbursing official for the Department of the Treasury is the Secretary of the Treasury or his or her designee."

(f) **CORRECTION OF REFERENCES TO FEDERAL AGENCY.**—Sections 3716(c)(6) and 3720A(a), (b), (c), and (e) of title 31, United States Code, are each amended by striking "Federal agency" each place it appears and inserting "executive, judicial, or legislative agency".

(g) INAPPLICABILITY OF ACT TO CERTAIN AGENCIES.—Notwithstanding any other provision of law, no provision in this Act, the Debt Collection Improvement Act of 1996 (chapter 10 of title III of Public Law 104-134; 31 U.S.C. 3701 note), chapter 37 or subchapter II of chapter 33 of title 31, United States Code, or any amendments made by such Acts or any regulations issued thereunder, shall apply to activities carried out pursuant to a law enacted to protect, operate, and administer any deposit insurance funds, including the resolution and liquidation of failed or failing insured depository institutions.

(h) CONTRACTS FOR COLLECTION SERVICES.—Section 3718 of title 31, United States Code, is amended—

(1) in the first sentence of subsection (b)(1)(A), by inserting “, or, if appropriate, any monetary claim, including any claims for civil fines or penalties, asserted by the Attorney General” before the period;

(2) in the third sentence of subsection (b)(1)(A)—

(A) by inserting “or in connection with other monetary claims” after “collection of claims of indebtedness”;

(B) by inserting “or claim” after “the indebtedness”; and

(C) by inserting “or other person” after “the debtor”; and

(3) in subsection (d), by inserting “or any other monetary claim of” after “indebtedness owed”.

SEC. 202. BARRING DELINQUENT FEDERAL DEBTORS FROM OBTAINING FEDERAL BENEFITS.

(a) IN GENERAL.—Section 3720B of title 31, United States Code, is amended to read as follows:

“§ 3720B. Barring delinquent Federal debtors from obtaining Federal benefits

“(a) (1) A person shall not be eligible for the award or renewal of any Federal benefit described in paragraph (2) if the person has an outstanding nontax debt that is in delinquent status with any executive, judicial, or legislative agency, as determined under standards prescribed by the Secretary of the Treasury. Such a person may obtain additional Federal benefits described in paragraph (2) only after such delinquency is resolved in accordance with those standards.

“(2) The Federal benefits referred to in paragraph (1) are the following:

“(A) Financial assistance in the form of a loan (other than a disaster loan) or loan insurance or guarantee.

“(B) Any Federal permit or Federal license required by law.

“(b) The Secretary of the Treasury may exempt any class of claims from the application of subsection (a) at the request of an executive, judicial, or legislative agency.

“(c) (1) The head of any executive, judicial, or legislative agency may waive the application of subsection (a) to any Federal benefit that is administered by the agency based on standards promulgated by the Secretary of the Treasury.

“(2) The head of an executive, judicial, or legislative agency may delegate the waiver authority under paragraph (1) to the chief financial officer or, in the case of any Federal performance-based organization, the chief performance-based organization, the chief operating officer of the agency.

“(3) The chief financial officer or chief operating officer of an agency to whom waiver authority is delegated under paragraph (2) may redelegate that authority only to the deputy chief financial officer or deputy chief operating officer of the agency. Such deputy chief financial officer or deputy chief operating officer may not redelegate such authority.

“(d) As used in this section, the term ‘nontax debt’ means any debt other than a

debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of title 31, United States Code, is amended by striking the item relating to section 3720B and inserting the following:

“3720B. Barring delinquent Federal debtors from obtaining Federal benefits.”.

(c) CONSTRUCTION.—The amendment made by this section shall not be construed as altering or superseding the provisions of title 11, United States Code.

SEC. 203. COLLECTION AND COMPROMISE OF NONTAX DEBTS AND CLAIMS.

(a) USE OF PRIVATE COLLECTION CONTRACTORS AND FEDERAL DEBT COLLECTION CENTERS.—Paragraph (5) of section 3711(g) of title 31, United States Code, is amended to read as follows:

“(5)(A) Nontax debts referred or transferred under this subsection shall be serviced, collected, or compromised, or collection action thereon suspended or terminated, in accordance with otherwise applicable statutory requirements and authorities.

“(B) The head of each executive agency that operates a debt collection center may enter into an agreement with the Secretary of the Treasury to carry out the purposes of this subsection.

“(C) The Secretary of the Treasury shall—

“(i) maintain a schedule of private collection contractors and debt collection centers operated by agencies that are eligible for referral of claims under this subsection;

“(ii) maximize collections of delinquent nontax debts by referring delinquent nontax debts to private collection contractors promptly;

“(iii) maintain competition between private collection contractors;

“(iv) ensure, to the maximum extent practicable, that a private collection contractor to which a nontax debt is referred is responsible for any administrative costs associated with the contract under which the referral is made.

“(D) As used in this paragraph, the term ‘nontax debt’ means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.”.

(b) LIMITATION ON DISCHARGE BEFORE USE OF PRIVATE COLLECTION CONTRACTOR OR DEBT COLLECTION CENTER.—Paragraph (9) of section 3711(g) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (A) through (H) as clauses (i) through (viii);

(2) by inserting “(A)” after “(9)”;

(3) in subparagraph (A) (as designated by paragraph (2) of this subsection) in the matter preceding clause (i) (as designated by paragraph (1) of this subsection), by inserting “and subject to subparagraph (B)” after “as applicable”; and

(4) by adding at the end the following:

“(B)(i) The head of an executive, judicial, or legislative agency may not discharge a nontax debt or terminate collection action on a nontax debt unless the debt has been referred to a private collection contractor or a debt collection center, referred to the Attorney General for litigation, sold without recourse, administrative wage garnishment has been undertaken, or in the event of bankruptcy, death, or disability.

“(ii) The head of an executive, judicial, or legislative agency may waive the application of clause (i) to any nontax debt, or class of nontax debts if the head of the agency determines that the waiver is in the best interest of the United States.

“(iii) As used in this subparagraph, the term ‘nontax debt’ means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.”.

TITLE III—SALE OF NONTAX DEBTS OWED TO UNITED STATES

SEC. 301. AUTHORITY TO SELL NONTAX DEBTS.

(a) PURPOSE.—The purpose of this section is to provide that the head of each executive, judicial, or legislative agency shall establish a program of nontax debt sales in order to—

(1) minimize the loan and nontax debt portfolios of the agency;

(2) improve credit management while serving public needs;

(3) reduce delinquent nontax debts held by the agency;

(4) obtain the maximum value for loan and nontax debt assets; and

(5) obtain valid data on the amount of the Federal subsidy inherent in loan programs conducted pursuant to the Federal Credit Reform Act of 1990 (Public Law 93-344).

(b) SALES AUTHORIZED.—(1) Section 3711 of title 31, United States Code, is amended by inserting after subsection (h) the following new subsection:

“(i)(1) The head of an executive, judicial, or legislative agency may sell, subject to section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) and using competitive procedures, any nontax debt owed to the United States that is administered by the agency.

“(2) Costs the agency incurs in selling nontax debt pursuant to this subsection may be deducted from the proceeds received from the sale. Such costs include—

“(A) the costs of any contract for identification, billing, or collection services;

“(B) the costs of contractors assisting in the sale of nontax debt;

“(C) the fees of appraisers, auctioneers, and realty brokers;

“(D) the costs of advertising and surveying; and

“(E) other reasonable costs incurred by the agency, as determined by the Director of the Office of Management and Budget.

“(3) Sales of nontax debt under this subsection—

“(A) shall be for—

“(i) cash; or

“(ii) cash and a residuary equity, joint venture, or profit participation, if the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the proceeds will be greater than the proceeds from a sale solely for cash;

“(B) shall be without recourse against the United States; and

“(C) shall transfer to the purchaser all rights of the United States to demand payment of the nontax debt, other than with respect to a residuary equity, joint venture, or profit participation under subparagraph (A)(ii), but shall not transfer to the purchaser any rights or defenses uniquely available to the United States.

“(3) This subsection is not intended to limit existing statutory authority of the head of an executive, judicial, or legislative agency to sell loans, nontax debts, or other assets.”.

SEC. 302. REQUIREMENT TO SELL CERTAIN NONTAX DEBTS.

Section 3711 of title 31, United States Code, is amended further by adding at the end the following new subsection:

“(j)(1)(A) The head of each executive, judicial, or legislative agency shall sell any nontax loan owed to the United States by the later of—

“(i) the date on which the nontax debt becomes 24 months delinquent; or

“(ii) 24 months after referral of the nontax debt to the Secretary of the Treasury pursuant to section 3711(g)(1) of title 31, United States Code. Sales under this subsection shall be conducted under the authority in section 301.

“(B) The head of an executive, judicial, or legislative agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, may exempt from sale delinquent debt or debts under this subsection if the head of the agency determines that the sale is not in the best financial interest of the United States.

“(2) The head of each executive, judicial, or legislative agency shall sell each loan obligation arising from a program administered by the agency, not later than 6 months after the loan is disbursed, unless the head of the agency determines that the sale would interfere with the mission of the agency administering the program under which the loan was disbursed, or the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that a longer period is necessary to protect the financial interests of the United States. Sales under this subsection shall be conducted under the authority in section 301.

“(3) After terminating collection action, the head of an executive, judicial, or legislative agency shall sell, using competitive procedures, any nontax debt or class of nontax debts owed to the United States unless the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the sale is not in the best financial interests of the United States. Sales under this paragraph shall be conducted under the authority of subsection (i).

“(4)(A) The head of an executive, judicial, or legislative agency shall not, without the approval of the Attorney General, sell any nontax debt that is the subject of an allegation of or investigation for fraud, or that has been referred to the Department of Justice for litigation.

“(B) The head of an executive, judicial, or legislative agency may exempt from sale under this subsection any class of nontax debts or loans if the head of the agency determines that the sale would interfere with the mission of the agency administering the program under which the indebtedness was incurred.”

TITLE IV—TREATMENT OF HIGH VALUE NONTAX DEBTS

SEC. 401. ANNUAL REPORT ON HIGH VALUE NONTAX DEBTS.

(a) IN GENERAL.—Not later than 90 days after the end of each fiscal year, the head of each agency that administers a program that gives rise to a delinquent high value nontax debt shall submit a report to Congress that lists each such debt.

(b) CONTENT.—A report under this section shall, for each debt listed in the report, include the following:

(1) The name of each person liable for the debt, including, for a person that is a company, cooperative, or partnership, the names of the owners and principal officers.

(2) The amounts of principal, interest, and penalty comprising the debt.

(3) The actions the agency has taken to collect the debt, and prevent future losses.

(4) Specification of any portion of the debt that has been written-down administratively or due to a bankruptcy proceeding.

(5) An assessment of why the debtor defaulted.

(c) DEFINITIONS.—In this title:

(1) AGENCY.—The term “agency” has the meaning that term has in chapter 37 of title 31, United States Code, as amended by this Act.

(2) HIGH VALUE NONTAX DEBT.—The term “high value nontax debt” means a nontax debt having an outstanding value (including principal, interest, and penalties) that exceeds \$1,000,000.

SEC. 402. REVIEW BY INSPECTORS GENERAL.

The Inspector General of each agency shall review the applicable annual report to Congress required in section 401 and make such recommendations as necessary to improve performance of the agency. Each Inspector General shall periodically review and report to Congress on the agency's nontax debt collection management practices. As part of such reviews, the Inspector General shall examine agency efforts to reduce the aggregate amount of high value nontax debts that are resolved in whole or in part by compromise, default, or bankruptcy.

SEC. 403. REQUIREMENT TO SEEK SEIZURE AND FORFEITURE OF ASSETS SECURING HIGH VALUE NONTAX DEBT.

The head of an agency authorized to collect a high value nontax debt that is delinquent shall, when appropriate, promptly seek seizure and forfeiture of assets pledged to the United States in any transaction giving rise to the nontax debt. When an agency determines that seizure or forfeiture is not appropriate, the agency shall include a justification for such determination in the report under section 401.

TITLE V—FEDERAL PAYMENTS

SEC. 501. TRANSFER OF RESPONSIBILITY TO SECRETARY OF THE TREASURY WITH RESPECT TO PROMPT PAYMENT.

(a) DEFINITION.—Section 3901(a)(3) of title 31, United States Code, is amended by striking “Director of the Office of Management and Budget” and inserting “Secretary of the Treasury”.

(b) INTEREST.—Section 3902(c)(3)(D) of title 31, United States Code, is amended by striking “Director of the Office of Management and Budget” and inserting “Secretary of the Treasury”.

(c) REGULATIONS.—Section 3903(a) of title 31, United States Code, is amended by striking “Director of the Office of Management and Budget” and inserting “Secretary of the Treasury”.

SEC. 502. PROMOTING ELECTRONIC PAYMENTS.

(a) EARLY RELEASE OF ELECTRONIC PAYMENTS.—Section 3903(a) of title 31, United States Code, is amended—

(1) by amending paragraph (1) to read as follows:

“(1) provide that the required payment date is—

“(A) the date payment is due under the contract for the item of property or service provided; or

“(B) no later than 30 days after a proper invoice for the amount due is received if a specific payment date is not established by contract;”;

(2) by striking “and” after the semicolon at the end of paragraph (8), by striking the period at the end of paragraph (9) and inserting “; and”, and by adding at the end the following:

“(10) provide that the Secretary of the Treasury may waive the application of requirements under paragraph (1) to provide for early payment of vendors in cases where an agency will implement an electronic payment technology which improves agency cash management and business practice.”.

(b) AUTHORITY TO ACCEPT ELECTRONIC PAYMENT.—

(1) IN GENERAL.—Subject to an agreement between the head of an executive agency and the applicable financial institution or institutions based on terms acceptable to the Secretary of the Treasury, the head of such agency may accept an electronic payment, including debit and credit cards, to satisfy a nontax debt owed to the agency.

(2) GUIDELINES FOR AGREEMENTS REGARDING PAYMENT.—The Secretary of the Treasury shall develop guidelines regarding agreements between agencies and financial institutions under paragraph (1).

SEC. 503. DEBT SERVICES ACCOUNT.

(a) TRANSFER OF FUNDS TO DEBT SERVICES ACCOUNT.—The Secretary of the Treasury may transfer balances in accounts established before the date of the enactment of this Act pursuant to section of 3711(g)(7) of title 31, United States Code, to the Debt Services Account established under subsection (b). All amounts transferred to the Debt Services Account under this section shall remain available until expended.

(b) ESTABLISHMENT OF DEBT SERVICES ACCOUNT.—Subsection (g)(7) of section 3711 of title 31, United States Code, is amended by striking the second sentence and inserting the following: “Any fee charged pursuant to this subsection shall be deposited into an account established in the Treasury to be known as the ‘Debt Services Account’ (hereinafter referred to in this section as the ‘Account’).”

(c) REIMBURSEMENT OF FUNDS.—Section 3711(g) of title 31, United States Code, is amended—

(1) by striking paragraph (8);

(2) by redesignating paragraphs (9) and (10) as paragraphs (8) and (9), respectively; and

(3) by amending paragraph (9) (as redesignated by paragraph (2)) to read as follows:

“(9) To carry out the purposes of this subsection, including services provided under sections 3716 and 3720A, the Secretary of the Treasury may—

“(A) prescribe such rules, regulations, and procedures as the Secretary considers necessary;

“(B) transfer such funds from funds appropriated to the Department of the Treasury as may be necessary to meet liabilities and obligations incurred prior to the receipt of fees that result from debt collection; and

“(C) reimburse any funds from which funds were transferred under subparagraph (B) from fees collected pursuant to sections 3711, 3716, and 3720A. Any reimbursement under this subparagraph shall occur during the period of availability of the funds transferred under subparagraph (B) and shall be available to the same extent and for the same purposes as the funds originally transferred.”.

(d) DEPOSIT OF TAX REFUND OFFSET FEES.—The last sentence of section 3720A(d) of title 31, United States Code, is amended to read as follows: “Amounts paid to the Secretary of the Treasury as fees under this section shall be deposited into the Debt Services Account of the Department of the Treasury described in section 3711(g)(7) and shall be collected and accounted for in accordance with the provisions of that section.”.

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

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments?

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

The amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SESSIONS) having assumed the chair, Mr. GIBBONS, 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. 436) to reduce waste, fraud, and error in Government programs by making improvements with respect to Federal management and debt collection practices, Federal payment systems, Federal benefit programs, and for other purposes, pursuant to House Resolution 43, 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.

The question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

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. HORN. 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 419, nays 1, not voting 13, as follows:

[Roll No. 25]
YEAS—419

Abercrombie
Ackerman
Allen
Andrews
Archer
Army
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Billbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehrlert
Boehner
Bonilla
Bonior

Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combost
Condit
Conyers
Cook

Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel

English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchee
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Boyd
Hulshof
Hunter
Hutchinson
Hyde
Inslie
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Klecicka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall

LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Metcalfe
Mica
Millender-
McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascarell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula

Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Weygand

Whitfield
Wicker
Wilson
Wise

Wolf
Woolsey
Wu
Wynn

Young (AK)
Young (FL)

NAYS—1
Paul

NOT VOTING—13
Aderholt
Capps
Davis (IL)
Livingston
Lowey

Martinez
McInnis
Menendez
Morella
Northrup

Reyes
Rush
Weldon (PA)

□ 1312

So the bill was passed.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:
Mr. ADERHOLT. Mr. President, on roll call no. 25, I was inadvertently detained. Had I been present, I would have voted "yes."

Mr. MCINNIS. Mr. Speaker, due to business in Colorado, I will be unable to vote on the following bill, H.R. 436. Had I been able to vote, I would have voted "yea."

Mr. PICKERING. Mr. Speaker, I was unavoidably detained and missed the following rollcall vote:

Rollcall vote No. 25, H.R. 438. Had I been present, I would have voted "aye."

GENERAL LEAVE

Mr. HORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 436, the bill just passed.

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

There was no objection.

FEDERAL FINANCIAL ASSISTANCE MANAGEMENT IMPROVEMENT ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 75 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 409.

□ 1315

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. 409) to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal assistance application and reporting requirements, and improve the delivery of services to the public, with Mr. PEASE 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 California (Mr. HORN) and the gentleman from Texas (Mr. TURNER) each will control 30 minutes.

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

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

Mr. Chairman, I would like to thank my colleagues, the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. HOYER), the author of this bipartisan bill, for their very hard work in bringing this measure to the floor.

This legislation will help keep Federal grant programs much more user friendly and less burdensome. H.R. 409 builds upon past efforts of the Subcommittee on Government Management, Information and Technology to improve program performance. This has been accomplished through, among other vehicles, the Government Performance and Results Act, the Single Audit Act, the Paperwork Reduction Act, and the Unfunded Mandates Reform Act.

H.R. 409 requires Federal agencies to coordinate and streamline the process by which applicants apply for assistance programs, particularly where similar programs are administered by different Federal agencies.

The purpose of this legislation is to facilitate better coordination among the Federal Government, State, local and tribal governments and not-for-profit organizations. It also simplifies Federal financial assistance application and reporting requirements and ultimately results in improved delivery of services to the public.

I urge my colleagues to support it.

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

Mr. Chairman, first, I would like to recognize the hard work and the leadership provided by the original sponsors of H.R. 409, the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. HOYER). Both of these gentlemen have put in countless hours working on this bill, which will improve the ability of the people of this country to access Federal grant funds that we make available here in the Congress. Without their initiatives, we would not be able to be here with this legislation today.

This bill did bypass the normal committee process and its sponsors obtained a waiver from the chairman of the Committee on Government Reform. This was possible only because of the hard work of these two Members and because of the bipartisan spirit with which the gentleman from California (Mr. HORN) and the subcommittee that had jurisdiction over this bill handled the markup of the legislation last year.

H.R. 409 is designed to streamline and to consolidate the Federal financial assistance process. There are over 600 Federal programs that provide financial assistance to State, local and tribal governments and nonprofit organizations. These funds and the organizations that use them help provide vital services to the American people.

Countless Americans rely on Federal financial assistance for loans, education, job training, childhood programs, welfare benefits and medical care, among other things.

Federal funds support 163 different job training programs and over 90 early childhood programs. Unfortunately, unwieldy administrative barriers can reduce the effectiveness of Federal financial assistance and the services it provides. Similar programs can be administered by numerous different agencies, and administrative requirements can be complicated and duplicative.

As a result, programs run with Federal funds by State, local and tribal governments and nonprofit organizations are forced to use time, effort and money that is better applied to providing the vital services to the American people.

H.R. 409, the Federal Financial Assistance Management Improvement Act of 1999, will help solve these problems. The legislation would streamline the application and reporting process for Federal grants, promote the establishment of consistent procedures for financial assistance programs when applicable, and encourage the use of electronic application and reporting process. The bill would let local governments and nonprofit organizations spend less time on paperwork and more time doing the work that improves the lives of people.

It also assures that the Federal Government will receive timely and accurate reporting from the grantee of these funds. With large grants, such as block grants to States, we should require accountability from the grant recipients. The American people are entitled to know that their Federal tax dollars are being spent wisely by those who receive Federal grants.

We have overcome a number of issues in crafting this good, bipartisan bill, and I am glad to be here today as an additional sponsor of the bill. This is bipartisan legislation at its best. It has the support of a wide spectrum of politicians, both State and local, and nonprofit organizations. Simply put, this is good, common-sense government.

Again, I commend the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. HOYER) for their outstanding work on this legislation.

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

Mr. HORN. Mr. Chairman, I yield the remainder of my time to the gentleman from Ohio (Mr. PORTMAN) and ask unanimous consent that he be allowed to yield time within that block for those who wish to speak on the majority side.

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

There was no objection.

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

Mr. Chairman, I want to thank the gentleman from California (Mr. HORN) for bringing this bill to the floor today, taking it through his subcommittee last year, and being able to work with us to perfect the legislation that was

passed in the Senate. I also want to commend the gentleman from Texas (Mr. TURNER) for his work on this legislation as the ranking member of the subcommittee.

This is a bill that the gentleman from Maryland (Mr. HOYER), who will speak in a moment, and I introduced last year, which is, as the gentleman from Texas (Mr. TURNER) just said, a common-sense approach to government. It is, in essence, the same legislation that was the subject of a hearing and then reported out of the Subcommittee on Government Management, Information, and Technology last year.

It is identical to legislation that was authored by Senators John Glenn and FRED THOMPSON which was reported out of the Senate Governmental Affairs Committee after hearings last year and then which passed the Senate by unanimous consent late in the last Congress.

Mr. Chairman, I am sure every single Member of this House has heard, as I have, from our nonprofit organizations back home, from local and State governments, who expressed their frustration with the process of applying for Federal grants and then keeping up with the reporting requirements and other administrative burdens that follow.

Right now, there are over 600 separate Federal programs that provide financial assistance to State and local government, tribal governments, and nonprofit groups. Many of these programs serve similar purposes, and yet they are administered by different agencies or departments.

For example, taxpayers spend about \$20 billion a year on 163 different job training programs spread out over 15 Federal agencies. Eleven agencies administer over 90 early childhood education and other childhood programs. Each has its own unique set of applications, its own red tape, its own bureaucracy. And, too often, this grant application process is unnecessarily time consuming and costly.

As a result, what happens is a lot of these nonprofit groups particularly go out and hire expensive grant writers to put together their proposals. That concerns me greatly because that reduces the resources that are available to address the very problems we want these nonprofits to target.

Others who do not have the resources to go out and hire a grant writer try to do it themselves, and again an enormous expenditure of time that could otherwise be directed toward the intended mission of that nonprofit or local or State government. And we find that those groups that do finally obtain a grant often say to us, gee, I wonder if it is even worth going through this process, because of the reporting requirements that are so onerous for them or other administrative burdens.

I want to remind my colleagues of something else, which is this is not just about the grant applicants, this is about the Federal agencies, too. Because we are helping them by reducing

their work load and thus helping the taxpayer and reducing the cost to administer these Federal programs.

Recently, I fielded a lot of concerns from around the country on a particular piece of legislation called the Drug-Free Communities Act. I am sure every Member has their own example. But in this case this was legislation that I sponsored in the House. It was enacted with strong bipartisan support of this House. We felt that in the act we set out some pretty clear guidelines, criteria, as to which antidrug coalitions around the country would qualify for Federal matching funds.

Unfortunately, the application process is neither simple nor clear. It is a lengthy, complicated instrument that even some of the more sophisticated antidrug coalitions around the country are having an awful hard time with. And, again, they are going out and hiring grant writers and so on to be able to apply.

Two things are happening as a result. One, resources are being wasted again that otherwise would be directed in this case towards reducing substance abuse among our kids, which is something all of us believe in and want these agencies and nonprofits to be focused on.

Second, some of the agencies and nonprofits out there, these smaller antidrug coalitions, are just scared away by the process. So some of the ones that need the assistance the most, the very ones that are in the most difficult financial situation, are not applying for the grant money. This is the kind of problem we are trying to get at.

I will say that, in general, Congress is not above criticism for the way legislation is written. It is not all the agencies' fault. We need to do a better job up here on the Hill in putting together legislation that is clear, that does have guidelines that are easier to administer.

In retrospect, we probably could have done a better job in the Drug-Free Communities Act in terms of directing the agency to be sure that the intent of the bill was very clear in that regard. However, agencies also must be given some discretion to implement these pieces of legislation, and that is where so many of the problems that all of us have heard from our constituents arise.

The legislation before us today addresses the problem, as the gentleman from Texas (Mr. TURNER) and the gentleman from California (Mr. HORN) have said, in a very specific way by going to the Office of Management and Budget and asking for, with their oversight, that each agency develop plans within 18 months, we give them 18 months, to streamline application administrative and reporting requirements, number one.

Second, to have a uniform application for related programs. So if they have programs spread out over 5, 10, 15 agencies but they are about the same issue, we want to have a common appli-

cation for the nonprofits and State and local governments that are applying.

Third, we want to expand dramatically the use of electronic applications and reporting via the Internet to allow people to use the Internet for access.

Fourth, we want to demonstrate interagency coordination to simplify reporting requirements for overlapping programs. The duplication out there is particularly frustrating, and this is something that we get at in this legislation.

Finally, to set annual goals to further the purposes of this act. So we need the agencies to set goals and stick with them.

In doing this work, the agencies are required in this legislation to work closely with State and local government, with the nonprofit community in setting the performance measures to achieve the goals. The bill also sunsets in 5 years, which I think is responsible, after a review by the National Academy of Public Administration.

This bill is consistent, Mr. Chairman, with other things we have done in this Congress, the Unfunded Mandates Relief Act, in terms of reducing the burden on State and local government. It is also consistent with the Government Performance and Results Act, so-called GPRA, in improving government performance generally at the Federal agency level.

The intent of the legislation really is quite simple. We are trying to make Federal grant programs a lot more user friendly for the recipients but also less burdensome for the Federal agencies. It is a priority and has been endorsed by all of the major State and local governments out there, including the National Governors Conference, including the National Conference of State Legislators, the National Association of Counties, the National League of Cities, and so on. It is also supported by nonprofit organizations and other groups, such as OMB Watch.

It is a good government measure. It will make it easier for our constituents and for State and local government to interact with the Federal Government. And, very importantly, it is going to result in cost savings for grant recipients and also for the Federal agencies.

Again, I want to thank the Committee on Government Reform and Oversight for bringing this bill to the floor. It is common-sense legislation. I urge all my colleagues to support this effort to make the Federal Government work better for all of our constituent groups.

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

□ 1330

Mr. TURNER. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland (Mr. HOYER), who has worked very hard on this issue, the original Democratic cosponsor of this bill with the gentleman from Ohio (Mr. PORTMAN).

Mr. HOYER. Mr. Chairman, I thank the distinguished gentleman from Texas for yielding me this time.

At the outset, I want to say how positive an experience it has been working with the gentleman from Ohio (Mr. PORTMAN) on this legislation. He and I both believe very strongly that we need to move quickly in this direction, albeit we have 18 months set forth in this legislation, hope that we can move more quickly, but however quickly we move, we think this is a critically important objective. And I want to thank the gentleman from Ohio for his very, very outstanding work on this.

I certainly want to thank the gentleman from California (Mr. HORN) and the gentleman from Texas (Mr. TURNER) for facilitating this bill coming to the floor so early.

Mr. Speaker, over the years Congress has created, as we have heard, hundreds of programs, 600 plus of categorical programs to help communities and families deal with the many issues confronting them. Each of the programs was created with its own rules and regulations.

In some areas, local needs do not fit the problems specifically covered by categorical programs. In other areas, services overlap and duplicate each other.

Right now, case workers spend far too much time dealing with red tape and paperwork. The Federal Government has created hundreds of different taps through which assistance flows; and communities, programs and families must run from tap to tap, in many instances with a bucket, to help the people that we want to help as well.

My late wife, Judy, worked for the Prince George's County School System. She was the supervisor of early childhood education. She used to tell me about children in her program with certain problems. It was her belief that the staff should not have to run around figuring out which programs a child qualifies for and how to make the child's needs fit the money. The program should provide money which is flexible enough to allow program staff to concentrate on what they know best, taking care of children.

As an appropriator, Mr. Chairman, I am particularly concerned that our tax dollars be spent efficiently and effectively. In 1994, I asked the Department of Education to convene a working group on coordinated services. That was 5 years ago. This working group, which met through 1995, included Federal employees and people from State and local governments and organizations across the country. In response to the recommendation of that working group, I began working on legislation, this being a result, along with work that the gentleman from Ohio (Mr. PORTMAN) has done and now is styled as H.R. 409.

The bill requires the Office of Management and Budget to work with other Federal agencies to establish a uniform application for financial assistance for multiple programs across multiple Federal agencies. Critically important not to have to deal with all

kinds of different forms when, basically, the information we are seeking is the same.

Secondly, simplify reporting requirements and administrative procedures. Again facilitate, not impede, dollars getting to the people that we at the Federal level, our State colleagues and local colleagues all want to assist.

Thirdly, develop electronic methods for applying for and reporting of Federal financial assistance funds.

Agencies, Mr. Chairman, are also required to establish a process for consulting with State, local and tribal governments and nonprofit organizations over their implementation of the bill's requirements. Quoting, the Federal Financial Assistance Management Improvement Act directs the director of OMB to establish interagency coordination of the collection of information and sharing of data.

I think that is a critically important requirement. I thank the gentleman from Ohio (Mr. PORTMAN) for his help in enunciating this in statute. It is important. For example, OMB must develop a single information release form to facilitate the sharing of information across multiple Federal programs.

In my opinion, the Federal Government has the responsibility of fixing the problems it has created. I have talked to many leaders of our government, Secretary Shalala at the Department of Health and Human Services, Secretary Riley at the Department of Education, former Secretary of Labor Reich and others.

There are so many agencies that have programs, for instance, that help children, but there are a multiplicity of programs. And for the person who is working with a child in Head Start who may have nutritional problems, health problems, educational problems, social service problems, it is a daunting task at best to try to figure out how you access.

If we are successful in this effort, as I think we will be, in getting the government to have a uniform form for like services, then we will facilitate the objectives that we want to accomplish, which are now somewhat impeded by the bureaucratic maze through which applicants must go.

In my opinion, the Federal Government's responsibility will be facilitated by this act. I believe that H.R. 409 will add a much-needed focus on the coordination of program requirements both within and across Federal departments.

Finally, I want to thank some individuals who were instrumental in this legislation. We ought to certainly mention Senator John Glenn. Senator Glenn has retired now, but Senator Glenn was a major proponent of legislation similar to this and, in fact, had drafted it, had hearings on it, considered it in committee. He was a champion of this issue on the Senate side.

Again, I want to mention the gentleman from Ohio (Mr. PORTMAN), who is the primary sponsor of this legislation along with myself. He has been

tireless and effective in his advocacy of simplifying the road on which local governments and State governments and private agencies must travel to access funds so that they can carry out the objectives that we have set forth.

I want to also mention Seth Webb, who works for the gentleman from Ohio (Mr. PORTMAN). He has been so critical, an extraordinarily effective staffer in getting us to this position.

I also want to mention Ms. Catriona MacDonald and Ms. Lisa Levine, two of my staffers, former staffers now, who did such an outstanding job in working on this legislation and getting us to this point.

Mr. Chairman, I am hopeful that this legislation will pass unanimously. I know there were a couple of amendments. The gentleman from Ohio and I have discussed those. Hopefully, we can dispose of those quickly and adopt this and send it to the Senate.

Mr. TURNER. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio (Mr. TRAFICANT).

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

Mr. TRAFICANT. Mr. Chairman, I thank the gentleman for yielding me the time. I do not need 10 minutes. But I appreciate it.

I want to commend the gentleman from Ohio (Mr. PORTMAN) for his efforts; the gentleman from California (Mr. HORN), who has his hands on a lot of good moves that are coming out of Congress; and the gentleman from Maryland (Mr. HOYER) for his leadership on this issue; and the gentleman from Texas (Mr. TURNER).

I have a small, little amendment. It is a sense of the Congress at this point, a sense of the Congress that says when Federal agencies are providing economic development grants their primary focus should be on communities with high poverty and unemployment rates. Very simple.

This past year, the Vice President announced 15 empowerment zones for urban areas. Those empowerment zones are worth \$230 million over the next 10 years. They had a four-tier scale measuring system. One of those was to measure the quality of the plan submitted. That was worth 25 points. The second one was private-public sector commitments. That was worth 25 points. The third one was poverty and unemployment rates, worth 25 points.

The bottom line was, when it was all over, there were communities around America that had low unemployment rates that ended up getting empowerment zones because they were able to get private sector commitments.

One issue in case is the Youngstown-Warren area that has a 51 percent poverty rate, my district, and an almost 20 percent unemployment rate. But because poverty and unemployment was only 25 percent of the factor, one community in California with a 30 percent poverty rate but only a 5 percent unemployment rate got an empowerment

zone designation. The reason for it was that California community was able to put up \$2.5 billion of private-public commitments.

Now, here is what I am saying to Congress. Any community with a 5 percent unemployment rate that could mobilize \$2.5 billion of public and private commitments for a Federal program does not need the Federal money. The areas that have yet to come back because of a lack of diversification because of macroeconomic policies on many urban areas trapped in this maze do need this help.

Now, I will be taking up legislation later this year that will make the empowerment zone formula weighted heavier on behalf of poverty and unemployment. But, for today, my amendment, and I am asking for it to be accepted, is a simple little sense of the Congress that says when these Federal funds are being provided for economic development purposes, their primary focus should be on hardship, poverty and unemployment. With that, I would appreciate Members' help.

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

In closing, I would simply say again that the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. HOYER) have done outstanding work in bringing this bill to the floor. I think every American that depends upon Federal grant assistance will find that this bill will make it much easier for them to get through the red tape that so often they have to get through to access Federal dollars.

This is a good bill. It is good for this country. I appreciate the bipartisan spirit in which the sponsors have brought it to the floor, as well as the good work of the gentleman from California (Mr. HORN) on the Subcommittee on Government Management, Information, and Technology for his outstanding leadership on this legislation.

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

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

Before we get on to the amendments, let me just say this has been a group effort. It looks kind of easy when we get to the floor sometimes, but nothing is easy around here. Without the gentleman from Maryland's willingness to step forward and provide expertise and assistance on the other side of the aisle, we would not be here today; and without the gentleman from California's willingness to prioritize this and mark it up last year, we would not be here today. I want to thank the gentleman from Texas (Mr. TURNER) for joining in the fray this year.

Also, Senator GLENN did get the ball rolling, my former colleague from Ohio. I know that he is watching these proceedings with great interest and cannot wait when it finally gets down to the White House for signing, which I would predict will happen within the

next couple of months. I think the Senate will take this up on a rather expedited basis. This is a group effort. All the staff involved need to be commended as well.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered under the 5-minute rule by section, and each section shall be considered read.

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

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Financial Assistance Management Improvement Act of 1999".

The CHAIRMAN. Are there any amendments to section 1?

The Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. FINDINGS.

The Congress finds that—

(1) there are over 600 different Federal financial assistance programs to implement domestic policy;

(2) while the assistance described in paragraph (1) has been directed at critical problems, some Federal administrative requirements may be duplicative, burdensome, or conflicting, thus impeding cost-effective delivery of services at the local level;

(3) the Nation's State, local, and tribal governments and private, nonprofit organizations are dealing with increasingly complex problems which require the delivery and coordination of many kinds of services; and

(4) streamlining and simplification of Federal financial assistance administrative procedures and reporting requirements will improve the delivery of services to the public.

The CHAIRMAN. Are there any amendments to section 2?

The Clerk will designate section 3.

The text of section 3 is as follows:

SEC. 3. PURPOSES.

The purposes of this Act are to—

(1) improve the effectiveness and performance of Federal financial assistance programs;

(2) simplify Federal financial assistance application and reporting requirements;

(3) improve the delivery of services to the public; and

(4) facilitate greater coordination among those responsible for delivering such services.

The CHAIRMAN. Are there any amendments to section 3?

The Clerk will designate section 4.

The text of section 4 is as follows:

SEC. 4. DEFINITIONS.

In this Act:

(1) DIRECTOR.—The term "Director" means the Director of the Office of Management and Budget.

(2) FEDERAL AGENCY.—The term "Federal agency" means any agency as defined under section 551(1) of title 5, United States Code.

(3) FEDERAL FINANCIAL ASSISTANCE.—The term "Federal financial assistance" has the meaning given that term in section 7501(a)(5) of title 31, United States Code, under which Federal financial assistance is provided, directly or indirectly, to a non-Federal entity.

(4) LOCAL GOVERNMENT.—The term "local government" means a political subdivision of a State that is a unit of general local government (as defined under section 7501(a)(11) of title 31, United States Code);

(5) NON-FEDERAL ENTITY.—The term "non-Federal entity" means a State, local government, or nonprofit organization.

(6) NONPROFIT ORGANIZATION.—The term "nonprofit organization" means any corporation, trust, association, cooperative, or other organization that—

(A) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;

(B) is not organized primarily for profit; and

(C) uses net proceeds to maintain, improve, or expand the operations of the organization.

(7) STATE.—The term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands, and any instrumentality thereof, any multi-State, regional, or interstate entity which has governmental functions, and any Indian Tribal Government.

(8) TRIBAL GOVERNMENT.—The term "tribal government" means an Indian tribe, as that term is defined in section 7501(a)(9) of title 31, United States Code.

(9) UNIFORM ADMINISTRATIVE RULE.—The term "uniform administrative rule" means a government-wide uniform rule for any generally applicable requirement established to achieve national policy objectives that applies to multiple Federal financial assistance programs across Federal agencies.

The CHAIRMAN. Are there any amendments to section 4?

The Clerk will designate section 5.

The text of section 5 is as follows:

SEC. 5. DUTIES OF FEDERAL AGENCIES.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, each Federal agency shall develop and implement a plan that—

(1) streamlines and simplifies the application, administrative, and reporting procedures for Federal financial assistance programs administered by the agency;

(2) demonstrates active participation in the interagency process under section 6(a)(2);

(3) demonstrates appropriate agency use, or plans for use, of the common application and reporting system developed under section 6(a)(1);

(4) designates a lead agency official for carrying out the responsibilities of the agency under this Act;

(5) allows applicants to electronically apply for, and report on the use of, funds from the Federal financial assistance program administered by the agency;

(6) ensures recipients of Federal financial assistance provide timely, complete, and high quality information in response to Federal reporting requirements; and

(7) establishes specific annual goals and objectives to further the purposes of this Act

and measure annual performance in achieving those goals and objectives, which may be done as part of the agency's annual planning responsibilities under the provisions enacted in the Government Performance and Results Act of 1993 (Public Law 103-62).

(b) EXTENSION.—If one or more agencies are unable to comply with the requirements of subsection (a), the Director shall report to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives the reasons for noncompliance. After consultation with such committees, the Director may extend the period for plan development and implementation for each non-compliant agency for up to 12 months.

(c) COMMENT AND CONSULTATION ON AGENCY PLANS.—

(1) COMMENT.—Each agency shall publish the plan developed under subsection (a) in the Federal Register and shall receive public comment of the plan through the Federal Register and other means (including electronic means). To the maximum extent practicable, each Federal agency shall hold public forums on the plan.

(2) CONSULTATION.—The lead official designated under subsection (a)(4) shall consult with representatives of non-Federal entities during development and implementation of the plan. Consultation with representatives of State, local, and tribal governments shall be in accordance with section 204 of the Unfunded Mandates Reform Act of 1995 (Public Law 104-4; 2 U.S.C. 1534).

(d) SUBMISSION OF PLAN.—Each Federal agency shall submit the plan developed under subsection (a) to the Director and Congress and report annually thereafter on the implementation of the plan and performance of the agency in meeting the goals and objectives specified under subsection (a)(7). Such report may be included as part of any of the general management reports required under law.

AMENDMENT OFFERED BY MR. KUCINICH

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

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

Page 7, after line 23, insert the following:

(e) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.—(1) Not later than 18 months after the date of the enactment of this Act, the Department of Housing and Urban Development shall develop and implement a plan that establishes policies and procedures regarding an applicant who has submitted an application for Federal financial assistance to the agency that includes a technical deficiency under which—

(A) the applicant shall be notified promptly of the deficiency and permitted to submit the appropriate information to correct the deficiency within 7 days of receipt of notice by the applicant of the deficiency, notwithstanding that the deadline for submission of an application has expired;

(B) the application shall continue to be considered by the agency during the period before the applicant is notified and the 7-day period during which the applicant is permitted to correct the deficiency; and

(C) if the applicant corrects the deficiency within the 7-day period, the agency shall continue to consider the application.

(2) A deficiency (including, but not limited to, a misfiling, error, or omission) may be considered technical for purposes of this subsection notwithstanding a material impact on the eligibility of an applicant or proposed activity for requested funding. A technical deficiency for purposes of this subsection

does not include the failure to submit a substantially complete application by a deadline published in the Federal Register.

Mr. KUCINICH (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. KUCINICH. Mr. Chairman, this is an amendment which is designed to facilitate the grant process. The gentleman from Ohio (Mr. PORTMAN) spoke so well of the concerns which community groups have in making sure that they can participate in the Federal grant-making process, and he explained how they often have to hire experts in order to become involved to make sure that all the I's are dotted and the T's are crossed.

□ 1345

The Department of Housing and Urban Development recently refused to provide continued funding to a very worthy program for homeless men in Cleveland because of a technical mistake. Now to show my colleagues the impact which this can have, there is a great program run by the Salvation Army in my district which is going to be out of money because of what was called a technical mistake. And I explored it further, and my colleagues will be interested to know that the program is not funded because the applicants had submitted the wrong budget form, and HUD said that they could not consider the proposal and could not tell the applicant that the error had been made. They could not even tell people that they made an error until all the grants had been announced.

Mr. Chairman, what this amendment will do is that this amendment will require that the applicant will be notified of a deficiency, and they will be permitted to correct the deficiency, and that if they do correct the deficiency within a 7-day period, the agency shall consider the application.

We spend a lot of time here in the Congress trying to meet the needs of our constituents and making sure that the Federal grant process is available to our constituents. We spend a lot of time and show a lot of concern about making sure that people can get the grants which they need, and we certainly want to make sure that no agency feels impeded in its ability to discharge congressional intent by some interpretation which would make it impossible for the grant-making process to be affected in a way that is consistent with congressional intent.

So this amendment will enable the technical deficiencies to be cured by the applicant and not put anyone anywhere in this country in a position where just a minor omission of a technical nature would knock them right out of the grant process and, worse than that, they cannot even be told.

Mr. Chairman, I yield to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, the gentleman from Ohio (Mr. PORTMAN) and I have discussed this amendment, and I know we discussed it with the gentleman from Texas (Mr. TURNER) as well. I want my colleagues to know that I very much appreciate the gentleman's focus on this and his concern with this, and hopefully this matter can be resolved.

Mr. Chairman, it would be my intention not to object to the adoption of this amendment at this time.

Mr. KUCINICH. Mr. Chairman, I want to thank the gentleman from Maryland (Mr. HOYER). I would really appreciate the support of my colleagues on this, because this is something that we would not want to happen to any other community.

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

Mr. Chairman, I thank the gentleman for raising the problem, and I think all of us sympathize with it. We probably all had constituents come to us with identical, similar problems with Federal agencies. In this case, it is a technical problem, and yet they are not told about it when they could have revised the application.

I am not sure this is the right place to do this amendment, honestly; and I would have a couple questions for the gentleman. One is, how do we define what is technical and what is not? I assume the agencies and OMB are going to have questions about that. Does the gentleman have a definition of what is a technical deficiency?

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

Mr. PORTMAN. I yield to the gentleman from Ohio.

Mr. KUCINICH. Mr. Chairman, it would be a deficiency including but not limited to a misfiling error or omission, and that may be considered technical notwithstanding material impact on the eligibility of an applicant or proposed activity for requested funding.

Mr. PORTMAN. Mr. Chairman, the gentleman identified some possible technical deficiencies to try to give agencies some guidance as to what would be within the 7-day rule.

Mr. KUCINICH. The amendment is broad enough that it would not be limited to just a misfiling, but it also, as I indicated earlier, would be considered technical even if there was a material impact and eligibility of the applicant. Any failure, if they fail to submit something that was a substantially complete application which the Federal Register required, that would not fall under a technical deficiency, and they would be knocked out.

Mr. PORTMAN. How about a cost estimate? Has the gentleman from Ohio had any sense of what this will cost the Federal agencies?

Mr. KUCINICH. Since the Federal agency has already an apparatus in place, which they pay for in terms of personnel, this would simply require a phone call each time there was a deficiency so that the costs would be negligible.

Mr. PORTMAN. And in terms of the 7 days, I know on some of these applications, and we are trying to end this process through this very legislation, are 2, 3, 4 inches thick, and my question would be, is 7 days practical? In other words, do they not go through these application sometimes for weeks, even months?

Mr. KUCINICH. Well, 7 days once they make a determination that an application should be rejected on a technical basis.

Mr. PORTMAN. At that point, the 7 days begins to toll?

Mr. KUCINICH. At that point, they notify them they have 7 days, and if they cannot do it, then that is unfortunate. But at least they have the time to correct it, and if it is a minor thing such as filing the wrong form, and they could get the wrong form, they can turn that around in a few days.

So, as my colleagues know, this is not intended to create a loophole where someone could, in effect, I say to the gentleman from Maryland (Mr. HOYER) and the gentleman from Ohio (Mr. PORTMAN), forestall the proper execution of the Federal grant program. But it is intended to make certain that no one, no worthy and otherwise proper applicant, and this was the case that I cited which someone had already been operating under a Federal grant and followed all the guidelines, no one would be denied the chance to be a grantee simply on a routine technical matter. They would have the chance to come back.

Mr. PORTMAN. Reclaiming my time, I think again that the intent of this legislation we are considering today is consistent with what the gentleman is trying to get at. In fact, our whole idea here is to end up with a process at HUD and everywhere else where the application process is simplified, streamlined and we do not have the opportunity to have the kind of technical deficiencies the gentleman talked about because it would be clearer to the applicants. On the other hand, now and again it is going to happen.

I guess I am not crazy about including this in the legislation, but based on what the gentleman from Maryland (Mr. HOYER) said earlier and based upon the gentleman's description of the response, particularly to the 7 days, to the cost and then to the definition of "technical," I guess I would not oppose the amendment being included in the legislation with the understanding that this is not meant to in any way impede, slow down the grant making process and that we will continue to work through process as we go back over to the Senate side to try to address this concern.

Mr. Chairman, I also want to tell the gentleman from Ohio that I appreciate the gentleman narrowing the amendment considerably from earlier discussions that we had.

Mr. KUCINICH. Mr. Chairman, I appreciate the gentleman's advice and counsel in doing that. It is good to

work with the gentleman from Ohio (Mr. PORTMAN).

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TURNER

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

The Clerk read as follows:

Amendment offered by Mr. TURNER:

Page 6, line 2, insert "in a manner not inconsistent with the Government Paperwork Elimination Act (title XVII of Public Law 105-277)" after "agency".

Mr. TURNER. Mr. Chairman, this amendment would simply require that the plans developed by the agencies be consistent with the Paperwork Elimination Act of 1998. This amendment has been discussed by both the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. HOYER).

It is my understanding that there is no objection to the amendment that has been negotiated. It is simply intended not to create confusion for State agencies. It has been a request that was brought to us by the Office of Management and Budget, and we believe that it should be adopted without objection.

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

Mr. TURNER. I yield to the gentleman from Ohio.

Mr. PORTMAN. Mr. Chairman, I think that this is probably already covered under section 10 of the bill, and we did discuss this earlier. However, given that the language has been altered to say in a manner not inconsistent with existing legislation, which is the Government Paperwork Elimination Act, I do not see any big problem with this. I think it is, again, probably already covered in the legislation, but I do not think it will alter the intent or the purposes of the act.

Mr. TURNER. Mr. Chairman, I thank the gentleman from Ohio (Mr. PORTMAN) for his consideration.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. TURNER).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to section 5?

The Clerk will designate section 6.

The text of section 6 is as follows:

SEC. 6. DUTIES OF THE DIRECTOR.

(a) IN GENERAL.—The Director, in consultation with agency heads, and representatives of non-Federal entities, shall direct, coordinate and assist Federal agencies in establishing:

(1) A common application and reporting system, including—

(A) a common application or set of common applications, wherein a non-Federal entity can apply for Federal financial assistance from multiple Federal financial assistance programs that serve similar purposes and are administered by different Federal agencies;

(B) a common system, including electronic processes, wherein a non-Federal entity can apply for, manage, and report on the use of funding from multiple Federal financial as-

sistance programs that serve similar purposes and are administered by different Federal agencies; and

(C) uniform administrative rules for Federal financial assistance programs across different Federal agencies.

(2) An interagency process for addressing—

(A) ways to streamline and simplify Federal financial assistance administrative procedures and reporting requirements for non-Federal entities;

(B) improved interagency and intergovernmental coordination of information collection and sharing of data pertaining to Federal financial assistance programs, including appropriate information sharing consistent with the provisions in the Privacy Act of 1974 (Public Law 93-579); and

(C) improvements in the timeliness, completeness, and quality of information received by Federal agencies from recipients of Federal financial assistance.

(b) LEAD AGENCY AND WORKING GROUPS.—The Director may designate a lead agency to assist the Director in carrying out the responsibilities under this section. The Director may use interagency working groups to assist in carrying out such responsibilities.

(c) REVIEW OF PLANS AND REPORTS.—Agencies shall submit to the Director, upon his request and for his review, information and other reporting regarding their implementation of this Act.

(d) EXEMPTIONS.—The Director may exempt any Federal agency or Federal financial assistance program from the requirements of this Act if the Director determines that the Federal agency does not have a significant number of Federal financial assistance programs. The Director shall maintain a list of exempted agencies which will be available to the public through the Internet site of the Office of Management and Budget.

The CHAIRMAN. Are there any amendments to section 6?

AMENDMENT OFFERED BY MR. HORN

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

The Clerk read as follows:

Amendment offered by Mr. HORN:

Page 10, after line 5, insert the following:

(e) REPORT ON RECOMMENDED CHANGES IN LAW.—Not later than 18 months after the date of the enactment of this Act, the Director shall submit to Congress a report containing recommendations for changes in law to improve the effectiveness and performance of Federal financial assistance programs.

Mr. HORN. Mr. Chairman, this section is obvious for those having the bill in their hands that it goes at the end of section 6 before it goes into section 7. Let me give my colleagues a brief summary of this legislation.

This has been cleared by both the Democrat side and our side. This amendment requires a report from the Director of the Office of Management and Budget. The report will contain recommendations for changes in the law to improve the effectiveness and performance of Federal financial assistance programs.

This amendment is consistent with the intent of the bill. Federal agencies will be working very hard to develop and implement the requirements of this act over the next 18 months. During this process they will be consulting with each other as well as with State, local and tribal governments. This effort will undoubtedly identify needed

legislative changes, needed changes that will help enable this act's intent to be fully achieved. Congress will be able to debate these suggested changes and take necessary action to further streamline and improve the Federal financial assistance process.

Mr. Chairman, I urge my colleagues to accept this amendment. It will simply assist this body in its continued effort to provide better services to the American public.

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

I just want to stand in support of the amendment offered by the gentleman from California (Mr. HORN). I think it makes sense for us to have better information from the Director; and I think this will, frankly, keep OMB more focused on the task.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. HORN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TURNER

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

The Clerk read as follows:

Amendment offered by Mr. TURNER:

Page 8, strike lines 6 and 7.

Page 8, line 8, strike "(A) a" and insert "(1)(A) A".

Mr. TURNER. Mr. Chairman, this amendment clarifies that agencies do not have to use a common application or reporting form unless it is appropriate. This amendment was also negotiated by and between the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. HOYER).

Mr. Chairman, It was never intended that this bill require agencies to use a common form at the expense of gathering necessary information. They need to manage their financial management programs and assure that Federal dollars are well spent. Any common form that would need to address all the programs of the Federal Government would be immense, be easily reaching, I suppose, hundreds or even thousand dollars of pages, and the bill is not intended to require agencies to use a common form when that form would be inconsistent with other statutory requirements. The amendment simply clarifies the intent of the bill in that it is the intent that the agency use common forms when appropriate and make sure that the bill is internally consistent.

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

I do not have concern with the amendment, Mr. Chairman, but I am not sure that I fully understand the explanation. I think it is the intent of our legislation here today, in fact, to have common forms when there is a similar program, and that is very clear in the legislation, and it has been very clear in the discussion up to this point.

The reason this amendment does not concern me is that, when we look at the language of the bill, there could have been some confusion about whether we would be requiring a common application and reporting system for all agencies. That was never the intent of the bill. In fact, the intent of the bill was laid out very clearly in the further subparagraphs which is, again, a common application or set of common applications where the financial assistance program serves similar purposes.

□ 1400

That is clearly the intent of this legislation. Therefore, I think this amendment is fine because it takes out any confusion as to the intent of the bill. It does not, and I want to make this clear because it is an important distinction, give the agencies any discretion. The agencies do have to come up with common application forms and common procedures to serve similar purposes.

With that understanding, which I think is clear in the legislation and clear with this amendment, I certainly would be willing to support the amendment.

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

Mr. Chairman, I, too, rise in support of the amendment and agree that if you are looking at the amendment and you listen to the application of the gentleman from Texas (Mr. TURNER), as applied to the amendment and its integration into the bill, I think it is clear.

I want to join the gentleman from Ohio (Mr. PORTMAN) in making it clear that one of the problems that we are trying to deal with is that every agency historically has had its own form with its special requirements, and it has been very difficult to get them to come to agreement on having a common form for common purposes.

The staff correctly, and OMB, was concerned that we would have, as pointed out by the gentleman from Ohio (Mr. PORTMAN), an interpretation of the language in the bill that said there had to be a common form for every application, whether or not there were similar purposes in that application. That was not the intent of the gentleman from Ohio (Mr. PORTMAN), nor mine.

However, it is, and I want to reiterate what the gentleman from Ohio (Mr. PORTMAN) said, and I know what the gentleman from Texas (Mr. TURNER) and the committee agrees, it is our intent to have agencies come with a common form, come to agreement so that States and local governments can be facilitated in accomplishing the objectives that these programs are established for.

The irony has been that, on the one hand, we establish a program to help kids or families or farmers or whoever, and we then set up procedures which impede that objective.

So I, too, will support the amendment. I think the gentleman from Texas (Mr. TURNER) is absolutely cor-

rect. This is an amendment which will clarify it, but what it clarifies is that we are talking about similar purposes having a common form, and that will be required, not optional, and it will not be an agency option in the sense that they can decide, yes, we will do this. It is something they need to come to agreement on with other like agencies and like programs in establishing a common form.

I thank the gentleman from Texas (Mr. TURNER) for his leadership and for yielding.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. TURNER).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to section 6?

If not, The Clerk will designate section 7.

The text of section 7 is as follows:

SEC. 7. EVALUATION.

(a) IN GENERAL.—The Director (or the lead agency designated under section 6(b)) shall contract with the National Academy of Public Administration to evaluate the effectiveness of this Act. Not later than 4 years after the date of enactment of this Act, the evaluation shall be submitted to the lead agency, the Director, and Congress. The evaluation shall be performed with input from State, local, and tribal governments, and nonprofit organizations.

(b) CONTENTS.—The evaluation under subsection (a) shall—

(1) assess the effectiveness of this Act in meeting the purposes of this Act and make specific recommendations to further the implementation of this Act;

(2) evaluate actual performance of each agency in achieving the goals and objectives stated in agency plans;

(3) assess the level of coordination among the Director, Federal agencies, State, local, and tribal governments, and nonprofit organizations in implementing this Act.

The CHAIRMAN. Are there any amendments to section 7?

If not, the Clerk will designate section 8.

The text of section 8 is as follows:

SEC. 8. COLLECTION OF INFORMATION.

Nothing in this Act shall be construed to prevent the Director or any Federal agency from gathering, or to exempt any recipient of Federal financial assistance from providing, information that is required for review of the financial integrity or quality of services of an activity assisted by a Federal financial assistance program.

The CHAIRMAN. Are there any amendments to section 8?

If not, the Clerk will designate section 9.

The text of section 9 is as follows:

SEC. 9. JUDICIAL REVIEW.

There shall be no judicial review of compliance or noncompliance with any of the provisions of this Act. No provision of this Act shall be construed to create any right or benefit, substantive or procedural, enforceable by any administrative or judicial action.

The CHAIRMAN. Are there any amendments to section 9?

If not, the Clerk will designate section 10.

The text of section 10 is as follows:

SEC. 10. STATUTORY REQUIREMENTS.

Nothing in this Act shall be construed as a means to deviate from the statutory require-

ments relating to applicable Federal financial assistance programs.

The CHAIRMAN. Are there any amendments to section 10?

If not, the Clerk will designate section 11.

The text of section 11 is as follows:

SEC. 11. EFFECTIVE DATE AND SUNSET.

This Act shall take effect on the date of enactment of this Act and shall cease to be effective five years after such date of enactment.

The CHAIRMAN. Are there any amendments to section 11?

If not, are there any further amendments to the bill?

AMENDMENT NO. 2 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. TRAFICANT:

Page 11, after line 23, add the following:

SEC. 12. SENSE OF CONGRESS REGARDING FEDERAL FINANCIAL ASSISTANCE.

It is the sense of Congress that Federal agencies, in providing Federal financial assistance for the purpose of economic development, should focus primarily on communities with high poverty and unemployment rates.

Mr. TRAFICANT. Mr. Chairman, whenever our government provides grants and assistance for economic development purposes, one of the strong criterion for such assistance should be the hardship of the communities needing help. While this is not totally in the purview of this bill, it may not be considered germane. If it would be, it would not be a sense of Congress. I believe it is important enough to at least have this flag of reminder to these Federal agencies who have the responsibility of granting monies to restabilize communities, that at least that reminder be present, and this amendment would serve that purpose.

Mr. Chairman, I yield to my colleague and friend, the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Chairman, I thank the gentleman for yielding; and I enjoyed his explanation earlier, his description of Vice President GORE's announcement and so on and the concerns you have in your own community.

I know that some of these programs are based on other than the criteria the gentleman has set out, and not being an expert in empowerment zones or other economic development programs I do not know whether that makes sense or not. That is why I think it would be unwise for us to, in this legislation, put into law new requirements for economic development programs.

However, the gentleman has offered a sense of Congress that seems sensible in terms of the general direction which is we ought to focus economic development where it is needed. So, with that, assuming that the chairman has no concerns about it and assuming it is a sense of Congress and it is not binding

on this Congress, I would have no objection.

I thank my colleague, the gentleman from Ohio (Mr. TRAFICANT), for keeping the administration on its toes.

Mr. TRAFICANT. Mr. Chairman, I yield to the gentleman from California (Mr. HORN), the chairman of the committee.

Mr. HORN. Mr. Chairman, I would say to the gentleman from Ohio (Mr. TRAFICANT), I think he has made an excellent contribution to this debate and to this particular measure, and I completely agree with him that those ought to be the priorities all agencies have before they give out the hard-earned taxpayers' dollars. We ought to be helping other people that have an opportunity to have a job, have a vibrant economy in a particular city, and the gentleman is absolutely right about some cities getting more when they do not really need it, and the cities that need it do not get it.

Mr. TRAFICANT. Mr. Chairman, I appreciate the help of the gentleman from California (Mr. HORN).

Mr. Chairman, I yield to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I rise to simply say that, in response to my friend from Ohio (Mr. PORTMAN), the administration is on its toes, but I am sure it is glad to hear the views of the gentleman from Ohio (Mr. TRAFICANT) as well. I rise and will support this sense of the Congress.

Clearly, as the gentleman from Ohio (Mr. PORTMAN) has indicated, there are other criteria and there are other reasons why we move into this area or that area for assistance. However, I think the gentleman from Ohio raises a very good point and certainly his explanation earlier raised an issue of obvious concern, not only to him but to the country, in terms of making sure that those communities which have both high poverty rates and high unemployment rates should be a focus of Federal assistance so that we can bring up those areas so that they become equally successful to some other areas of the country, and I would share his view.

He said a billion and if, in fact, it was a community that can raise \$2.5 billion, it would be certainly not a community that I represent but a community that has obviously a lot of ability to assist itself. I think in that context the gentleman's sense of Congress does, as the gentleman from Ohio (Mr. PORTMAN) said, make sense and I would support it.

Mr. TRAFICANT. Mr. Chairman, let me say that I hold nothing against that California community. They played by the ground rules, but in legislation that will come through this House, there will be an address made to empowerment zones itself, and that is where I will attempt to change the formula, to give more of a weighted advantage to hardship, and that is the reason for the signal here today.

Mr. Chairman, I yield to the gentleman from Texas (Mr. TURNER), the distinguished ranking member.

Mr. TURNER. Mr. Chairman, I join with our other colleagues in support of the amendment. It does represent a sense of this Congress, that Federal dollars should be spent where they are most needed, and there is nothing that undermines the Federal Government any more than granting funds to an agency or a community or an individual who is not truly in need or entitled to those funds. And I commend the gentleman on stepping forward today, offering this sense of Congress amendment, and we join with him and support its adoption.

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

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

If not, under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YOUNG of Florida) having assumed the chair, Mr. PEASE, 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. 409) to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public, pursuant to House Resolution 75, he reported the bill back to the House with sundry amendments 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 adopted by the Committee of the Whole? If not, the Chair will put them en gros.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 7, as follows:

[Roll No. 26]

YEAS—426

Abercrombie	Bachus	Barr
Ackerman	Baird	Barrett (NE)
Aderholt	Baker	Barrett (WI)
Allen	Baldacci	Bartlett
Andrews	Baldwin	Barton
Archer	Ballenger	Bass
Arney	Barcia	Bateman

Becerra	Ewing	Larson
Bentsen	Farr	Latham
Bereuter	Fattah	LaTourette
Berkley	Filner	Lazio
Berman	Fletcher	Leach
Berry	Foley	Lee
Biggert	Forbes	Levin
Bilbray	Ford	Lewis (CA)
Billirakis	Fossella	Lewis (GA)
Bishop	Fowler	Lewis (KY)
Blagojevich	Frank (MA)	Linder
Bliley	Franks (NJ)	Lipinski
Blumenauer	Frelinghuysen	LoBiondo
Blunt	Frost	Lofgren
Boehrlert	Gallegly	Lowe
Boehner	Ganske	Lucas (KY)
Bonilla	Gejdenson	Lucas (OK)
Bonior	Gekas	Luther
Bono	Gephardt	Maloney (CT)
Borski	Gibbons	Maloney (NY)
Boswell	Gilchrest	Manzullo
Boucher	Gillmor	Markey
Boyd	Gilman	Martinez
Brady (PA)	Gonzalez	Mascara
Brady (TX)	Goode	Matsui
Brown (CA)	Goodlatte	McCarthy (MO)
Brown (FL)	Gooding	McCarthy (NY)
Brown (OH)	Gordon	McCollum
Bryant	Goss	McCrery
Burr	Graham	McDermott
Burton	Granger	McGovern
Buyer	Green (TX)	McHugh
Callahan	Green (WI)	McIntosh
Calvert	Greenwood	McIntyre
Camp	Gutierrez	McKeon
Campbell	Gutknecht	McKinney
Canady	Hall (OH)	McNulty
Cannon	Hall (TX)	Meehan
Capuano	Hansen	Meek (FL)
Cardin	Hastings (FL)	Meeks (NY)
Carson	Hastings (WA)	Menendez
Castle	Hayes	Metcalfe
Chabot	Hayworth	Mica
Chambliss	Hefley	Millender-
Chenoweth	Heger	McDonald
Clay	Hill (IN)	Miller (FL)
Clayton	Hill (MT)	Miller, Gary
Clement	Hilleary	Miller, George
Clyburn	Hilliard	Minge
Coble	Hinches	Mink
Coburn	Hinojosa	Moakley
Collins	Hobson	Mollohan
Combest	Hoeffel	Moore
Condit	Hoekstra	Moran (KS)
Conyers	Holden	Moran (VA)
Cook	Holt	Morella
Cooksey	Hooley	Murtha
Costello	Horn	Myrick
Cox	Hostettler	Nadler
Coyne	Houghton	Napolitano
Cramer	Hoyer	Neal
Crane	Hulshof	Nethercutt
Crowley	Hunter	Ney
Cubin	Hutchinson	Northup
Cummings	Hyde	Norwood
Cunningham	Inslee	Nussle
Danner	Istook	Oberstar
Davis (FL)	Jackson (IL)	Obey
Davis (VA)	Jackson-Lee	Olver
Deal	(TX)	Ortiz
DeFazio	Jefferson	Ose
DeGette	Jenkins	Owens
Delahunt	John	Oxley
DeLauro	Johnson (CT)	Packard
DeLay	Johnson, E. B.	Pallone
DeMint	Johnson, Sam	Pascarella
Deutsch	Jones (NC)	Pastor
Diaz-Balart	Jones (OH)	Paul
Dickey	Kanjorski	Payne
Dicks	Kaptur	Pease
Dingell	Kasich	Pelosi
Dixon	Kelly	Peterson (MN)
Doggett	Kennedy	Peterson (PA)
Dooley	Kildee	Petri
Doolittle	Kilpatrick	Phelps
Doyle	Kind (WI)	Pickering
Dreier	King (NY)	Pickett
Duncan	Kingston	Pitts
Dunn	Kleczka	Pombo
Edwards	Klink	Pomeroy
Ehlers	Knollenberg	Porter
Ehrlich	Kolbe	Portman
Emerson	Kucinich	Price (NC)
Engel	Kuykendall	Pryce (OH)
English	LaFalce	Quinn
Eshoo	LaHood	Radanovich
Etheridge	Lampson	Rahall
Evans	Lantos	Ramstad
Everett	Largent	Rangel

Regula	Shows	Tiahrt
Reynolds	Shuster	Tierney
Riley	Simpson	Toomey
Rivers	Sisisky	Towns
Rodriguez	Skeen	Traficant
Roemer	Skelton	Turner
Rogan	Slaughter	Udall (CO)
Rogers	Smith (MI)	Udall (NM)
Rohrabacher	Smith (NJ)	Upton
Ros-Lehtinen	Smith (TX)	Velazquez
Rothman	Smith (WA)	Vento
Roukema	Snyder	Visclosky
Roybal-Allard	Souder	Walden
Royce	Spence	Walsh
Ryan (WI)	Spratt	Wamp
Ryun (KS)	Stabenow	Waters
Sabo	Stark	Watkins
Salmon	Stearns	Watt (NC)
Sanchez	Stenholm	Watts (OK)
Sanders	Strickland	Waxman
Sandlin	Stump	Weiner
Sanford	Stupak	Weldon (FL)
Sawyer	Sununu	Weldon (PA)
Saxton	Sweeney	Weller
Scarborough	Talent	Wexler
Schaffer	Tancredo	Weygand
Schakowsky	Tanner	Whitfield
Scott	Tauscher	Wicker
Sensenbrenner	Tauzin	Wilson
Serrano	Taylor (NC)	Wise
Sessions	Terry	Wolf
Shadegg	Thomas	Woolsey
Shaw	Thompson (CA)	Wu
Shays	Thompson (MS)	Wynn
Sherman	Thornberry	Young (AK)
Sherwood	Thune	Young (FL)
Shimkus	Thurman	

NOT VOTING—7

Capps	McInnis	Taylor (MS)
Davis (IL)	Reyes	
Livingston	Rush	

□ 1429

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MCINNIS. Mr. Speaker, due to business in Colorado, I was unable to vote on the bill, H.R. 409. Had I been able to vote, I would have voted "yea."

GENERAL LEAVE

Mr. HORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 409, the bill just passed.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 409, FEDERAL FINANCIAL ASSISTANCE MANAGEMENT IMPROVEMENT ACT OF 1999

Mr. HORN. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, H.R. 409, 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 of Representatives.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

DIABETES RESEARCH WORKING GROUP

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

Mr. NETHERCUTT. Mr. Speaker, tomorrow the results of a year-long effort to chart a path to cure diabetes will be released. The summary of the Diabetes Research Working Group report will be unveiled by the chairman of the group, Dr. Ronald Kahn, at a press conference at the National Press Club at noon. It is my expectation that the results of the group's work will dramatically change the direction of diabetes research in this country and may be a model for many other diseases that all Americans face throughout the United States.

With regard to history of this effort, the establishment of the group came about through legislation I sponsored in the last session of Congress. Through the help of the gentleman from Illinois (Mr. PORTER), the authorization for the group was incorporated into the Labor, Health Appropriations Bill.

The Diabetes Research Working Group is a scientific panel composed of 12 experts in the field of diabetes and four very knowledgeable representatives of the lay community. The chairman was appointed by National Institutes of Health, and the Institutes have played a critical role in supporting his efforts.

The group members have spent the last year engrossed in examining the current state of diabetes research and charting a 5-year path for future research, a path that will have the best chance of leading us to a cure and improving the lives of 16 million Americans who have diabetes.

To the average person, charting a path may not seem like a dramatic step forward. It is, however, a departure from how the National Institutes of Health has traditionally funded research. Normally scientific researchers focus on the immediate research proposals they are presented with for review. This report by the Diabetes Research Working Group is an effort to take a step back and reassess that procedure. It is an effort to ask the questions where are we today, where do we want to be in 5 years, and what do we need to do to get there to cure this disease. The Diabetes Research Working Group has done this.

The report contains specific scientific recommendations in areas rang-

ing from genetics, cell signaling, and clinical trials to macrovascular and oral complications. Each recommendation is tied to a funding level. Added together, the scientific recommendations require \$827 million for fiscal year 2000, an increase of \$384 million over the present year.

I quote from the summary of the report, "The Diabetes Research Working Group believes that such a budget increase is necessary for implementation of the programs presented in the Research Plan, consistent with the rising impact of diabetes on the United States in both human and economic terms, and that the proposed budget is more in line with the levels of research funding for other major disease areas. Most importantly, the Diabetes Research Working Group believes that such an investment has the potential to reduce dramatically the personal, societal, and economic burden of diabetes for the American people in the 21st Century."

Dr. Harold Varmus, who is the director of the National Institutes of Health, has said that NIH funding will go where the science shows there is opportunity. The Working Group Report is proof that, not only is there opportunity in the areas of diabetes research, but there is a plan.

Mr. Speaker, I urge the Members to support the recommendations of the Diabetes Research Working Group, and the roughly 205 members of the Diabetes Caucus are invited to participate in this effort to unveil this report tomorrow.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

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

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

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

TRIBUTE TO WILMER "VINEGAR BEND" MIZELLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. BURR) is recognized for 5 minutes.

Mr. BURR of North Carolina. Mr. Speaker, I rise today to honor the life and memory of a former Member of this body and one of my predecessors from the Fifth District of North Carolina, the Honorable Wilmer "Vinegar Bend" Mizelle.

Born in 1930 in the town from which he received his famous nickname, Vinegar Bend, Alabama, Wilmer Mizelle

lived a full and rich life before his sudden death this past Sunday, February 21, 1999.

He grew up in rural America, but like most boys of his day, he had a greater dream. It was to be a professional baseball player. He had the talent to make his dream a reality and, as a young man, soon found himself assigned to the minor leagues and a team in my hometown of Winston Salem, North Carolina.

Vinegar Bend was a pitcher, a southpaw, and you can still today find fans who remember the strength he possessed as he held the mound at Ernie Shore Field.

It was during this time that he met Nancy McAlpine who would later become his wife.

Vinegar Bend broke into the big leagues with the St. Louis Cardinals in 1952. Standing at over 6 feet tall, he was an imposing figure as a hard-throwing left-hander when he hurled that ball towards home plate.

In 1960, Vinegar Bend was traded to the Pittsburgh Pirates and went 13 and 5 that year as part of a strong starting rotation. It was in 1960 that he pitched in the World Series winning a game as the Pittsburgh Pirates became the world champions.

In 1962, he was traded to the Mets in their first game, which turned out to be his last year as a ball player. Vinegar Bend had 90 wins in his career, including 15 shutouts, and an E.R.A. of 3.85 lifetime.

After retiring from baseball, Wilmer and Nancy returned to North Carolina and he took up a new career, that of public service, where he has served as a commissioner and then as a Member of Congress from North Carolina's Fifth District.

Wilmer Mizelle worked as hard in Congress as he did on the baseball field. That is known by his colleagues and by his constituents. He always explained that he saw himself as an advocate for farmers and factory workers and consumers who populated his district.

Vinegar Bend served three terms in this House from 1969 to 1975 and then was appointed Assistant Secretary of Commerce by President Gerald Ford. He returned to North Carolina in 1976 only to be called back by President Reagan to serve as Assistant Secretary of Agriculture and then as a member of President Bush's President's Council on Physical Fitness and Health.

Wilmer then retired from government service, but he never slowed down. I can recall that Vinegar Bend returned to be with us in 1995 in this House in the majority to help give us some advice on our Republican baseball team. He never lost his love for sports.

After the death of his wife Nancy, Wilmer married Ruth Cox, and together they divided their time between their homes in Alexandria, in North Carolina, and in Texas. They spent a great deal of time working in Texas with the Christian Missionary Alliance Church.

Back home in my district, Wilmer Mizelle's reputation was as imposing as his physical stature. He was known as an honest, dedicated representative of the people. He filled his speeches with humor and home spun stories, and he only had to speak a few words before they knew he was from the south.

□ 1445

Wilmer Mizelle's life calls to memory the words of Woodrow Wilson, who said, "There's no cause half so sacred as the cause of people. There is no idea so uplifting as the idea of service of humanity."

Clearly, Wilmer Mizelle proved Leo Durocher wrong when he said, "Nice guys finish last." As a matter of fact, Wilmer Mizelle won before the game ever started.

He is survived by his wife Ruth and sons Danny and David and by four grandchildren. On behalf of the United States Congress and the State of North Carolina, I extend our sympathy to them for this great loss, the life of Vinegar Bend Mizelle.

SUPPORT A NUCLEAR WEAPONS CONVENTION

The SPEAKER pro tempore (Mr. PEASE). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, today I am introducing a resolution to express the sense of Congress that the United States take the critical first steps toward the negotiation and conclusion of a nuclear weapons convention. Just as conventions exist to abolish both chemical and biological weapons, the world needs a convention for the reduction and elimination of nuclear weapons.

Although the Cold War has ended, U.S. nuclear weapons expenditures remain significant. The United States currently spends \$35 billion a year, or 14 percent of the defense budget, on efforts such as the \$4.5 billion we plan to spend on the Stockpile Stewardship program. That \$4.5 billion is more than what we spent on average each year over the entire Cold War between 1948 and 1991. At that time we spent \$3.6 billion a year when we were developing and building hundreds of thousands of new warheads and when we had nuclear testing sites common throughout our Nation.

How much is \$35 billion? It is 13 times the budget for the National Cancer Institute. It is 120 times the amount spent annually on domestic violence, battered women's shelters, and runaway youth.

Our current priorities dictate that nuclear weapons are more important than health care and the environment. Of every discretionary dollar that Californians, and all Americans, as a matter of fact, paid in taxes, 7½ cents went to nuclear weapons, 4.7 cents went to health care, and 5 cents went to the environment and energy.

Speaking of health and the environment, we still do not know how nuclear testing is going to affect both. It is estimated that the cleanup of nuclear weapons will eventually cost as much as the total cost of developing and manufacturing actual warheads. That would be \$400 billion. That is outrageous.

The money we have spent on nuclear weapons throughout our Nation's history is definitely shocking. From 1940 through 1996 we have spent nearly \$5.5 trillion in constant 1996 dollars. We have spent nearly \$5.5 trillion in U.S. nuclear weapons activities.

The amount of money spent on nuclear weapons, represented as a stack of \$1 bills, would stretch more than 459,000 miles. That would be to the moon and nearly back again. That \$5.5 trillion is more than we have spent on any single program, except Social Security, over the same period of time.

Even worse, because of poor management and oversight, hundreds of billions of dollars were wasted on programs that contributed little or nothing to defense and deterrence. In other words, for many of these projects the American taxpayer did not get anything for the money they spent.

For example, the U.S. spent \$21.3 billion on the Safeguard Antibalistic Missile System that was ultimately canceled because of high operational costs that eclipsed the limited defense benefits. It took that figure for us to know that the costs outweighed the benefits of this program. Whatever happened to accountability?

We also wasted \$12.5 billion on the development of the B-1A bomber which was canceled. On this program we spent \$12.5 billion and made a total of four planes, two that crashed.

The Aircraft Nuclear Propulsion Program cost \$7 billion only to be canceled due to poor management.

Finally, the Midgetman/Small ICBM cost taxpayers over \$5.5 billion, only to be canceled due to lack of need at the end of the Cold War.

Enough is enough. We cannot spend money on unnecessary, unneeded nuclear weapons while we neglect our children. Reducing our nuclear arsenal here at home, or through an international treaty, will save billions of dollars and shift our Nation's priorities to investment in a healthy, safe and well educated Nation. Providing children access to health care, a safe environment, and a quality education is the kind of investment that will truly secure our Nation's future.

That is why I am asking my colleagues to support the Nuclear Weapons Convention resolution that I introduce today urging the President to initiate multilateral negotiations for an early nuclear weapons convention.

IN MEMORY OF OFFICER BEAN,
ONE OF SACRAMENTO'S UNSUNG
HEROES

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

minute and to revise and extend his remarks.)

Mr. OSE. Mr. Speaker, I come before the House today to note the passing of one of Sacramento's many unsung heroes.

A week ago Officer Bean was buried, the victim of a ridiculous act by one of California's many residents who were out on parole. Officer Bean was a 27-year-old officer in the Sacramento Police Department, unmarried, full-time student, who had set aside his other lifetime goals to contribute to the peace and security of our community. On patrol one night he stopped a car; and, by happenstance, that person had a weapon, took a shot that went underneath his vest, and he is now dead.

I did not want to have any more time pass before noting his passing and the appreciation that each of us have in our respective communities for our unsung heroes.

Men or women, Democrat or Republican, Sacramento is the worse off for what happened, and I just felt it was appropriate to note that.

SUPPORT THE EDUCATION FLEXIBILITY ACT

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

Mr. SMITH of Washington. Mr. Speaker, I address the House today to support the Education Flexibility Act, a bill sponsored by the gentleman from Indiana (Mr. ROEMER) and the gentleman from Delaware (Mr. CASTLE). It is a bipartisan bill aimed at giving greater flexibility to local schools to do their job, the important job they do of educating our children.

During the past couple of months I have visited 10 or 12 schools in my district, and visited the school districts there to sort of find out what they think of the Federal role in education. The Federal role in education usually accounts for about 4 to 8 percent of the budgets of the average school district, and I wanted to know if they thought that was helping.

The answer I got back was, yes, the money helps, but there is too much red tape and there is too much regulation. They want greater freedom so that they can exercise their skills and use the teachers and principals and parents and everybody involved in education on the local level. There is too much Federal red tape, and the Education Flexibility Act would target that red tape.

Right now we have a pilot project that allows some 12 States in the country to take advantage of education flexibility. This bill would expand it to all 50 States. And what it would do is give local school districts the ability to get waivers from those Federal regulations.

But the important thing about education flexibility is that it combines flexibility with accountability, which is the way it ought to be done. You can

get the waiver, the local school districts can get the waiver from the Federal requirements, but only if they have local standards that they can demonstrate that they are meeting.

The key word in there is local. Not national standards. They can have their own standards, but they have to have that accountability/flexibility mix. The Education Flexibility Act that is being proposed and introduced this week offers that mix and is a key to helping our schools move forward with the important job they do of reforming the education system and educating our children.

I think it is very important that we go further than the Education Flexibility Act. Right now there is far too much red tape and far too many regulations in hundreds of different areas generated from the Federal Government. That does not really help our local schools but only ties them in knots.

I do not want the people working in the schools in my community to spend all of their time filling out forms and justifying their existence to the Federal Government. I want them to be educating the children there and doing the job that really matters. Right now, far too often, they are filling out the forms and trying to qualify for the money and continually justifying what they are doing. We need to change that. We need to shift to local control.

From one end of this country to the other exciting things are going on in States and school districts. They are making the reforms necessary. They are moving towards accountability. And right now the Federal Government is too big of a noose stopping them from making progress on that. We need to make changes like the Education Flexibility Act.

As a Democrat, I have always been a strong supporter of education, and I support my fellow Democrats in supporting spending the money necessary to help with education and supporting public education. Public education is responsible for over 90 percent of the children in this country getting educated. It needs our support.

But we cannot simply spend money on it. We must show that we are willing to move in two other critical directions. One is accountability and the other is flexibility, which means local control. Giving the power back to the individual school districts and the individual schools, and ultimately to the teachers and parents who are closest to the product, closest to our children and closest to educating them and who know best how to do it.

We need to make those changes so that we can have the world class public education system we need. The Education Flexibility Act that we introduce this week, as I mentioned, primarily sponsored by the gentleman from Indiana and the gentleman from Delaware, is a critical step. I urge all of my colleagues to support Ed-Flex, pass it as soon as possible, and then go

further to encourage the flexibility and accountability that we need in our local schools.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 669, AMENDING PEACE CORPS ACT TO AUTHORIZE APPROPRIATIONS FOR FY 2000 THROUGH 2003 TO CARRY OUT THAT ACT

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 106-30) on the resolution (H. Res. 83) providing for consideration of the bill (H.R. 669) to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that act, which was referred to the House Calendar and ordered to be printed.

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject matter of my special order regarding the late "Vinegar Bend" Mizelle, as well as the special order of my colleague from North Carolina (Mr. BURR).

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

There was no objection.

IN MEMORY OF WILMER "VINEGAR BEND" MIZELLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. COBLE) is recognized for 5 minutes.

Mr. COBLE. Mr. Speaker, my good friend from North Carolina (Mr. BURR) has already touched on Vinegar Bend's baseball accolades and accomplishments, and I will not emphasize that in detail.

Mr. Speaker, 8 or 9 years ago a New York Times reporter wrote an article about me, and in that article he identified me as one who portrays or cultivates a country bumpkin image. The implication was that I was a phony, to some extent; that I was not a genuine country bumpkin.

Some days after that New York Times article appeared, a constituent of mine called me in my Greensboro office and she said, "I resent what that New York Times writer wrote about you when he said that you cultivated a country bumpkin image." She said, "You are a country bumpkin."

Now, I am not suggesting, Mr. Speaker, that the late Vinegar Bend Mizelle was a country bumpkin, but he was, indeed, a genuine country boy, and there was no getting around that. And he tried in no way to be deceptive about it. This was he. When you saw Vinegar Bend, you saw a personified country boy.

□ 1500

His folksy charm was endearing. Of course, many attributed that charm to his election. Because he had served as a county commissioner in Davidson County and then to leap from county commissioner to Congress was in the eyes of many a leap that he could not negotiate. "Vinegar Bend could not handle that," I heard some of them say. But he handled it, and he handle it very effectively and very proficiently.

Vinegar Bend leaves behind his wife and two sons, David and Danny. One lives in my district as a football coach at the Andrews High School in High Point. And the second one lives in my former district, as the gentleman from North Carolina (Mr. BURR) knows, that has now been redistricted out of the 6th District and I think is represented by the gentleman from North Carolina (Mr. WATT) now.

But Vinegar Bend, as you will remember, Mr. Speaker, because you were there, came to the weekly Congressional prayer breakfast regularly. In fact, he probably attended that prayer breakfast more consistently than any other former Member, at least to the best of my knowledge. He was indeed a regular at the prayer breakfast.

Mr. BALLENGER. Mr. Speaker, I rise this afternoon to join my colleagues to pay tribute to Wilmer "Vinegar Bend" Mizell, our former colleague who passed away last weekend. Whether you knew him personally from politics or from professional baseball or whether you knew him only by reputation, Vinegar Bend Mizell was a tremendous talent and a good and decent man. I think of all the persons I have come to know in my 30 plus years of public service, no one kinder or more genuine than Vinegar Bend Mizell comes to mind.

Wilmer Mizell was not a native North Carolinian but born in Mississippi where he grew up playing baseball. In fact, he got the nickname "Vinegar Bend" from the small town of Vinegar Bend, Alabama where he spent much of his early ball-playing days. He joined the St. Louis Cardinals farm system after graduating from high school, playing baseball in Albany, Georgia and Winston-Salem, North Carolina, a city he would later represent in the Congress. While in the farm system he won most popular honors and the reputation as the "strikeout king." In May of 1952, he joined the St. Louis Cardinals and pitched in the 1959 National League All Star team. The following year he was traded to the Pittsburgh Pirates, where he completed the season with a 13-5 record and helped the Pirates win the National League pennant. Vinegar Bend finished his career with the New York Mets expansion team in 1962. During his career he struck out 918 batters. In an interview years later about his baseball career, Wilmer simply summed up his success by saying, "It seems every time I went out, I was pitching good baseball."

After retiring from baseball, Wilmer began a successful career in politics, first as a Davidson County Commissioner and then as a Member of Congress, representing the 5th Congressional district. As a member of this body, Vinegar Bend Mizell was an advocate for the "average guy" in his district, deriding the Democratic majority for being big spenders

and taking too much in taxes out of the pockets of the working men and women of America.

Congressman Mizell lost his seat in the 1974 elections during the aftermath of the Watergate scandals, when so many Republicans paid for the mistakes of President Nixon with their congressional seats. But even in defeat, Vinegar Bend was magnanimous, saying "Whether you voted for me or not, [you've] still got a friend in Vinegar Bend."

He went on to serve in the Ford, Reagan and Bush Administrations and served with distinction.

With Vinegar Bend's untimely death, we all have lost a friend. I mourn his passing and express my sincere condolences to his wife, Ruth, and his sons. Vinegar Bend will be missed, but not forgotten.

Mr. CRANE. Mr. Speaker, I was saddened today to learn of the death of one of my colleagues from the "Class of '69," Wilmer Mizell. We served together in the 91st, 92nd and 93rd Congresses.

Popularly known as "Vinegar Bend," he showed the same deep commitment to doing his best for the people of the 5th District of North Carolina as he exhibited in 1960 when he pitched to a 13 and 5 record to help the Pittsburgh Pirates win the National League pennant.

During his tenure in Congress, "Vinegar Bend" was an advocate for the consumer, the farmer and the factory worker. He compiled a conservative voting record that he was very proud of. His slogan, "You've got a friend in Vinegar Bend," was well known around his District.

After his defeat in 1974, in the wake of Watergate, he was appointed Assistant Secretary of Commerce for Economic Development. In 1982, President Reagan appointed him as an Assistant Secretary of Agriculture for Governmental Affairs—effectively sending him back to his friends in the House and Senate as the Administration's leading spokesman on the promotion of its agricultural policies. He served President Bush as Deputy Assistant Secretary of Intergovernmental Affairs at the Department of Veterans Affairs and as Executive Director of the President's Council on Physical Fitness and Sports.

Described as a "real gentleman" and "a class act", Congressman Mizell was both of those at all times, and I shall miss him. Our prayers are with all his family and friends.

Mr. COBLE. I guess in closing, Mr. Speaker, I can best say that the goal in life, as well as baseball, is to score by going home. Vinegar Bend has circled the bases one final time, and he now rests at home. Good-bye, Vinegar Bend.

The SPEAKER pro tempore (Mr. PEASE). Under a previous order of the House, the gentleman from California (Mr. DOOLEY) is recognized for 5 minutes.

(Mr. DOOLEY of California 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 Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

(Mr. DIAZ-BALART 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 Mississippi (Mr. SHOWS) is recognized for 5 minutes.

Mr. SHOWS 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 North Carolina (Mr. BALLENGER) is recognized for 5 minutes.

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

ELIMINATION OF MARRIAGE TAX PENALTY

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

Mr. WELLER. Mr. Speaker, I represent a very diverse district. I represent part of the City of Chicago in the south suburbs and Cook and Will Counties. And when one represents a diverse district of city and suburbs and country, he listens, he listens for common concerns and common ideas as he works to represent those communities.

And I find one very clear message from the city dwellers and the suburbanites and the farm folk in the district I have the privilege of representing, and that is that the folks back home want those of us who have the privilege in the Congress to work together to solve the challenges that we face and to put forward real solutions.

I am proud in the last 4 years this Congress has responded to that request of finding solutions. And we have some real accomplishments we can all be proud of, accomplishments such as balancing the budget for the first time in 28 years, a balanced budget that is now projected to generate an expected \$2.7 trillion surplus of extra tax revenue; a middle-class tax cut, the first middle-class tax cut in 16 years that is now giving three million children a \$500 per child tax credit back home in Illinois; welfare reform, the first welfare reform in a generation that has lowered the welfare roles in Illinois by 28 percent; and IRS reforms, taming the tax collector, the first IRS reforms ever that now shift the burden of proof so that a taxpayer is innocent until proven guilty. That is all thanks to this Congress.

The question often asked is, those are pretty good accomplishments, but what are we going to do next? Well, I was home this past week during the President's Day district work period listening to the folks back home. They told me some things. They tell me they want good schools. They tell me they want low taxes. They tell me that they

want a secure retirement. And that is really what the agenda of the Republican Congress is. Our agenda is to help our schools and make sure that we put more dollars into the classroom, dollars that are determined how they are spent by local school boards and local teachers and local parents.

Our agenda is to lower the tax burden on the middle class and also to secure retirement by ensuring that our Social Security system is sound and rewarding savings for retirement.

But we also have another challenge that faces us, and it is really an opportunity, and that is the opportunity that comes from this Congress's probably greatest accomplishment, the first balanced budget in 28 years.

We are now expected to see a \$2.7 trillion surplus, a balanced budget bonus, an overpayment of tax revenue, extra money that is burning a hole in the pockets here in Washington. And that is really what the debate will be, what do we do with that surplus? Some want to spend it all. Others want to do other things.

The President says we should use 62 percent of the surplus for saving Social Security and the rest we should spend on new government programs. We on the Republican side say that we agree that 62 percent should go to Social Security.

Last year, we proposed 90 percent so we could do at least 62 percent. But we also want to give the rest back and pay down the national debt and lower the tax burden, particularly for middle-class working families.

Our philosophy is fairly simple. We believe that taxpayers back home in Illinois and back home in America can better spend their hard-earned dollars and their hard-earned salary better back home than we can for them in Washington. That is why we want to give back part of the surplus to pay off the national debt and to lower the tax burden at the same time we save Social Security.

Some say, gee, is there really a need to lower the tax burden on families? Let me share some statistics here. The tax burden on American families is the highest in history, in fact, the highest in peacetime history. In fact, 40 percent of the average Illinois family's income today goes to government at one level, local, State, and Federal taxes. Twenty-one percent of our gross domestic product goes to the Federal Government in taxes. And, since 1992, the amount of taxes collected from individuals has gone up 63 percent.

Clearly, that tax burden is too high, and we need to find ways to help the middle class by lowering the tax burden so they can keep more of what they earn.

I believe that as we look for ways to lower the tax burden on middle-class families that our focus should be on simplifying the Tax Code and bringing fairness to the Tax Code and also eliminating discrimination in the Tax Code. And as we look for those priorities and

how best to simplify the Tax Code and eliminate discrimination in the Tax Code, I believe that we should focus on the most discriminating sequence of our Tax Code today, and that is the discrimination in the Code that says that 21 million married working couples pay, on average, \$1,400 more in higher taxes just because they are married.

Under our Tax Code, if they get married they pay more than if they stay single; and that is just wrong. And I think it is not right and it is not fair that 21 million married working couples pay, on average, \$1,400 more in higher taxes just because they are married.

In the south suburbs of Chicago, \$1,400 is one year's tuition at Joliet Junior College. It is 3 months of day care at a local child-care center. It is 6 months worth of car payments. It is a washer and a dryer for a family. It is real money for real people.

I am proud to report to the House today that almost 230 Members, a bipartisan majority of this House, has joined as cosponsors of the Marriage Tax Elimination Act, which would eliminate discrimination in the Tax Code and eliminate the marriage penalty.

As we work to simplify the Tax Code, as we work to lower the tax burden, I hope we can make elimination of the marriage tax penalty our number-one priority.

EDUCATION FLEXIBILITY

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

Mr. ROEMER. Mr. Speaker, I rise today to talk about an idea that the gentleman from Delaware (Mr. CASTLE) and I introduced as legislation last year called education flexibility.

The gentleman from Delaware (Mr. CASTLE), a Republican from Delaware, and I, a Democrat from Indiana, have worked on this proposal for 8 months; and we are very excited about the good bipartisan potential, the bold idea that this proposal brings to our schools across this great country.

Also, in addition to being a bipartisan idea, it is also an idea brought forward by the new Democratic coalition. Our new Democratic coalition is a coalition devoted to old values and new ideas.

The old values in this education flexibility bill, the old value is local control, that our schools in Indiana and Colorado, California and New York decide what is taught, decide what action is taken in our schools. So the old value is local control.

The new idea is enhanced flexibility, to try some new things, to boldly and creatively reform our education system and continue to fix public education in this great United States of America.

So we have old values and new ideas. We have a Republican and a Democratic sponsor, and we have the new Democratic coalition working on this.

I support this education flexibility bill that the gentleman from Delaware (Mr. CASTLE) and I have introduced for three reasons. One, because it is a bold, new, creative idea that is working substantively in 12 States. We tried Ed Flex as a pilot program four and a half years ago. It is working in Ohio. It is working in Michigan. It is working in Illinois. It is working in Texas. This idea is working across the United States in 12 States.

How is it working? Let me give my colleagues a couple of examples. In Texas, which currently has this Ed Flex authority, Texas has outlined stringent accountability standards for its local schools. Ed Flex States have been innovative in the use of their waivers, and I think all States should be able to be innovative and have this opportunity.

Secondly, Maryland was able to use Ed Flex and reduce the teacher-student ratio in math and science classes from 25-1 to 12-1 and give more intensive teaching and schooling to those students in math and science programs.

Also, in the State of Kansas, we have seen the Ed Flex have and show the opportunity to better coordinate title I to many of our disadvantaged students and to be there to allow a seamless delivery of services to some of the most at risk, some of the most disadvantaged students in inner city areas, without diminishing the targeting of title I monies.

So one, it is working in 12 States, it is bold, and we should have all 50 States have this opportunity.

Secondly, the second reason I support it, it is not a mandate, it is not new paperwork, it is not handcuffs. It is a string of accountability to one thing, student performance.

And, thirdly, it is bipartisan.

Let us show the United States that we can reach across the aisle, Democrat and Republican alike, on an education issue, a bold new idea like education flexibility, and help reform and fix our great public school network in this United States of America.

I encourage my colleagues to cosponsor the Education Flexibility bill introduced by the gentleman from Delaware (Mr. CASTLE) and myself.

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mrs. WILSON) is recognized for 5 minutes.

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa (Mr.

FALEOMAVAEGA) is recognized for 5 minutes.

(Mr. FALEOMAVAEGA 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 Ohio (Ms. PRYCE) is recognized for 5 minutes.

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

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

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

POPE SCOOPED PRESS ON IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. BOB SCHAFER) is recognized for 5 minutes.

Mr. SCHAFER. Mr. Speaker, the media entertained then summarily dismissed fantastic "Wag the Dog" analogies to December's missile strike against Iraq. Even now, few have ventured post mortem analyses of the momentous episode sidetracked by historic impeachment coverage.

Billions spent, lives lost and risked, measured against the efficacy of modern warfare have gone virtually unchallenged in America's press, much less the President's ulterior political benefits accumulated throughout the exchange.

His Holiness Pope John Paul II was right to seize the occasion of a St. Louis visit to chastise Bill Clinton's handling of Iraq. More than 2 months having passed since Operation Desert Fox, it remains unclear who stands the victor.

The coincident timing of impeachment-eve air strikes fueled rampant speculation about President Bill Clinton's motives, drawing indignant insistence by the White House U.S. national security was the singular interest. Today, the Pope finds himself among an ever-growing crowd of Americans unconvinced the missile attack was an absolute necessity, and with the settling dust comes clarification of the uneasy truth, Saddam Hussein remains in power.

This fact controverts the December 17, 1998, call by Congress to finish the job. On a near unanimous vote, 221 Republicans, 195 Democrats and one Independent adopted a resolution in support of our troops in Desert Fox. Congress also included in the measure a bold policy statement "to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a Democratic government to replace that regime."

However, one day into Desert Fox, Defense Secretary Cohen confessed be-

fore a closed assembly of this House our plans did not include undermining Saddam's dictatorship. "The objective of the attack," he admitted, "is to go after those chemical, biological or weapons of mass destruction sites to the extent that we can."

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A Congressman followed up, "Why not go after him if that's what the problem is?"

Cohen replied, "We have set forth our specific targets, and that's what we intend to carry out." Across the Atlantic, British Defense Minister Robertson delivered the consonant line to members of parliament, "It's not our objective to remove Saddam Hussein from power."

Coupled with the historic record of Clinton's Iraq policy, his eagerness to launch missiles while neglecting chief U.S. objectives adds plausibility to the pontiff's skepticism. The President's stubborn devotion to the failing policy of containment has yielded little more than prolonged hardship for Iraq's 22 million civilians and unneeded strain on precarious international relationships.

Clearly the President's precipitous policy in Iraq obviates the need for it to be replaced by a serious one designed to legitimately achieve genuine U.S. objectives. Meanwhile, the absence of such a policy should compel even tepid curiosity among the media as to what Clinton had hoped to achieve, if not well-established U.S. objectives.

Pundits and editorial writers of virtually every country except the United States have proffered cogent opinions fairly impugning the motives of our Commander in Chief. A day into Desert Fox, one member of Britain's parliament, aligned with Clinton's parallel political party, I might add, even admonished his colleagues in formal session, "After all, we're not being led into battle by Richard the Lion-Hearted but by William the liar."

Here at home, however, it was just too troubling to contemplate another scandal, especially when TV production trucks had already secured their coveted parking spaces outside the Capitol.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Colorado will suspend.

The Chair must caution all Members to abstain from addressing the President in terms or language personally offensive as by applying to him pejorative labels or attributing to him unworthy motives.

The gentleman may continue.

Mr. SCHAFER. An odd blend of serendipity and irony, the Senate's arraignment of Clinton's folly captivated the media attention so completely as to conceal what may prove the proportionate diversionary scandal of Desert Fox. But with no sex, cigars, stained dresses or Jane Doe's, who could possibly maintain interest for that long?

John Paul II, of course, is not in the business of ratings, advertising, market share, circulation and amusement. His concern is for the truth, human dignity and peace, and that is the reason he scooped the American media on this one.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair again cautions all Members to abstain from addressing the President in terms or language personally offensive as by applying to him pejorative labels or attributing to him unworthy motives.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Ms. HOOLEY) is recognized for 5 minutes.

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

SPECIAL EDUCATION FUNDING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. GOODLING) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOODLING. Mr. Speaker, this evening we are taking a special order to talk about the number-one unfunded mandate from the Federal Government to the States and to local school districts.

Twenty-three years ago, the Congress made the historic decision to support children and families with special education needs. In passing the Individuals with Disabilities Education Act, the Congress not only brought Federal aid to children with disabilities but it also brought a 100 percent mandate as to how you will spend that money.

Just 2 years ago, Congress and the administration worked together in true bipartisan fashion to reauthorize the Individuals with Disabilities Education Act or better known as special ed, so children with special needs can have more options and services.

I might add at this point that we are still waiting, 2 years later, for the regulations that are supposed to go with this legislation which certainly would help local school districts to know exactly what is expected of them. Unfortunately, the administration has again backed away from the Federal commitment to adequately fund special education. This is the second year in a row that the administration has cut special education funding in the budget that they have sent up to Capitol Hill. They have a tiny increase, they indicate, but if you talk about the increase in inflation and the 123,000 extra students that come into the program each year, you discover that, as a matter of fact, 2 years in a row, the administration has cut special education.

Now, what was promised by the former majority 23 years ago was that

the Federal Government, sending the 100 percent mandate, would send 40 percent of all the money that it would take for excess costs to educate a special needs youngster versus educating another youngster. Let me give my colleagues an example.

If in your district you are spending \$8,000 a year per pupil and you are spending, on the other hand, for special need youngsters \$16,000 a year, then the difference, of course, would be \$8,000. If they got 40 percent of that \$8,000 from the Federal Government, they would get \$3,200 extra for educating a special needs child. Well, when I became chairman, they were sending 6 percent. In other words, they were sending \$480, not \$3,200.

And in spite of the fact that the President has, in the budget that has come up, has decreased spending for special ed, the Republican majority in the last 3 years has been able to increase by \$2 billion the amount of money that is now going for special education. For the first time this year, local school districts will be able to decrease the amount of money they must spend from their budget in order to fund our mandate from the Federal level. So there is a big gap, a big gap here as to what should be going out from the Federal Government if we were true to our promise of 40 percent of excess cost versus what is going out.

As I said, in our last 3 years with a new leadership, with a Republican leadership in the House, we were able to move that 6 percent up to about 12 percent. Now, what does this mean to a local school district? It means that a local school district has to raise money, generally through property taxes, in order to support the Federal mandate in special education. Let me give my colleagues just one illustration.

The City of York, which is about 49,000 people, at the present time they receive \$363,000. If they received their 40 percent of excess cost, they would receive almost \$1.5 million. If you want to talk about pupil-teacher ratio, which the administration wants to talk about, if you want to talk about repairing school buildings, which the administration wants to talk about, all of those things are things that, of course, we believe are important as Republicans. But the way to do it is fund special ed. Then they have the money locally to do all of those things. Can you imagine how far school districts have gotten behind in school maintenance because they have had to raise millions of dollars as a matter of fact to fund the mandate from the Federal level?

So I hear things are improving. Yesterday, I was told that the governors made a real point to the administration. The administration seemed to be surprised. They did not realize this problem existed.

Now I have spoken to many members of the administration, including the President, on numerous occasions pointing out this problem. In fact,

after we signed the higher ed bill last year, I said to the President, we really have to tackle this special ed problem; and he said, well, we are pouring lots of money into special ed. I said, Mr. President, your budget cut special ed that you have sent up to the Hill. And, of course, it happened again this year.

I have told the Secretary over and over and over again, we have to deal with this. I just learned today that perhaps the minority leader of the House said that this is his number-one priority. It only took me 24 years to get that to be a number-one priority on that side of the aisle. Because for 20 years in the minority, that is all I ever said to them over and over again: Fund this mandate before you send out any more mandates.

So some good things take time. This apparently took 24 years. My hope is that they are serious, because we positively have to get relief back to the local districts so that they, in turn, can do the maintenance things, so that they, in turn, can pour money into all the other students that they have rather than having to raise property taxes in order to fund a Federal mandate.

I noticed we have some others here who I am sure want to talk about this issue. I yield to the gentleman from Georgia (Mr. NORWOOD), a member of our committee who has heard me preach this sermon so many times he is probably tired of hearing it.

Mr. NORWOOD. Mr. Speaker, I thank the gentleman from Pennsylvania for taking time really to hold this public discussion of the Individuals with Disabilities Education Act. Many people at home know it as IDEA. I must say that when I talk to teachers back home and school superintendents back home, this is one of the greatest topics of concern.

In many cases, many of the younger, newer teachers think all of a sudden in the last few years we invented IDEA, which is not the case, of course. It was passed in 1975. When we took, the Republicans took control of Congress, we tried to deal with some of the discipline problems, just 2 years ago, that are occurring in IDEA, so this is sort of new news to youngsters who are just out of college and just started teaching.

Let me begin by stating that I doubt that there can be a more important job in America than teaching our children. I do not know what it would be. This is especially true of our special education teachers. Education for those with disabilities allows all of our children to have the opportunity to learn and succeed. Ensuring that all of our children have a safe and orderly environment in which to learn must be and is a top priority.

Most every teacher I have talked to about IDEA brings up the problem, Mr. Speaker, of classroom discipline. Teachers tell me that there is a great double standard that exists when disciplining disabled students. For instance, a nondisabled student who

brings a gun to school can face a much stronger disciplinary action than a disabled child who engages in that very same activity.

Mr. Speaker, we need to make sure that our teachers and students are protected in the classroom while at the same time ensuring that disabled students are fairly treated. This is critical if we are going to make sure that our children, disabled and nondisabled, have a good learning environment, a good order at their schools. Learning will soon become a casualty if it has not already if we do not do this. And soon enough our children will become economic casualties if they do not learn well.

I believe that we should trust our teachers to determine who should be in the classroom. They will know firsthand which students are discipline problems and which students are just having a hard time reading up to their grade level. They will know how to deal compassionately with those students with disabilities who, because of their disability, may be disrupting the classroom experience of others. We can and should provide a good education for all without putting our teachers in this untenable position.

In addition, I want to speak a minute about this unfunded mandate that the gentleman from Pennsylvania was talking about. We have since 1975 mandated to our States that they do certain things at the school districts. The same law that mandated what our special education teachers have to do said we, the Federal Government, will fund that. We will pick up 40 percent of the tab. You at home pick up 60 percent of the tab.

That simply has not been the case. It has been only under the gentleman's leadership over the last 4 years, Mr. Speaker, that we have finally gotten the funding level up to 12 percent. That is a long, long way from 40 percent. Now, what does that mean? That means people at home who are paying property taxes that go to their schools who want to use that money to add new teachers do not have it because they are funding special education.

□ 1530

If we want to use that money for bricks and mortars, which we should do at home to build new schools, we do not have it because it is going to special education, and the Federal Government is just simply not keeping its word, and I will yield back after making one point:

My great State of Georgia, for example, is a perfectly good example. We received almost \$54 million as part of this mandated special education money. But had we received what the law required, it would have been over \$276 million. We received \$54 million. By law, we should have received \$276 million.

Mr. Speaker, we can fix a lot of roofs in Georgia, and we can hire a whole lot of teachers back in Georgia if the Federal Government will do what you are

trying to get them to do and fund their fair share.

In 1975, Congress passed the Education for All Handicapped Children Act, commonly known as P.L. 94-142. The Act built upon previous legislation to mandate that all States provide a Free Appropriate Public Education (FAPE) to all disabled children by 1978.

P.L. 94-142 established the federal commitment to provide funding aid at 40% of the average per pupil expenditure to assist with the excess costs of educating students with disabilities.

Historically, the appropriations for IDEA have not come close to reaching the 40% level. Federal funding has never risen above 12% of the cost. Going into the 104th Congress, the federal government was only paying about 7% of the average per pupil expenditure.

Since the Republicans took control of the Congress, IDEA appropriations have jumped dramatically. Since 1995, funding for IDEA has risen over 85%. The more than \$1.4 billion funding increase since FY1996 demonstrates our continued commitment to help States and school districts provide a free, appropriate public education to children with disabilities.

We are now paying 12% of the average per pupil expenditure.

The Congressional Research Service estimates that over \$14 billion would be needed to fully fund Part B of IDEA. The FY1999 appropriation for Part B was \$4.3 billion, leaving States and locals with an unfunded mandate of nearly \$10 billion.

Local school districts currently spend on average 20 percent of their budgets on special education services. Much of this goes to cover the unpaid Federal share of the mandate.

In my district, the Richmond County School District receives \$1,176,260. If IDEA were fully funded, this school district would receive \$6,027,156, an increase of \$4,850,900.

President Clinton proposes to level fund IDEA for FY2000. Under his budget request, the federal government would cut the Federal contribution to approximately 11 percent in FY 2000.

Considering that the number of children with disabilities is projected to increase by 123,000 from 1999 to 2000, the President's budget request actually cuts funding for children with disabilities from \$702 dollars per child in FY1999 to \$688 dollars per child in FY2000.

The President continues to ignore this unfunded mandate on States and local school districts by requesting no increase in funds for grants to States for providing assistance to educate children with disabilities.

The President has proposed creating a myriad of new Federal programs, which all do good things.

But I think that before we create new programs out of Washington, the Congress needs to ensure that the Federal government lives up to the promises it made to the students, parents, and schools over two decades ago.

Once the Federal government begins to pay its fair share, local funds will be freed up, allowing local schools to hire and train high-quality teachers, reduce class size, build and renovate classrooms, and invest in technology.

We can both ensure that children with disabilities receive a free and appropriate public education and ensure that all children have the best education possible if we just provide fair Federal funding for special education.

COMPARISON OF SUBSTATE IDEA GRANTS AND MAXIMUM GRANTS¹—GEORGIA

Table with 4 columns: LEA Name, Reported FY95 grant, Maximum FY95 grant, Difference between reported and maximum grant. Lists 159 LEAs including School district, Appling County, Atkinson County, etc.

COMPARISON OF SUBSTATE IDEA GRANTS AND MAXIMUM GRANTS¹—GEORGIA—Continued

Table with 4 columns: LEA Name, Reported FY95 grant, Maximum FY95 grant, Difference between reported and maximum grant. Lists LEAs including Lumpkin County, Macon County, Madison County, etc., and an 'Other' section.

COMPARISON OF SUBSTATE IDEA GRANTS AND MAXIMUM GRANTS¹—GEORGIA—Continued

LEA Name	Reported FY95 grant	Maximum FY95 grant	Difference between reported and maximum grant
Dept. of Children & Youth Services	25,400	130,100	104,700
Central Savannah River Area Center	132,600	679,400	546,800
Chattahoochee-Flint Res-ervation	0	0	0
Coastal Plains Reservation	115,900	594,000	478,100
First District Resa	527,300	2,701,900	2,174,600
Griffin Resa	116,000	594,200	478,200
Metro Resa	549,400	2,815,200	2,265,800
Middle Georgia Resa	0	0	0
North Georgia Resa	131,000	671,300	540,300
Northeast Georgia Resa	342,800	1,756,400	1,413,600
Northwest Georgia Resa	424,300	2,174,100	1,749,800
Oconee Resa	248,300	1,272,200	1,023,900
Okefenokee Resa	256,400	1,314,000	1,057,600
Pioneer Resa	726,700	3,723,500	2,996,800
Southwest Georgia Resa	0	0	0
West Georgia Resa	145,000	743,000	598,000
Heart of Georgia Resa	0	0	0
Total	53,920,900	276,291,000	222,370,100

¹Maximum grants were calculated by multiplying reported grants by 5.124 (rounded to the nearest \$100; totals subject to rounding). Data are for FY1995; based on GEPA data. Source: Prepared by CRS.

IDEA—PART B APPROPRIATIONS
(FY1995–FY2000)

Fiscal year	President's budget request	Final appropriation	Difference—increase under Republican Congress
1997	\$2,603,247,000	\$3,109,395,000	\$506,148,000
1998	3,248,750,000	3,801,000,000	552,250,000
1999	3,810,700,000	4,310,700,000	500,000,000
2000	4,314,000,000		

Mr. GOODLING. Mr. Speaker, I see one of the subcommittee chairs from California is here, and I yield to that subcommittee chair, the gentleman from California (Mr. MCKEON), at this particular time.

Mr. MCKEON. Mr. Speaker, I would like to commend the gentleman for the leadership that he has shown in bringing this issue to the fore. I think people are now starting to hear, and hopefully we will be able to improve the Federal government's action on this issue. I would like to join with you and my other colleagues in calling for the President to fulfill our obligation to our Nation's neediest children, those with disabilities.

Mr. Speaker, for too long Washington has shirked its responsibility to provide our local school districts with the funds necessary to carry out the expensive Federal mandate created with the enactment of the Individuals with Disabilities Education Act more than two decades ago. Time and again we hear that our States and our schools must sacrifice other educational programs and services in order to serve students with special education needs.

Nationally, on average, local school districts spend 20 percent of their budgets on special education. In my home State of California, the cost of educating an estimated 610,000 children with disabilities is a staggering \$3.3 billion. But the Federal Government contributes only \$413 million, which translates to only 12½ percent of the total cost.

Even more alarming is the impact of this Federal mandate on our local school districts. For example, the Federal Government picks up only 3 per-

cent of the estimated \$7.6 million price tag for educating the nearly 1,200 children with disabilities in the William S. Hart High School District, the district I served on as a member of the school board for 9 years. If they picked up the other 37 percent that they said they would do when they created this mandate, that would mean \$2.8 million to that school district. I guarantee you that would go a long ways toward building schools and hiring teachers and doing the other things that are now going lacking because of this Federal mandate.

And in the Los Angeles Unified School District, which covers part of my district, if the Federal Government fully funded its IDEA obligation, L.A. Unified would receive about \$95 million more. Let me repeat that. They would receive \$95 million more.

Since 1995, this Republican Congress has worked hard to fulfill our duty to our schools and our children to provide the 40 percent of the average per pupil expenditure that was promised by the Congress. Prior to the 104th Congress, the Federal Government was only paying 7 percent of the cost. Today, we are paying approximately 12 percent. This represents an 85 percent increase over all in the IDEA funding, but we still have a long way to go.

Last Congress, Mr. Speaker, I cosponsored H. Res. 399 which expressed the sense of the House that fully funding IDEA programs should be given the highest priority when doling out Federal education dollars. I was very pleased when the House unanimously adopted this resolution last summer. The passage of this resolution was important because it symbolized the Houses's commitment to fund existing education programs at levels the law requires.

In contrast, the President has level funded, which is a cut, and remember how we got beat up on school lunches when we increased the funding over 4 percent? We were accused of killing the school lunch program, and here the President has come up with just level funding, and we know what that refers to in the way of a cut.

I believe before we look at creating new programs with new Washington mandates, we need to ensure that the Federal Government lives up to the promise it made to the students, parents and schools over two decades ago, and I am not the only one who thinks so. In fact, during the recent National Governors' Association Conference here in Washington, Maryland's Democrat Governor, Parris Glendening, stated, and I quote:

Several of the Governors were urging, I think with great merit, that before we start these new programs, let's make sure that the ones that are on the board, such as special education, are fully funded.

If the President would first fund the special education mandate, our States and local school districts would have the funds to do the things the Presi-

dent proposes such as building new schools, building more computers, ensuring accountability. All of these things could be done without new Federal mandates if we just would live up to the mandates that we have already made. This Congress will continue to provide fair Federal funding for special education so in the end we can improve education for all of our children.

Mr. GOODLING. Mr. Speaker, I think the gentleman from Kansas (Mr. MORAN) is having some of the similar problems back in his district. I yield to the gentleman from Kansas.

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentleman for allowing me the opportunity of raising this issue. It is an important one.

For almost a quarter of a century the Federal Government has assisted in the education of our children with disabilities, and for almost that same quarter of a century the Federal Government has failed to meet its obligations.

The Individuals with Disability Education Act was first enacted in 1975. At that time, Congress promised to help States and local districts pay for special education by funding 40 percent of the national average per pupil expenditures. Unfortunately, the Federal Government has never even been close to meeting this mandate.

Currently, Kansas gets 10 percent from the Federal Government for funding special education. In actual dollar amounts, this means that while combined State and local expenditures for special education equal \$420 million, the Federal Government provides the State with only \$38 million. If the Federal Government would meet its obligation, Kansas would receive approximately \$160 million from the Federal Government level for special education costs. At least \$120 million would be freed up by that change on the State and local level, would be freed up on the State and local level for use for other education purposes.

A Kansas school on the average uses 17 percent of it budget for special education. In my own community, the Hays School District receives \$146,540 in Federal funds. If IDEA was fully funded, the school district would receive \$750,686, an increase of over \$600,000. Schools in my area of Kansas cannot afford to put almost one-fifth of their entire budget into this Federal mandate, special education.

Our schools are already financially strapped. Forced to pay the Federal government's share of special education, the burden becomes so great that other programs and needs are pushed aside. Schools are not maintained properly, teachers do not get hired, and classroom materials do not get purchased.

The schools, teachers and administrators in my districts are bending over backwards to assist students with their special needs. They are helping these children, but the Federal Government is not. The Federal Government is not meeting its obligation to these

children, nor is it meeting its obligation to all students in elementary and secondary schools across the country.

The funding of special education is important to me. I have lived with this issue during my 8 years as a member of the Kansas State Legislature. For each and every year, we struggle to adequately fund the education of our Kansas children. Every time I meet with principals, teachers and other school administrators, the concern that always comes up is the funding of IDEA. Kansans are skeptical about new Federal education programs, especially since we do not adequately fund the current programs. We do not understand why year after year more and more federally-created initiatives receive funding when already established programs are not adequately funded.

Last year, a resolution was introduced in this House encouraging the President and Congress to work together to fully fund our obligations under IDEA. That legislation passed the House, signaling that Congress is ready to meet those obligations to local school districts and their taxpayers.

The President's budget for the year 2000 provides only a level funding of IDEA. During this same year, the number of children with disabilities is expected to increase 123,000, while this means that the administration's budget will, in reality, be a cut in IDEA from \$702 per child in 1999 to \$688 in the year 2000.

This is not right, it is not fair, and I call upon my colleagues to meet our obligations to the schoolchildren across the country to fully fund IDEA.

Mr. GOODLING. I thank the gentleman, and I now yield to the chairman of the Committee on International Relations who wants to talk about domestic affairs.

Mr. GILMAN. Mr. Speaker, this is an important domestic affair, and I thank the gentleman for yielding, and I am pleased to rise today in support of the gentleman from Pennsylvania, the chairman of our Committee on Education and the Workforce, Mr. GOODLING, in his efforts to raise awareness about the limited funding for Individuals with Disabilities Act, IDEA.

In passing IDEA back in 1975, the Congress required the Federal, State and local governments to share the cost of educating children with disabilities. When enacted, the Federal Government was intended to assume 40 percent of the national average per pupil expense for such children. While Congress has authorized this amount since 1982, regrettably the appropriation amount has never come close to the stated goal of 40 percent.

Last year, it reached the highest level ever, thanks to the efforts of our good chairman, Mr. GOODLING, highest level ever at 12 percent; and now the President is requesting the program be cut to 11 percent for Fiscal Year 2000. This result has been an enormous unfunded mandate impacting our State

and local school systems, requiring them to absorb the cost of educating students with disabilities; and in doing so local school districts have had to divert funding away from other students and other educational activities.

Mr. Speaker, this has had the unfortunate effect of draining school budgets, decreasing the quality of education locally and unfairly burdening our taxpayers. Local school districts are spending as much as 20 percent of their budgets to fund IDEA. Since the Republican party took control of Congress, IDEA appropriations have jumped dramatically. Since 1995, the funding levels have jumped 85 percent over prior funding and have demonstrated our commitment to help the States and local school districts provide public education of children with disabilities.

I say it is now time for Congress to make good on its promise to fully fund IDEA at the promised 40 percent. We can no longer allow the States to try to make up the difference between the funds they have been promised and the funds they actually receive from the Federal Government.

In my own district, the schools are strongly feeling the negative effects of the lack of IDEA funding. East Ramapo School District in Rockland County, New York, should have received \$2 million for IDEA, but according to 1995 figures they only receive \$398,000, a difference of \$1.6 million. Similarly, my own hometown, the Middletown City School District in Orange County, New York, was expecting \$1.6 million, but actually only received \$316,000, a difference of \$1.3 million.

In addition to cutting IDEA funding, the President has refused to recognize this strain on local school districts by not requesting any increase in funds for grants to States for providing assistance to educate children with disabilities. Moreover, the President wants to create new Federal programs which can do some good things for the Nation, but should not we be worrying about the programs we already have but have never fully funded? We cannot continue to underfund IDEA and impose this unfunded mandate on the States at the very same time that we want to introduce new programs.

Mr. Speaker, it is time for the Congress to show that we are truly interested in our Nation's children's education. By fully funding IDEA, Congress will simultaneously ease the burden on our local school budgets while assuring that students with disabilities receive the same quality of education as their nondisabled counterparts. Once the Federal Government begins to pay its fair share, local funds will be available for school districts to be able to hire more teachers, reduce class size, invest in technology and, more importantly, will be able to lower local property taxes for our constituents.

So, in closing, I urge my colleagues to fully support our distinguished education chairman in his efforts to provide full funding for the IDEA program.

□ 1545

Mr. GOODLING. I thank the gentleman for participating. I realize that the problem is on both sides of the aisle no matter what part of the country they represent, and I am sure the gentleman from Maine (Mr. BALDACCI) can tell us about problems he is faced with on this same issue.

Mr. BALDACCI. Madam Speaker, I thank the gentleman from Pennsylvania (Mr. GOODLING) for yielding.

Madam Speaker, I want to thank the chairman, the gentleman from Pennsylvania (Mr. GOODLING), and the gentleman from New Hampshire (Mr. BASS) and the other Members for coordinating the hour and for highlighting this issue. It is a very important issue, as we see not only from Maine but throughout the country.

I am a strong supporter of the Individuals with Disabilities Education Act, or IDEA, and I strongly agree that every child deserves the opportunity to benefit from a public education. We must do all we can to ensure that every child reaches his or her fullest potential, but we must also recognize the tremendous cost of this endeavor.

In fact, the cost of educating a disabled student is, on average, more than twice the cost of educating a non-disabled student. If our schools are truly to serve all students, the Federal Government must increase its commitment to IDEA funding.

When IDEA was first enacted, Congress committed to nearly 40 percent of the cost. However, the Federal Government has consistently fallen short of this goal. As special education continues to rise in cost, we fall further behind. Currently we are funding it at a little bit under 12 percent, and it was through the chairman's efforts and the efforts of this Congress to ensure the efforts got to that particular level.

This is having a devastating impact upon our State and local budgets. In Maine, the share of the State of special education funding has skyrocketed over the past decade. For fiscal year 1999, Maine has received approximately \$20 million in Federal IDEA funds. This represents a Federal share of only about 13 percent. In fact, the State of Maine would be receiving an additional \$39 million if we were meeting our 40 percent funding goal. Rather than sharing 60 percent of the burden, Maine's State and local property taxpayers are shouldering nearly 90 percent of the cost of this program.

As I travel through my district, through one end of the State to the other, this is the issue that is being most raised by parents, by families and by educators and school board members. The things that I am being told that they are cutting are art programs, they are cutting music programs, eliminating field trips and cancelling extracurricular activities in an effort to keep the budget balanced. Property taxpayers simply cannot bear any more, and I know that the situation is similar throughout the rest of the country.

The bottom line is that the Federal Government needs to step up to the plate, to meet its 40 percent commitment of special education costs. I realize that we must act within the constraints of a balanced budget, but I am confident that we can reach this goal. I want to thank the chairman, the gentleman from Pennsylvania (Mr. GOODLING) for his attention to this issue, my colleague and friend from neighboring New Hampshire, the gentleman from New Hampshire (Mr. BASS) for his work, and other Members, on this issue.

This has been through their tireless efforts that we have gotten this funding increase and I appreciate it. I look forward to working with the chairman and other Members.

Mr. GOODLING. Madam Speaker, the gentleman from New Hampshire (Mr. BASS) has been picking up the mantle that I have carried for so many years, and I am sure he can tell us about similar experiences in the area that he represents.

Mr. BASS. Madam Speaker, I thank the chairman for those comments. Nobody has worked harder for educational priorities in this country than the chairman, the gentleman from Pennsylvania (Mr. GOODLING). I am a late-comer to this process but that does not in any way dampen the ardor with which I feel that we should address the issue of full funding of special education.

My good friend, the gentleman from Maine (Mr. BALDACCIO) stated it so well when he commented about all the ways that full funding of education can affect our communities, from property taxes to parents to teachers, to school districts, to funding priorities. It will make a tremendous difference.

I am standing here today on this side of the aisle to demonstrate that full funding of special education is not a Republican issue, it is not a liberal issue or a conservative issue. It is not a Democratic issue. It is an issue that every single Member of Congress and every single citizen of this country, most notably property taxpayers, should be concerned with. Indeed, depending upon what school districts decide to do, one can say that fully funding special education can be a form of property tax relief for every property taxpayer in this country.

It returns the decisions for local spending for education to the local level. If we fully fund special education in New Hampshire, the total funding for special ed. will go from \$19 million, as it is today by the way, from \$17 million, thanks to the efforts of our chairman here, to \$64 million. That is an increase of \$45 million. That is real money in New Hampshire for education spending. Those are funds that can either be spent on school improvement, it can be spent on hiring of new teachers, it can be spent on building construction, it can be spent on property tax relief, it could be spent on curriculum improvement, depending upon

what the local school district in that area wants to do.

Indeed, as has been said by other colleagues of mine, this special ed. issue is the largest unfunded Federal mandate probably in the history of this country. We make 100 percent of the rules here in Washington for special education. Sad to say, we fund 10 percent of the cost. Ten percent is better than 5 percent, where it was 5 years ago.

In New Hampshire now almost 20 percent on average of the funding of every single school district goes into special education. In some school districts, it is more than 50 percent of the total school budget.

Take a small town, if a single family moves into that town, they could take up half of the entire budget of the town of 100 or 150 people. Think of what that does to that poor family. Think of what it does to the relationship between those individuals and the rest of the citizens of the town.

What we are talking about here is a promise that the Federal Government made many years ago and has never fulfilled.

I want to urge my colleagues, as we deal with the budget here this year, as we deal with the appropriations, as we make important and critical decisions with respect to what we do with this cash surplus, I agree that we should reduce the debt, that we should save Social Security, that we have an obligation to meet our defense needs, but we also have an obligation to meet this unfunded Federal mandate and provide these resources to local school districts.

So I want to thank the chairman for having taken the lead in this issue long before I was even in Congress, and I am glad that we have scheduled this special order and I hope we continue to spread this message loud and clear.

Mr. GOODLING. Madam Speaker, the gentleman from California (Mr. CUNNINGHAM) is married to an educator who has to deal with this issue. I think she probably has to deal with this issue every day.

Mr. CUNNINGHAM. Madam Speaker, I thank the chairman for yielding. It is nice to let an appropriator come over and speak.

When I was subcommittee chairman, when the gentleman from Pennsylvania (Mr. GOODLING) was my boss, we worked through this and actually went to the White House and had it signed. It is not just a funding problem. Alan Bersin, who was a Clinton appointee at one time, is now the superintendent of San Diego city schools. I met with Alan Bersin. I think he is trying to do a magnificent job but his number one problem is special education and he is trying to sort it out.

There is a lady named Carolyn Nunes, the director of all special education in San Diego County. She happens to be my sister-in-law, but she said that teachers daily are being brutalized by trial lawyers.

They are teachers. They do not go to court. They do not handle that. Espe-

cially when the Department of Education refuses to put out the guidelines, they do not know how to operate, what to do and they are getting brutalized every day, and we are losing those good teachers, those special education teachers, out of the system.

So it is not just funding. It is the trial lawyers. It is the unions, and we need the attack dogs called off so we can get support for our teachers in a normal setting for the special education teachers and the families. The trial lawyers are setting up these cottage organizations and preying on the schools.

It is a united front, both Republican and Democrat. If we want to help the children in all areas, then we need to do something about this.

Mr. GOODLING. Madam Speaker, the gentleman from Maryland (Mrs. MORELLA), who lives right next door, has similar problems, I am sure.

Mrs. MORELLA. Madam Speaker, the gentleman is absolutely right, and I thank him for yielding time to me.

Madam Speaker, it is a district that cares very much about education, and they do care about the funding for IDEA. I rise to add my voice in support of increased funding for programs for special need students under the Individuals with Disabilities Education Act, and I thank the gentleman from Pennsylvania (Mr. GOODLING) for his leadership through the years.

In 1975, Congress passed the Education for All Handicapped Children Act, which mandated that all States provide free and appropriate education for disabled children by 1978. This act, commonly referred to as PL 94-142, established a Federal commitment to provide funding aid at 40 percent of the average per pupil expenditure to assist with the excess costs of educating students with disabilities.

Over the last 24 years, Congress has not even come close to funding IDEA at the 40 percent level. When the 104th Congress convened, the Federal Government was only paying about 7 percent of the average per pupil expenditure and I am pleased to say, as some of my colleagues have already mentioned, that since 1995, when the Republicans took control of Congress, funding for IDEA has risen more than 85 percent. Presently we are providing only about 12 percent of the average per pupil expenditure.

The Congressional Research Service estimates that it would take \$14 billion to fully fund part B of IDEA. Congress only provided \$4.3 billion for part B in the fiscal year 1999 appropriations bill, and this means that States and local school districts are left with an unfunded mandate of about \$10 billion. Yet, our President, in his budget for fiscal year 2000, proposes only level funding for IDEA. This means that if President Clinton has his way, the Federal Government would actually cut the Federal share to 11 percent next year. So in no way should we go along with this budget request, especially

when the number of students with disabilities is expected to increase by 123,000 by the year 2000.

The President's budget proposal would reduce the Federal contributions for children with disabilities from \$702 per child in fiscal year 1999 to \$688 per child in fiscal year 2000. Currently, I believe that special education is suffering a backlash in America. Many parents and some educators believe that resources for special education are taking away funding for general education services. Most school districts spend about 20 percent of their budgets on special ed., much of which covers the unfunded Federal mandate.

In my own district, the Montgomery County School System receives a little over \$4 million. If IDEA were fully funded, as the chairman would like to see and other Members of this House, Montgomery County schools would receive more than \$21 million. That would be an increase of over \$17 million. Montgomery County schools could certainly do a lot with \$17 million. The school system could concentrate on hiring high quality teachers, training them, putting more technology in the classrooms.

So I would like to commend, again, my colleague, the gentleman from Pennsylvania (Mr. GOODLING), who has been calling for increased funding for IDEA since he became chairman of the Committee on Education and the Workforce. It has been a passion with him and it has become contagious.

Certainly, I have heard his message and agree that if the Federal Government begins to pay its fair share, local funds would be freed up, allowing local schools to use their money for much needed education services.

As a former teacher, I remember the days when only two and a half decades ago that disabled children were unserved and underserved. We cannot go back to that time. Before IDEA, many children with disabilities had no future. IDEA has created a future for these children with real opportunities, has been a success in human terms.

Children with disabilities are part of the American family. IDEA provides children with disabilities the opportunity to fulfill their dreams, to be accepted by everyone in their community, attend school, live and work in regular environments. If we provide fair Federal funding for special ed., we can better ensure that children with disabilities will receive the best education possible.

Mr. GOODLING. Madam Speaker, I yield to the gentleman from Delaware (Mr. CASTLE), the subcommittee chair, who has to deal with elementary secondary issues. He is also a former governor who has raised funds to take care of unfunded mandates that have come from the Federal level.

Mr. CASTLE. Madam Speaker, I thank the chairman very much for yielding. I do want to join him in support of what he is trying to do here and what he has been trying to do for

many, many years. He deserves a great deal of congratulations on this.

The chart that the gentleman from Pennsylvania (Mr. GOODLING) has next to him, which shows the percentage funded at about 10 percent now, it has been as high as 12 percent, I believe, when it should be 40 percent. It shows that big gap. That big gap basically is an area that should be filled with Federal dollars and if it is, as has been stated here so well, then we would free up the local dollars to do the very things that we are talking about in Washington and that they are talking about at the States and the local school districts, to hire more teachers in order to get smaller classrooms, to fix up our schools, to move in to the world of technology in the fastest and best way possible and to do all the other things we have to do in education.

I did see this on a local level. Basically, the Federal Government has come along with the courts and they have stated that all States must provide a free and appropriate education to disabled children. That is a very broad classification. The gentleman from New Hampshire (Mr. BASS) and I were just discussing the various cases and some of the expenses we can get into with children with disabilities. Perhaps some of that has not been managed as well as possible but some of it is extraordinarily expensive.

□ 1600

We are expecting our State governments and our local school districts to pick up that cost at a tremendous burden, and well beyond what they should be. Well beyond the 60 percent that they were supposed to deal with, and that is a tremendous burden at the State and local level as they look at these particular problems.

We have simply failed to do what we have to do, I believe, as a Federal Government. And I am not one who believes we can correct it all at once. In fact, I am not sure what those dollars are. Maybe that is the ultimate advocacy policy. But we are now, with the leadership of the gentleman from Pennsylvania, on a trend where we are going up.

Unfortunately, the President has not met this in his budgeting requirements from year to year. In order to supplant what they have to do on a Federal basis, with the gentleman's leadership, we are doing that. We have had broad representation here from all over the country and from both political parties there is a great deal of interest in getting this done.

There is no better way that the Federal Government could help with the local problems of dealing with running of our schools. There is no issue which is more important than education. Once we get beyond health and welfare and security of our country, we need to deal with the education of our young people. And if we were able to do this, we could indeed give them the oppor-

tunity to do all of those things that the President and so many educators talk about.

The gentleman from Pennsylvania has hit upon an issue which makes tremendous sense in terms of what we should be doing at the Federal Government level, and for that reason I stand here with him to try to help in this effort to try to do this so that we can help education every way possible.

If I could throw in a good word for education flexibility at the same time, because they are not entirely unrelated, education flexibility is going to have a hearing in our committee tomorrow. It is going to have its markup next week in the committee, and hopefully will be on the floor 2 weeks from now.

That is a program that all 50 governors have endorsed. All 50 governors do not endorse anything as far as I can see. This may be the first time, as far as I know, in the history of the Governors Association that this has happened. This gives the flexibility to take a lot of Federal programs and be able to make decisions on how to spend money. Full-day kindergarten, pre-kindergarten, whatever it may be.

They still have to meet all the commitments and there are all manner of checkbacks to make sure that they are doing their job properly, and the Secretary has to check off, but it enhances their ability to do this. If we were able to supply the money to do this and give them the flexibility to take the existing Federal programs which are out there and be able to tailor it to their own community, those would be two tremendous steps for education. It would take us light years ahead of where we are now.

So, we are up to some very good things in the Committee on Education and the Workforce under the leadership of the gentleman from Pennsylvania going on right now, and I hope that we are all paying attention to it. I hope that Members over in their offices, everybody in the House, is listening to what we are doing here today, because these are two steps that will take education way ahead of where it has been before from a Federal point of view.

Madam Speaker, I thank the gentleman for the opportunity of speaking today and I congratulate him and I hope that we can get these done as soon as possible.

Mr. GOODLING. Madam Speaker, I want to make sure that anyone who is watching the program has heard what almost every Member has said. If we move this red line up to the 40 percent, which is up here at the blue line, property taxes have a good opportunity of going down because property taxes are going up, up, up because the local district has a Federal mandate. But the Federal Government does not put the money there, so the local district has to raise the taxes in order to fund the special education Federal mandate.

Another Member of the committee, another Pennsylvanian also, has the same problems down close to Philly.

Mr. GREENWOOD. Madam Speaker, let me begin by saying that it is the wisdom of the gentleman from Pennsylvania (Chairman GOODLING) that has brought us to this point. I remember 2 years ago on the floor of the House I came up to the gentleman and said, if we could do one thing for education that would really make a difference, what would that be? He said, "Fully fund special education," and I have been a soldier in that army ever since.

Madam Speaker, the times that I feel best about being a Member of Congress are the times when, first off, we take serious actions that actually affect real people in very real ways. And secondly, it is a time when we kind of transcend the usual partisanship that prevails so often in the House. We transcend the notion that for one of us to win our agenda, somebody else has to lose and we have to do battle here for competing interests.

Fully funding special education meets both of those tests. It meets the test of really helping Americans who need it and also we can do it in a win/win fashion. Let me elaborate on that.

We Republicans have a tendency to talk about dollars and cents too much and in trying to figure out how to balance the budget and we forget sometimes to talk about the human impacts. We are talking here about 5.8 million children. Children with mental retardation. Children with learning disabilities who have the heartbreak of going to school and being excited and finding out that no matter how smart they are, they cannot quite read up to speed right away. Children with physical disabilities and children who have difficulty hearing. Children who have difficulties with speech.

Madam Speaker, we have the opportunity and we have the program under IDEA to help change the lives of these precious children. By fully funding IDEA, we get to make sure that the Federal Government and the Congress lives up to its obligation.

But secondly, this is an issue that enables us to transcend the win/lose scenario that often prevails. This is an opportunity for us to share a broad agenda on education so that my colleagues in the City of Philadelphia, who are particularly worried about school construction and think that should be our priority, well, we say to them, just imagine if the Philadelphia School District or the New York School District or the Chicago or the L.A. School District has fully funded from the Federal Government their special education mandate. They would be rolling in millions of dollars to build schools.

My colleagues who want to focus on technology and computers for the classroom, the same thing occurs. All of those extra unbudgeted dollars could go to that. And for those school districts that want to reduce class size, here is the golden opportunity. We take the special ed. burden off of their backs and let them use the surplus for reducing class size. And if communities

want to reduce taxes in their district, the opportunity is here to do that.

This is what my kids call a "no-brainer." This is an obvious thing to do. And the question occurs, well, then why would we not all immediately agree and why would the President not agree? When Secretary Riley, the Secretary of Education, was before our committee, I asked the Secretary, "Would you like to see us fully fund special education?" He said, "Yes, I wish we could do that." And I said, "Well, do you advocate that?" He said "No, I do not advocate that we do that." He just wishes that we do it? Why is that?

Madam Speaker, I think the answer is that with a bureaucracy as big as the Federal Department of Education, every little division in there has to have its pet program. And I think the President is at fault to some extent in trying to be all things to all people in the education arena, so that he creates nine new programs, expands the plethora of programs that we have, and now we do too many things with too little effort. We are forcing the school districts to beg for little pots of money, targeted money specialized with all kinds of strings attached, instead of trusting the school districts to take the special education funding and free their budgets up to do what is important in their school district.

I think we can do that. I think we should do that. It is the right thing to do for these children. It is the right thing to do to engender a spirit of bipartisanship across the aisle and to work cooperatively with the President. I hope that my colleagues on both sides of the aisle in the House and the Senate and the President will understand the wisdom of the gentleman from Pennsylvania (Mr. GOODLING) in this regard.

Mr. GOODLING. Madam Speaker, I thank the gentleman from Pennsylvania for his cooperation. And I know that we have the same problems up around West Point, I think, in New York. I recognize the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Madam Speaker, I want to compliment the gentleman from Pennsylvania (Mr. GOODLING) on his leadership, not only on the committee but on this particular issue.

When I first decided to run for Congress, I want to echo my colleague from Pennsylvania who said he asked what we could do for the schools. I called a friend of mine, having been the local president of the local PTA, I called a friend of mine who was active with school boards and I said, "Judy, what do we need to do for the schools?" She said, "Fully fund IDEA. That is the kind of help we truly need."

So, Madam Speaker, today I rise to urge my colleagues in the House to make the 106th Congress the Congress that finally lives up to the commitment to the American people and the students and the taxpayers to fully fund IDEA.

Over 20 years ago, Congress passed a law that pledged that the Federal Government would provide 40 percent of the funding to assist school districts, and we can see it there on the chart, as we can see the big funding gap. We promised we would deliver 40 percent of that funding.

For the last 24 years, the Federal Government has failed to live up to this commitment. It is long past time that we correct this problem, because it represents a major unfunded mandate on our local taxpayers.

Prior to 1995, Congress' commitment to IDEA was only 7 percent, far short of the 40 percent commitment we needed. Since 1995, we have boosted IDEA funding by 85 percent, which is a major step in the right direction, but we still have a lot to do to meet our obligation to the schools.

Unfortunately, the administration's budget tries to derail our progress. According to the budget that was submitted at the beginning of this month, the administration reduces funding for IDEA from the current level of 12 percent to 11 percent, nowhere near the 40 percent that Congress years ago promised our local schools.

As a former teacher, I am well aware of how hard it is for school districts to make the tough choices in their budget. It is estimated that school districts spend approximately 20 percent of their budget to cover the unpaid Federal share of education costs. If we were able to fulfill our obligation, that would leave 20 percent of every school's budget in this Nation to be used for other purposes like staff training, curriculum enhancement, hire more teachers, do the things that we know we need to do to give our children high quality education.

As the gentleman pointed out, there is a possibility that schools can also return that because they have to make that money up in property taxes. The overwhelming amount of their budget comes from local property taxes. By the Federal Government leaving unfunded the three-quarters of the cost of the mandated program, that is a terrible burden on all of us in every school district. With full Federal funding, those local governments can choose.

In my congressional district in New York in one school district, the Peekskill School District, they receive only \$148,394. If IDEA were fully funded in Peekskill, the district would receive \$760,371. That is a difference of \$612,000, a burden that local taxpayers in the City of Peekskill have to bear.

The Congressional Research Service has estimated that \$14 billion is needed to fully fund Part B of IDEA. In fiscal year 1999, the appropriation for Part B was \$4.3 billion, leaving the State and local governments to make up \$10 billion.

Madam Speaker, one of the most important issues for Americans today is education. We all know the importance of a quality education and it is time we do everything in our power to ensure

that our students get the best education possible. An unfunded mandate of \$10 billion impedes the ability of the individual districts to use their budget for other purposes.

As we move into this year's budget cycle, we have to remember the importance of this program and hold true to the promise, our promise that Congress made so many years ago to fully fund IDEA.

Madam Speaker, I stand 100 percent behind the commitment of the gentleman from Pennsylvania (Mr. GOODLING). I applaud him and I thank him for letting me speak on this important issue.

Mr. GOODLING. Madam Speaker, I know that the New Jersey problems are far greater than 2 minutes, but I hope the gentleman from New Jersey (Mr. FRELINGHUYSEN) can explain most of them in that time.

Mr. FRELINGHUYSEN. Madam Speaker, I thank the gentleman from Pennsylvania for his leadership and for arranging this special order. I met with my congressional colleagues, both Republicans and Democrats, yesterday with New Jersey's governor, Christie Todd Whitman. She noted that if the Federal share of IDEA was fully funded, our State of New Jersey would receive over \$300 million more a year than we do now, and New Jersey received approximately \$72 million in 1999.

To pay for IDEA, money, I think as we know, has been diverted from other programs. Too often, many of the towns throughout our Nation, most particularly certainly in my State, municipalities have been forced to raise property taxes.

Madam Speaker, I am very pleased to be working with the gentleman from Pennsylvania and the gentleman from New Hampshire (Mr. BASS) and other congressional colleagues to promote full funding of the Federal obligation. I am here today to work towards that effort and to salute the gentleman for his leadership.

Mr. GOODLING. Madam Speaker, I thank all who participated. The message for the President is very clear. Before we talk about any other new programs which may become unfunded mandates in a short matter of time, let us talk about funding the big Federal mandate which is special education.

□ 1615

If you did that, for instance, St. Louis City would receive an extra \$8 million; in California, West Contra Coast Unified, \$6 million; in Michigan, in Genesee school district, an additional \$14 million; New York City District 23, an additional \$170 million; and it goes on and on and on.

That means that the local school district must raise the funds to support our Federal mandate for special education. That 40 percent of excess costs means that they must pick up the tab, and, therefore, they cannot do preventative maintenance. They cannot reduce

class size. They cannot take care of teacher preparation. They cannot buy the materials and the supplies needed. They cannot introduce modern technology. They cannot do reading readiness program. They must raise the money locally to fund this special education mandate.

So, again, Mr. President, we call on you to help us, help us meet this mandate so that local school districts do not have to continually raise their property taxes and then can only fund a very small percentage of their students because of the Federal mandate.

We have a big job to do. We have come a long way in the last 3 or 4 years, but we have a long way to go. I would call on every Member of Congress. I realize it can become open-ended. I realize that we have to make sure that there is not over identification because there is at the present time. I realize that we have to zero in on what constitutes special education because it could become open-ended and we could never get to the promise land of the 40 percent.

But, boy, we have a long way to go. We have to go from 12 percent to 40 percent just to give the kind of relief that is needed back there so all children, all children can get a quality education.

So I thank everyone who participated today and ask all Members of Congress to join in this crusade that I have carried on for 24 long years, to make sure we put our money where our mandate was.

Mr. BALLENGER. Mr. Speaker, I must say that I'm surprised that a President who stresses the importance of strengthening our educational systems has actually proposed through his FY 1999 budget to level fund the only unfunded federal mandate in education—The Individuals with Disabilities in Education Act (IDEA). In fact, considering that the number of children with disabilities is projected to increase by 123,000 from 1999 to 2000, the President's budget request actually cuts funding for children with disabilities from \$702 per child in FY 1999 to \$688 per child in FY 2000.

Under IDEA, the federal government is to provide funding aid at 40% of the average per pupil expenditure to assist with the excess costs of education students with disabilities. However, the appropriations for IDEA have not come close to reaching the 40% level. Federal funding has never risen above 12% of the cost of educating these children. Before the 104th Congress when Democrats controlled the House, the federal government was only paying about 7% of the average per pupil expenditure. We are now paying 12% of these costs. That means that since Republicans took control of Congress, IDEA appropriations have risen by 85%! Now, we are not up to the 40% promised; however, we are fighting to further increase federal funds for this very important program while the President requests no funding increases.

In his FY 1999 budget, the President does propose creating new federal programs in education. It is my feeling that before we create new programs we must ensure that the federal government lives up to its promises

made to students, parents, and schools by increasing funding for a program already on the books that is terribly underfunded. When the federal government begins to pay its fair share of IDEA costs, local funds will be freed up, enabling local schools to hire and train high quality teachers, reduce class size, build and renovate classrooms, and invest in technology.

In my district, the Catawba County schools, for example, receive \$712,800 from the federal government for IDEA. If the federal government paid its promised share, this school district would receive \$3,652,387, an increase of \$2,939,600. This year the state of North Carolina receives \$58,238,500 for IDEA. If fully funded, my state would receive \$298,416,600, a difference of \$240,178,100.

It is imperative that we increase funding for this program. I'm disappointed that the President has not joined with us in this endeavor, however, I hope that he will begin to see that increased funding will not only help IDEA students, but all students who see school resources diminishing daily and the quality of their education being reduced. Let's all work together to fully fund IDEA so that our children are not shortchanged a quality education.

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE

The SPEAKER pro tempore (Mrs. EMERSON) laid before the House the following resignation as a member of the Committee on Science:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 17, 1999.

Hon. DENNIS HASTERT,
Speaker of the House, The Capitol,
Washington, DC.

DEAR SPEAKER HASTERT: I am writing you today to respectfully request a leave of absence from my position as a member of the House Science Committee.

I am making this request so that I may better concentrate my efforts on my position as a member of the House Transportation and Infrastructure Committee, where I am a ranking subcommittee member. Specifically, I would like my leave of absence to be temporary and to last for the duration of the 106th Congress. I also wish to retain my level of seniority on the Science Committee during my leave of absence. In addition, I have previously notified Minority Leader Gephardt and Ranking Member Brown of my intention to take a leave of absence from the committee.

I want to thank you for your attention to my request, and I hope that you will look upon it favorably. Should you have any concerns about this request, please do not hesitate to let me know.

Respectfully,

JAMES A. TRAFICANT, JR.,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON RESOURCES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Resources:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 18, 1999.

Hon. J. DENNIS HASTERT,
House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I am writing to formally express my desire to resign from the House Committee on Resources.

Thank you for your assistance.

Sincerely,

WILLIAM D. DELAHUNT.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

IN MEMORY OF ERVAN N. CHEW

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Madam Speaker, it is not often that we can rise to the floor of the House with both feelings of joy and deep sadness. I have a particularly unique privilege because I can rise before the American people today and pay tribute to a truly great American, someone who we lost too young and too soon. But the joy I have is in sharing his legacy and his spirit with all of my colleagues, but particularly the young people.

I rise, Madam Speaker, to pay tribute to Ervan Chew, someone who lived on this land and on this earth from 1956 to 1999. But he lived it with vitality and vigor and a love for life. In fact, to his very end, his demise was caused because he was doing too much for the community to take care of himself.

Ervan Chew was a bright and shining star in the Houston community throughout the entirety of his too-short life. In a time when role models for our youth are sometimes few and far between, Ervan Chew stood out as a civic leader, not because of his words, but because of his deeds.

He was a tireless volunteer who was willing to give of himself for causes that he believed in. Simply said, Mr. Ervan Chew was the ultimate volunteer and a civil servant of the highest order.

For that reason, Ervan was often sought after by people and groups in need of assistance. Mr. Chew served in multitudes of leadership positions with various nonprofit organizations, often at the same time.

Can you imagine, coming from Houston, Texas, he participated in Leadership Houston, an organization that developed leaders, not for self, but in order to take their leadership and make things better.

He was a good scout. Oh, you say, yes, he was a good Boy Scout. No, he worked for the Girl Scouts and the Boy Scouts. So he took the theme of making your camp better than how you found it truly as part of his creed. He made it better for the Girl Scouts, the Boy Scouts, the Houston Forum Club, the American Leadership Forum, the National Asian Leadership Fellowship, the United Way, the Houston Junior

Chamber of Commerce, the Volunteer Center, Save the Children, the Wesley Community Center, the American Red Cross, the Chinese Seniors Association, and the Houston Independent School District. When Ervan Chew took positions with those organizations, he always did more than what was expected of him.

As other civic servants from Houston would be quick to tell us, when one saw Ervan Chew was working alongside of one on a project, one always knew that one's mission would be accomplished. Along with compassion and benevolence, he exuded a quiet patience and determination that, all by itself, could drive any worthwhile project to completion. As those qualities were easily recognizable to his peers, it was only natural that he was recognized officially by those he worked with, and he often was.

During his too-brief life, Ervan Chew earned 57 Boy Scout merit badges and was promoted to Eagle Scout. He was awarded the prestigious Silver Beaver Award in 1986 by former President Gerald Ford, and won the Mayor of Houston's Volunteer Service Award just a few short months before his death.

Although he was showered with awards and accolades fit for but a few great citizens, I believe Ervan Chew truly believed his deeds were fully compensated with warm smiles from the beneficiaries of his good work.

Ervan will always be remembered as someone who was willing to work hard to make his community a better place for all of us. Part of his legacy is that Houston is a better place because of him. But I believe there will be more.

I hope and pray that people will see how rewarding Mr. Chew's life was and will be willing to follow in his footsteps by volunteering for a group or activity or just simply taking up a cause, having a passion about it, being convicted, saying to someone who says "no," saying "yes, we can do this."

I was truly saddened by the loss of this young warrior. Ervan Chew's legacy of altruism and selflessness will live in the hearts of each person he touched through his good deeds.

There was more to Ervan than what he did externally or outside of his home. He had a loving wife, and they loved each other. They loved his native land of China, his father and his mother, his beloved aunt who raised him who I had time to share moments with, his brothers.

For me, Ervan will be deeply and sincerely missed, Madam Speaker. In fact, so many of our hearts are broken, for not because we needed to have Ervan nurture us, but because we knew there was more than he could do. He touched our lives, he touched our hearts, and he flew high where the eagles fly.

Ervan, I tip my hat to you, but I imagine your wings are strong, and I hope that your memory will live on, not in just our minds, but in our deeds. God bless Ervan and God bless his family and God bless America.

Madam Speaker, I insert the following letter into the RECORD:

JANUARY 22, 1999.

To the Family of Ervan Chew:

On behalf of the Eighteenth Congressional District of Texas, I would like to offer you and your family my deepest sympathy on the passing of Mr. Ervan Chew. I was truly saddened to hear of Mr. Chew's passing and wanted to convey to his family my heartfelt condolences.

I hope on this day, however, amidst all the grief, you will feel gratitude for Ervan's magnificent life, determination to carry on his legacy and keep it alive, and the peace of God which takes us to a place beyond all our understanding.

The Bible tells us, "though we weep through the night, joy will come in the morning." Ervan Chew's incredible life force brought us all joy in the morning. No dark night could ever defeat him. And as we remember him, may we always be able to recover his joy. For this man loved life and all the things in it. He loved his wife, his friends, his country, his work, his Chinese-American heritage. A businessman who immersed himself in volunteer work for Houston's children and Houston's Chinese-American community, he loved the difference he was making in the world.

Let us remember these things about Ervan. Let us always have our joy in the morning. Let us be determined to carry on his legacy. Let us always be vigilant, as he was, in remembering that we cannot lift ourselves up by tearing other people down, that we have to go forward together.

In his letter to the Galatians, St. Paul said, "Let us not grow weary in doing good. For in due season we shall reap if we do not lose heart." Our friend, Ervan Chew, never grew weary, he never lost heart. He did so much good, and he is now reaping his reward. He left us sooner than we wanted him to leave, but what a legacy of love and life he left behind.

Again, I send my deepest sympathy and love to his entire family. Today, and in all of our tomorrows, as we remember and love Ervan Chew, we will remember and love you. May God continue to bless and keep you, and let there always be joy in the morning for Ervan Chew.

Sincerely,

SHEILA JACKSON-LEE,
Member of Congress.

SOCIAL SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Louisiana (Mr. JOHN) is recognized for 60 minutes as the designee of the minority leader.

Mr. JOHN. Madam Speaker, it is with true pleasure that I stand up here today to talk about a program that is so important to America, and that is our Social Security program.

I come from southwest Louisiana, Cajun country, bordered on the west by the State of Texas and on the south by the Gulf of Mexico. I have in my district some 100,000 citizens and families and individuals that are receiving some sort of benefits from our Social Security program. They are the disabled, they are the retired, and they are the children who have lost a parent.

The program was established back in 1935. It was established as a response to the economic changes of the Great Depression. Back then, the average life-

span was only 61 years old. Today, the average life-span of Americans is 76 years old and steadily rising.

History has shown that deliberate alterations of this program have been very beneficial to our great Social Security program. It is a program that is very popular. It is a program that is going to be around here. Because what it has done for the American people, what it has done for our elderly population has been incredible.

We have the most healthy, the highest quality of life of elderly population, not even arguably, than anywhere else in the world. It is because of the commitment that this Congress should make and other Congresses have made to saving Social Security and taking care of it in times that are just like today that are very good.

It has only been many years since this Social Security program has been around. It seems like so long ago, but it truly has not been. Throughout the 1950s, Congress altered the structure of Social Security to try to meet the needs of the changing American people. They raised the Social Security benefits by some 77 percent throughout the 1950s. They altered means testing and also raised the payroll taxes.

In the 1960s, for the first time, they allowed disabled workers to receive compensation that was only for retirees up to that point in time. The 1980s saw some changes in the fiscal structure of Social Security. Congress passed legislation to gradually, back in the 1980s, increase the minimum age of Social Security and the benefits.

But, clearly, this program has survived time, has survived the challenges that have accompanied and have faced Americans. Because this program is so greatly used and needed for the betterment of the American people, it has risen to those challenges.

One in six Americans today receive some sort of Social Security benefits. Three million children are the beneficiaries of this program.

Currently, Social Security needs to increase its revenues in order to address the financial obligations to the rapid increasing number of retirees, the baby boomers.

If you look at it and look at the demographics of the American people, they are changing dramatically. Today, there are approximately 3.2 workers paying into the Social Security system and only one beneficiary. That is going to change in a few short years as America gets older, as the baby boomers start to retire. That ratio is going to be narrowed to only a two to one margin.

We cannot simply sit back in good economic times that we are seeing today and let this program go unnoticed and let this program run into more financial difficulties, because if you look at the numbers, it is very, very clear that, soon, the revenues that are coming into this program will not be enough to take care of the beneficiaries, not only the increase, but

also the larger number of people that are getting into the program.

□ 1630

I believe that it is incumbent upon this Congress to take the surplus that we are experiencing, and have experienced in fiscal year 1998 that has just passed us, to shore up Social Security.

In fact, I will go one step further. Do we really have a surplus? If we look at the numbers this year, fiscal year 1998, America had a \$76 billion surplus for the first time in many, many years, through the efforts of a lot of people in this Congress. The balanced budget agreement was the big important piece of legislation that got us there. However, we borrowed \$99 billion out of the Social Security Trust Fund to mask that deficit. Should we not ask ourselves, do we truly have a surplus in this country?

I believe every American out there that pays FICA taxes and every employer believes these funds should be put into a Social Security Trust Fund and put back into the very system that it was intended to be in.

Over the past few years we have borrowed somewhere upwards of \$600 billion out of this trust fund. It is part of the unified budget. I understand, as a small business owner, I understand in a unified budget, where there are different revenue streams, that they are put all together to make a business run, to make government run. But now is the time to put up Social Security and make sure that we save this important program.

Putting that money back into Social Security is not the only thing needed to help this program. This program is going to need other structural changes, changes that have been talked about. There are several commissions, lots of study groups, task forces and think tanks giving us advice in this Congress to talk about how we go about fixing the structure of the program.

There are some things that are being tossed around. The President talked about investing some money in the stock market, investing some of the money for privatization of it; increasing the taxation benefits; means testing benefits; adjusting the CPI, the Consumer Price Index; also raising the retirement age. All of those things are being considered today as structural changes to save this program.

I believe that while Social Security was never, ever intended to be the sole retirement system and the sole income stream of Americans, it has helped millions and millions of individuals and families from being at or below the poverty line in America.

I hope that my colleagues from both sides of the aisle recognize the need to save Social Security, recognize that, yes, we have a surplus but we need to infuse it back into the very program where the surplus is being generated from. Yes, we want tax cuts. I have voted for them, and I will continue to vote for them, but we must be able to

put the money back into Social Security and make sure that we pay for tax cuts from other areas.

I hope my colleagues will join with me in saving this program, because there are over 14,000 children, I repeat, 14,000 children in my district, the 7th district of Louisiana, that are counting on this Congress to make sure that this program is around for the next generations.

As I look up in the audience, they just walked out, but there were a whole host of generation X'ers, the next generation of leaders, the next generation of Members of Congress who were here, who actually have a question about whether their Social Security is going to be there for them when they grow up and enter the work force and then retire. I can say that if this Congress and this gentleman from South Louisiana has anything to do about that, it will not only be there but it will be strengthened, because I think it is important for the quality of life for all of our seniors. The American people deserve it.

Let us save Social Security now, do it the right way, and in a fiscally responsible way.

Madam Speaker, I yield to the gentleman from Arkansas (Mr. MARION BERRY).

Mr. BERRY. Mr. Speaker, I want to thank my colleague from Louisiana and appreciate what the gentleman has said here this afternoon. And, Madam Speaker, I rise today in support of fiscal responsibility and budgetary common sense, which I think we all are in support of.

As this budget debate has begun, and it continues, I am reminded of a fellow that I used to eat breakfast with every morning. For 30 years I ate breakfast in the same little cafe, the Rice Paddy Cafe, there in Gillett, Arkansas, and pretty much the same group of men would sit at the table every morning. I am sure the Speaker has been in cafes like that in her district. They are wonderful places.

I had this friend that, when harvest time would come, well, he would eat breakfast there every morning, and then late in the afternoon, on his way home, he would stop there and get a cup of coffee. And when he would come back in every afternoon to get that cup of coffee, during harvest time, he would have figured all over his pant leg. He would have a ball point pen and he would be calculating on his blue jeans, his pant leg there.

When the combine would make the first round, he would estimate how much grain he had, and then he would start figuring out how much money he was going to have. Sometimes he would figure he was going to have lots of money and he would go buy some expensive item, like a new car or something, before he got his crop harvested and before he sold it. Then, when he would go home that night, well, his wife would wash his blue jeans and the next morning all of his money would be gone.

That is kind of the way I think of this situation we are in right now. I think we need to take a realistic look at our national budget. We keep hearing about this budget surplus, this magical surplus that everyone wants to spend. We all love to spend money, especially if it is someone else's. The fact is there is no surplus. The sad fact is that the taxpayer dollars designated for the Social Security Trust Fund are being used to cover up the true amount of the national deficit.

If we take the Social Security Trust Fund out of the equation, we will have a surplus not until the year 2001. That surplus could be minuscule even then compared to the billions and billions of dollars that we keep hearing about. When we do get a surplus, I personally would rather not count those chickens until they hatch. We still have a matter of \$5.6 trillion in debt to contend with. That should be enough money to scare every one of us.

Those who advocate spending these surplus monies on new programs, like tax incentives, should look to the private sector for advice. If we asked our local banker if he had a customer that was \$5.6 trillion in debt, and the customer wanted to spend more, what would the banker say to them? Would we want to give them a loan if we were running the bank?

As world leaders, would our country say to an irresponsible nation that was \$5.6 trillion in debt, that is okay, what the heck, we will just give them a couple more billion, it will not matter. I do not think that is what we would do if we were going to be responsible. Throwing good money after bad hurts our taxpayers, our economy and our long-term prosperity.

How can we use any future surplus responsibly? First, we can pay off the national debt. Second, we must ensure Social Security's solvency. Just putting more money into the program will not work. We need comprehensive bipartisan reforms. Taking the Social Security Trust Fund off budget is a good first step. Third, we must ensure that the Medicare program is there forever and for all of our seniors.

Like Social Security, Medicare needs some long-term reforms. There is no question that its benefits are outdated, its payment structure is unwieldy, and its reimbursement to rural areas is just plain unfair. Setting aside money for Medicare out of any surplus will not end the program's problems but it will provide a cushion in the event our Medicare beneficiaries need it.

Paying down the debt, shoring up Social Security, and saving Medicare. This is a reasonable thing to do, it is a responsible thing to do, and it is a responsible use of the future surplus. Today I want to urge my colleagues to reject a foolhardy proposal that will spend nonexistent surpluses and create billions of new spending.

Let us do with our national budget what the American people do with theirs. Let us balance it, let us keep it

balanced and let us be responsible. And whatever we do, let us do not wake up in the morning to find out that our surplus disappeared when we did the wash last night. I think it is a responsible thing to do, and I urge my colleagues to join me in this effort.

Mr. JOHN. Madam Speaker, I would now like to yield to the gentleman from the panhandle of the Great State of Florida (Mr. ALLEN BOYD).

Mr. BOYD. Madam Speaker, I thank my friend from Louisiana for yielding to me, and I can identify with that story that my friend from Arkansas told about making the circle with the harvesting machine and trying to figure out what the yield was and what kind of return his friend was going to have. I have done that a few times myself. I would tell the gentleman that I do not ever remember writing it on my pant leg, but I used to write it on the palm of my hand. That is something a lot of our Ag people do.

I wanted to take this opportunity today to speak to the Congress and to the people of America about my notion about this country and where we are and where we should be going.

I was listening this morning to one of the local talk shows. I guess it was the C-SPAN Washington Journal. I heard a caller call in and talk about our country and the fact that no major power had ever lasted 300 years. That may be true. The truth is also that no other democracy in this world has ever lasted as long as ours has. None has ever lasted 200 years. And this caller was saying that America is on the brink of demise. Well, I am here today to dispute that.

I think our country is stronger than it has ever been in its history. If we just look at the numbers and look at the facts, we are the strongest and greatest country in the world. Militarily, we are the only true superpower left, with the demise of the Soviet Union. We are truly the greatest country in the world economically, at a time when many countries around the world, Asia, Russia, Central and South America, are going through some very difficult economic times. We are flourishing. Even our Federal Reserve Chairman, Alan Greenspan, says that the economy is doing great and the outlook is superb.

I think that that does not come very easy, though. There has been a lot of hard work on the part of all the American people to make sure that we move forward, to make sure that our economy stays strong, to make sure that each generation has a better quality of life than their parents did.

We are sort of at a crossroads now here in Congress, and I want to talk briefly about that. We are at a crossroads because, for the first time in 30 years, this Congress, after receiving the demand from the American people, has adopted a course of fiscal responsibility. We have come to an era where we are not spending more money than we take in. We have come to an era

where we do not talk about \$200 billion, \$300 billion annual deficits any more. We talk about surpluses.

Just 6 or 7 short years ago, in 1992, this country, or this government that runs this country, spent some \$290 billion more than it took in. And last year, in 1998, this Federal Government took in about \$60 billion more. So we went from a \$290 billion deficit to a \$60 billion surplus.

Now, I have heard a lot of people argue about who is responsible for that; whether it was Ronald Reagan, Bill Clinton, or this Congress or that Congress. I think the American people probably had more to do with it. The American worker is more productive. The American capitalist is more ingenious in how he spends his money and uses his money around the world. And I am very proud of that.

□ 1645

And I think the American people should be very proud of that.

I think what I want to do today is bring a warning about the idea of surplus. The so-called \$60 billion surplus that this government had last year, of that \$60 billion, \$100 billion came out of the Social Security Trust Fund. In other words, exclusive of the Social Security program, this government had about a \$40 billion deficit last year. And so, we ought not to be talking about how we spend the surplus when we do not really have one.

I know there are people on either side of that aisle over there, and I always wondered when I served in the State legislature where that term "on the other side of the aisle" or "on this side of the aisle" came from and I guess now, Madam Speaker, I know once I have arrived here in Congress, but we will find people on one side of the aisle who want to take the so-called surplus, which I submit to my colleagues is not really a surplus, and spend it on a new program. We find others who want to spend it maybe on tax cuts.

Now, each of these ideas has some merit. But I would submit to my colleagues that with a \$5.6 trillion debt that this country owes that we ought to do something else with that surplus. We ought to take it and pay down the debt. We ought to shore up the programs that we have in existence. We ought to make sure that we are able to fulfill the commitments that we have already made. And where are those commitments? A couple of them are in Social Security and Medicare.

Now, I have heard a lot of talk in the last week or so about the President's budget and his plan for Social Security, and I think we all know that what the President has submitted to us is a starting point. He certainly has done a good job in saying to us, to Congress and the American people, in saying that we are not going to spend that money until we make some substantive reforms in Social Security and make sure that it is solid through the year 2075 or 2100. And I think this is a reasonable thing to do.

Now, we all know the President did not make any recommendations on substantive reforms, and that is something that this Congress has to begin to deal with in concert with the President. So I look forward to getting busy on that task of making those substantive reforms.

In the meantime, I think that the proposal to set that money aside is a reasonable proposal. After all, it did come into the Social Security Trust Fund to start with, so it certainly should not be used for something else.

There is another up side to paying down the Federal debt, the public debt, and that is part of what the President has proposed. My colleagues, the money that it costs to service the debt of this Nation is about \$215 billion annually, \$215 billion. That is almost as much as our national defense budget on an annual basis.

Think of the things that we can do with \$215 billion if we had that and we did not have to pay it to our creditors. That money does not buy us one cop on the street, it does not put one new teacher in the classroom, and it does not put one new GI in the field to defend this country. All it does is pay for the excesses of the past. I wish that we had that \$215 billion to do something else with, and then we could really have a lively debate about tax cuts or spending programs.

So I think the first thing we ought to do is begin to pay down that debt and reduce that interest bill. It is what any prudent constituent that my colleagues have would do. It is what any prudent businessman would do. It is what any prudent local government, whether it be a county or a school board or a city, would do. If they had extra money and they owed a debt, they would go pay it off. So I think that is a reasonable approach. In the meantime, that works hand in glove with shoring up the Social Security system.

My colleagues, we already have in law that commitment. We have a tremendous unfunded liability in the Social Security system into the 21st century. So there is nothing wrong with setting aside money to cover that unfunded liability.

Now, if we want to change the law and take away that liability, that is a different issue. I do not think that is something the American people are going to stand for.

We need to remember that the Social Security system is one of the programs that has enabled us to advance as a society and each generation become more affluent and live a better quality of life.

I have one statistic that I like to quote from time to time when I speak to my Kiwanis clubs and Lions clubs and that is, in 1963, a year prior to the advent of the Medicare system, over 55 percent of the people in this Nation who reached retirement age, the age of 65, lived in poverty. That is just 36 years ago. Over 55 percent of the folks

who reached retirement age lived below the poverty level.

Do my colleagues know what that figure is today, 35 years after the advent of Medicare and 55 to 60 years after the advent of Social Security? That figure is less than 10 percent. Those two programs have been very important to us in our advancement as a society, and I think that they should be on the top of the list in terms of what we do budgetarily.

I want to speak to one other issue before I yield back, if I might, and that is that I talked earlier about the economy and how well it is going. And we really are in a very unusual situation, with unemployment at 4½ percent, the lowest it has been in 25 years. We have got real domestic growth at about almost 4 percent. That is double the 25-year average. We have got inflation at less than 2 percent. There are some real special things going on in this country economically.

But there is a sector of our economy that is not doing well, and that is our agricultural folks. I would like to remind my fellow Members of Congress that the agricultural economy, industry, is very critical to this Nation. It is critical to our food supply, and it is critical to our national security. We never want to put ourselves in a situation where we are totally dependent upon some other country for our food supply.

I would implore this Congress to look seriously at our national agricultural policy. I do not think we have a good national agricultural policy. We had one, and we sort of undid it in 1996.

Mr. JOHN. Madam Speaker, I yield to the gentleman from Alabama (Mr. CRAMER) my friend, the fellow co-chair of the Blue Dog Democrats here in the Congress.

Mr. CRAMER. Madam Speaker, I thank my colleague from Louisiana for yielding.

I want to take some time today to also make points about preserving Social Security. I am, as my colleague indicated, the administrative co-chair of this organization that we refer to as the Blue Dog Coalition of conservative Democrats, along with my colleague from Louisiana, my colleague from Florida, from Arkansas, and the next speaker, expected to be the gentleman from Texas (Mr. TURNER).

We have carried on this year already a vigorous internal debate over the issue of Social Security. We have identified this as a primary issue that we think deserves a lot more discussion. We think protecting Social Security is the most important thing that this 106th Congress could be engaged in. It is our top legislative priority for this session of Congress.

The exploding cost of Social Security threatens to become the greatest financial crisis in American history, so we have got to do something.

More than a financial crisis, the Social Security system is fast becoming the kind of dilemma that could force us

to choose between economic opportunity for our children and retirement security for our parents. So we believe that this has got to be a central issue.

Now, one of the ways that we are carrying on our internal debate is to have a series of what we call face-offs to make sure that we explore what is the smart thing to do, how do we really protect and preserve Social Security.

A lot of us are talking about different approaches. We need some evaluation of what will work and what will not work. Because I do not want to leave this place having just window-dressed the issue. I want to have accomplished and I know the Blue Dogs want to have accomplished a comprehensive reform of the Social Security system that addresses the financial challenges of Social Security and improves retirement security for all Americans, without raising taxes, without cutting benefits for current retirees.

I know my colleague from Louisiana has been involved with our group in this very valuable discussion, and it might be important for the Members to know that we have been meeting as a coalition of conservative Democrats once a week. We have established a task force. The gentleman from Tennessee (Mr. TANNER) is heading that task force, who is making sure that we address together the issues that ought to be addressed.

We want to do the fiscally responsible thing to do to take Social Security where it needs to do. If that means taking it off budget, then we want to consider taking it off budget. If that means legislation that requires revenues from Social Security payroll taxes to be used only to fund the retirement program, not to offset debt accumulated elsewhere in the Federal budget, then that is going to be a solution that we want to continue to discuss.

Mr. JOHN. Madam Speaker, if the gentleman would yield for just a second for a question. When he talked about the Blue Dogs' positions that are being formulated today and he talked about taking the Social Security Trust Fund off budget, what exactly does he mean as it relates to that and the other ideas that are being floated around?

Mr. CRAMER. Well, we have got a dilemma in this Congress, and we have discussed this in other Congresses as well, and that is to make sure that we do not commingle over budget issues pools of money that we have available. We do not need to raid the Social Security Trust Fund and allow it to be used as a front for solving the debt situation of this country.

On the other hand, we have got to preserve the integrity of the Social Security system as we know it for the future. We have got baby-boomers that are coming into the system. We have got a date certain when the system as we have known it cannot afford to fund itself the way we have been going.

So I think the best thing that we can do now that we are making the significant progress that we are making and we are crawling out of our debt situation is to make sure that we do not use any surpluses at first for anything other than taking Social Security off budget. I know that that is an issue that we are debating internally, something that we feel like we can accomplish.

Mr. JOHN. I think it is important to note that, as we have been working through the Social Security problem, I think as my colleague gets to understand, of course being a second-term member and a member of the Blue Dog Coalition, we were very important and an integral part of balancing the budget, which I think is one of the most historic pieces of legislation that the past Congress could have done, and I think that is where we have made our mark as being fiscally responsible. And that is the same kind of approach that we intend to take as a coalition in solving the Social Security problem.

Mr. CRAMER. As my colleague points out, whatever reform measure is adopted, it has got to be fiscally responsible, if that means biting the bullet and coming up with legislation. And as my colleague also knows, this needs to be a bipartisan issue. Not one side of the aisle should lay claim to protecting Social Security.

I think we are the kind of centrist group in this 106th Congress that can accomplish this. It can put the issues on the table and invite Members from both sides of the aisle to come to the table. Let us give and take and let us come up with something that makes sense. Let us not come up with some window dressing there.

Mr. JOHN. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, I thank the gentleman from Louisiana for yielding.

I would like to share with my friends in the Blue Dog Coalition and the Members of this body that, over the past 10 days, I had 27 town meetings on Social Security; and people recognized throughout rural Minnesota that we really have an obligation to act promptly, that it is much easier if we make the adjustments in the Social Security program over an extended period of time than if we wait, postpone this very difficult decision-making process, and then leave our children and grandchildren holding the bag. And they asked, why is it Congress cannot act? Does it have to be so politicized? And we tried to identify some ways of proceeding.

One thing I would like to suggest to my colleagues is that we consider the base closing commission format that was used in connection with excess military bases and see if we could not have a body that is established quite quickly by the President and the leadership in Congress that would come forth with recommendations to Congress that we would agree to vote on up

or down and make these decisions quickly so that we do not leave, like I said earlier, our children and grandchildren holding the bag and continue this process of masking the size of the Federal deficit or claiming that there is a very large Federal surplus when, in fact, all we are doing is playing games with the Social Security Trust Fund.

Mr. CRAMER. Mr. Speaker, if the gentleman would yield, I am like him, I have conducted town meetings in my district and I think overwhelmingly, especially young people, they are afraid that Social Security is not going to exist when they reach that age where they would be eligible for the system.

□ 1700

They do not trust us to guarantee that we can protect the Social Security system.

How do your constituents react at town meetings to the issue of do you want to save Social Security or what about tax cuts? What about surpluses in the budget? How do they respond to that?

Mr. MINGE. There is a fair amount of cynicism and I would say even despair among young people. They feel they are paying in, it is about 12.4 percent in payroll tax for Social Security and that this is a benefit that is for their parents, their grandparents and it will not be there for them. I have gone through the entire financing arrangement and pointed out that this program has disability benefits that are important now, but we need to do something promptly here to restore the confidence of our younger people.

Mr. CRAMER. In 1940, 7 percent of America was over 65 years of age. In 2025, it is predicted that more than 20 percent of the population will be over the age of 65. So I think while your constituents and my constituents probably do not recognize those numbers, what they are saying to us is that this system is not likely to exist and they are very cynical, as the gentleman says, about our role in preserving it. I think we talk too much about it. We need to put something on the table. It needs to be a give-and-take process. It needs to be a bipartisan process. I know that my colleague has committed himself to participating with us to make sure that happens.

Mr. MINGE. I certainly agree. I hope that we will find that Republicans, Democrats, independents join together and rather than this being sort of the political football that it has been in the past, we find a way to get beyond that. One other thing that came up that I think is important that we should all remind ourselves, that we were elected to make decisions. We were elected to be a part of the process of solving problems. We were not elected to figure out how we could get re-elected. What we need to make sure that we do is that we discharge this trust responsibility that we have to the American people to deal with a dif-

ficult, some would say an intractable problem. We are not going to come up with some sort of magic bullet here that solves this with no pain. I know there is going to be some unpopularity with whatever kind of proposal ultimately emerges.

Mr. JOHN. Mr. Speaker, I yield to the gentleman from Texas (Mr. TURNER), my colleague to the east.

Mr. TURNER. Mr. Speaker, I appreciate very much the opportunity to be here on the floor with my Blue Dog Democrat colleagues today talking about issues that really form the backbone of the reason that the Blue Dogs exist in this Congress. As each of us here understand, the Blue Dog Democrats have worked for years for fiscal responsibility. I am proud to be here this afternoon and to be able to talk about the budget and some of the issues that are important to helping us preserve Social Security.

As I look at the issues and I think about some of the positions that we have taken in years past, when it comes to budget issues, it seems that there are certain standards and certain principles that we as fiscally responsible Members of this body all believe in. First of all, I think we all believe that the budget must be balanced without using any surplus accumulated in any of our trust accounts. We believe that the Social Security trust fund should be left alone, that the surplus that exists in Social Security belongs to Social Security, and that we should not be taking away from the Social Security trust fund to fund other operations of our Federal Government.

We also believe very strongly that as surpluses begin to materialize in our country, we should reserve those surpluses until we ensure the long-term solvency of both the Social Security trust fund and the Medicare trust fund which is under increasing stress. I come from a rural area in deep east Texas. Many of our rural hospitals operate on very small margins. We know in east Texas that we have got to preserve the Medicare trust fund to be sure that we keep those rural hospitals open to meet the medical needs of the people of east Texas.

Another principle that Blue Dogs believe in very strongly is that we believe that the balanced budget surplus beyond what is needed to save Social Security and to save Medicare should be allocated first to reducing the national debt. We believe it is a priority that this Congress should not forget.

As we reduce that national debt and reduce the amount of interest that we are paying every year out of our budget, they tell me that just a couple of years ago we were paying 17 cents out of every tax dollar collected by the Federal Government from the American people just to cover the interest on the national debt. Next year that number will be down to 12 cents out of every tax dollar to cover the interest. We are making progress. But that is because this Congress and we as Blue

Dog Democrats are committed to reducing that national debt.

We also believe that there is room for tax relief for the American people in our overall budget plan. But we believe it ought to be targeted, it ought to be tax relief that is meaningful, tax relief that is needed by middle-class working people to help make their lives better.

We live in an economy today that is booming. We believe that the economy that we have now if it is sustained will allow us to accomplish all of these goals as well as to invest in the legitimate needs that we in America have to improve education, to improve health care, to improve our national defense, to be sure that our military personnel are adequately compensated, and that we remain the world's strongest military power. These things can be done with the projected surpluses that we now see. But we also believe that any additional spending and tax cuts must be paid for through credible and politically feasible spending cuts and tax cuts. We believe that we should not backload tax cuts. That is, we should not pass a tax cut and say it is not effective now, it is just effective later, on down the line. And we believe that when we try to improve education or strengthen Medicare, that those spending decisions should not become effective in the future but we should deal with them on the short term. We do not believe in pushing unrealistic tax cuts into the out years. And we believe very strongly that the budget rules that this Congress has passed, that it is the law of the land, should be honored. We believe the 1997 budget act, the pay-go rules, the budget enforcement acts, the caps that we have established is a principle that should be maintained, and that changes in any of those should be approached very, very cautiously.

Finally, we believe that any budget projections should be based on honest, realistic budget projections. We believe that if this Congress will follow these principles and adopt a budget resolution which this Congress failed to do in the 105th Congress, for the first time in the history of this Congress it failed to pass a budget resolution, that if this time, in this 106th Congress, we exercise our responsibility and do what the law requires us to do and pass a budget resolution in a timely way, preserving the principles that I have mentioned, we will keep America on a course of fiscal responsibility and we will preserve the principles that will continue us along the road toward economic prosperity.

Mr. JOHN. I thank the gentleman from Texas. Next I would like to go to the gentleman from Texas (Mr. STENHOLM), a distinguished member of the Blue Dogs.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman from Louisiana for yielding and I thank him for taking the time today to allow the Blue Dog Democrats to discuss in quite some detail where we are coming from and will be coming from regarding this year's budget debate.

Our position is pretty simple. We think the primary goal this year should be reducing our debt. In that, we agree with the President very strongly. And strengthening Social Security. To do that, it is awfully important, extremely important for the American people to understand that this year, 1999, there is no surplus other than Social Security surpluses. And next year there is no surplus to be divided other than Social Security surplus.

So any dollars that we spend over and above the budget caps, whether it be for defense, and I am one of those that do believe that we do have a need of taking a good, hard look at our defense capabilities, but I also do it in the same spirit in which I speak today, of saying that in the short term, you will find that the surpluses are in fact Social Security trust funds which we believe very sincerely that we have now a once-in-a-lifetime opportunity to honestly take Social Security off-budget. We have done it many times over the last umpteen years, but we have never meant it.

As one of my colleagues spoke a moment ago, we are elected to make difficult decisions, and this one should not be too difficult today if we can just withstand the temptation of spending the surplus.

Let me remind my colleagues, on both sides of the aisle, that it was not very many years ago that the biggest debate that we had here was whether or not we could have 3-year projections. And then we went to 5-year projections. And then we went to 6 and 7. During the 1980s we had a habit of backend loading, that we would do the easy stuff up-front and we would backend load. As we did that, we saw our debt grow from about \$1 trillion in the late 1970s to now \$5.5 trillion. That is a significant amount of money. It is one of the reasons why the Blue Dogs say now one of the best things we can do is pay down the debt, and the overwhelming majority of the American people are agreeing with us, so, therefore, that should be the policy that comes out of this Congress.

Mr. Speaker, projections. Today we are now projecting, not 6 years, not 7 years, we are projecting 10- and 15-year surpluses like they are going to happen. No one can predict tomorrow. But for us to do, as some suggest, that now because we have these projected surpluses for the next 15 years, that we should spend them, whether it be for a tax cut, 10 percent straight across the board, or whether it be for any other spending. I do not think that is a very conservative approach. In fact, it can be a very alarming approach.

Our debt today is \$5.5 trillion. Let us not for a moment forget, which is being conveniently forgotten and this is an area where I have criticism for our President's budget. He is not doing anything about the \$9 trillion unfunded liability of the current Social Security program. I hope that we can in a bipar-

tisan way, and certainly the Blue Dogs will be willing to work, as I have been working with the gentleman from Arizona (Mr. KOLBE) on the other side of the aisle for the last 3 years coming up with a proposal and we hope more of our colleagues will look at that, of something that we can do, that we can deal with the real problems of Social Security, the \$9 trillion unfunded liability, the bills that will come due beginning 2010 to 2013 unless we do something additional other than what anybody is talking about today.

The Republicans' agenda focuses on massive tax cuts out of the budget surplus. I hope we can avoid that, and I am glad to hear those voices on the other side beginning to talk about that. Because right now we have a once-in-a-lifetime opportunity to deal with the very serious long-term problem of Social Security.

We should avoid frightening those on Social Security today or those soon to be on it. What we are talking about is our children and grandchildren. I will conclude today by saying this. The reason that I have been as involved in Social Security for the last 3 years, in trying to come up with a plan or plans, of trying to be a part in a constructive, bipartisan way of making some difficult decisions, I have two reasons. It is mine and my wife's 3½-year-old and 1½-year-old grandson. I do not want them to look back 65 years from today and say if only my granddad would have done what in his heart he knew he should have done when he was in the Congress, we would not be in the mess we are in today.

Every one of our colleagues know that unless we can make some difficult decisions now when we have got a chance, we are postponing and we are saying to our children and grandchildren, "We don't give a rip about you, we want ours today." That is not the Blue Dog position.

You are going to see that our input into the budget debate is going to be one of saying, let us pay down the debt, let us truly preserve Social Security. We will be willing to roll up our sleeves and bite some of the tough bullets. We hope that we will see from both sides of the aisle this effort put forward in a very meaningful way.

I thank the gentleman from Louisiana for conducting this special order today. I would love to see, and I will be more than willing to participate in some honest discussion where we have differences of opinion on either side of the aisle as we talk about these specifics, of having some of these special orders where we have an honest discussion when we have got plenty of time to talk about it, and I hope we will see that in the days ahead and you will see us back here.

□ 1715

Mr. JOHN. Mr. Speaker, I thank the gentleman from Texas for those very candid and concise remarks about the future of Social Security and the position that the Blue Dogs will take.

I yield to my final speaker tonight, the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I am bringing up the rear, I take it.

I am sure we have all heard the extensive dissertation on the surplus, and we will continue to hear it as the days move forward. There is a crisis looming over our Nation. The Medicare trust fund is currently projected to run out within the next 3 years.

However, the Nation is also receiving a great windfall. We have heard about it. This current budget deficit is over, and we now have a projected surplus, and the economists, as was just told by the gentleman from Texas, has forecast to run for the next 15 years. We must use a portion of this windfall to stave off the looming crisis. Let us commit to dedicating 15 percent of the surplus over the next 15 years to saving Medicare, saving and protecting Medicare, not offering meaningless tax cuts that are not going to prove any long-term benefit for our children and grandchildren. Mr. Speaker, this proposal will extend the life of the Medicare program to the year 2020.

I am pleased that my colleagues on the other side of the aisle have agreed with us to use 62 percent of the budget surplus to protect Social Security, and now I hope they will also join us in protecting Medicare. It is a critical component of our retirement security, and I just do not mean ours. I mean the senior range, but there are people who will be currently in the area, in that age area, that are going to be necessitating those services, that are going to be looking for assistance in their retirement.

Saving Social Security alone is not enough to help our seniors cover all the costs and expenses they may have to face. That is why we need to use that 15 percent of the surplus to protect Medicare rather than spend it on these meaningless tax cuts that most citizens do not want, and they tend to favor the rich plus do nothing to strengthen our economy over the long term.

In a 10 percent across-the-board tax cut plan the average working individual making between \$20,000 to \$30,000 would only see their taxes cut by \$146 a year, while those making \$200,000 would get \$12,874 in tax cuts. This is not only not equitable, it is not fair, and it is also not a responsible way to spend the surplus.

Why do we need to save Medicare? Well, dedicating this 15 percent of this surplus to saving Medicare is the moral and responsible thing to do. If people have spent years paying into the system, the least we can do is ensure, making sure it is there for the time when they need it. According to a CBS/New York Times poll taken recently, the last couple of weeks, 64 percent of our Americans said they believe the surplus should be used for protecting Social Security and Medicare.

While we strengthen Medicare, we can also get serious about paying our

national debt. Reducing our national debt will cut the amount we spend on interest payments every year by the millions of dollars. Last year, the government spent \$3,644 for every American family to pay interest on our national debt. That is 14 percent of government spending dedicated to retiring our debt, more than was spent on the entire Medicare program that year. As we pay off the national debt, we stop wasting millions on interest payments. This money that we save can then be reinvested in Medicare so we can strengthen it further beyond the year 2020.

In conclusion, I am asking all of us in Congress to commit to saving both Medicare as well as Social Security. We must unite and dedicate that 15 percent surplus towards Medicare and 62 percent towards safeguarding Social Security.

At the same time paying down that national debt is the responsible thing to do, it is what America wants, it is what America needs, and it is what America deserves.

Mr. JOHN. Mr. Speaker, I thank the gentlewoman from California.

I would like to close by also thanking and asking the indulgence of the House for the past hour to give the chance for the Blue Dogs and some of the other types of groups that are coming up to talk about the fiscal position of this country and to also reiterate how important it is in this Congress to face some of those tough choices. I believe, as you have heard over the last hour, that there is nothing more important that we can leave the next generations of Americans than paying off the debt that we have strapped them with in today's economy, and we do that starting today.

I thank the Houses' time and patience, Mr. Speaker.

OUR BATTLE AGAINST ILLEGAL NARCOTICS IN THIS COUNTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 60 minutes.

Mr. SOUDER. Mr. Speaker, I and others tonight will be using most of this hour to talk about the drug issue and our battle against illegal narcotics in this country, but I wanted to take a few moments at the beginning here to kind of put some of the other issues in context.

For the last hour we have heard from the Blue Dog coalition, and the gentleman from Texas (Mr. STENHOLM) put an offer on the table that I think we should consider in the weeks and months to come, and that is to use some of this special order time, perhaps each splitting some of our time, to have an honest discussion and frank discussion about how we can actually work through and address some of these Social Security tax cuts and those issues. But I wanted to make a few comments based off of what I have

been listening to for the last hour in this debate.

Mr. Speaker, that is, I think, there is still some, and first let me pay tribute to most of the Blue Dog Coalition. It has had a strong track record here of working towards a balanced budget. Sometimes I wonder if they are called the Blue Dogs because they have turned blue holding their breath waiting for the President and most of their party to agree with them. But the bulk, the truth, is that a number of them have joined with the Republicans indeed to have a bipartisan effort since 1995 to rein in what is now an at least annual surplus. It is, as was mentioned by my colleagues across the aisle, an artificial surplus. We really do not have a surplus because we have not accounted for the Social Security Trust Fund.

Former Congressman Neumann, a fellow member of the class of 1994, put a budget in front of this Congress numerous times which many of us voted for that would have taken Social Security off and provided the tax cuts and lived within the balanced budget amendment, but if you make every current program protected and then argue against tax cuts, you are taking a bunch off the table.

Now we have to be able to work through here because part of the reason we finally achieved an annual surplus is because for the first time we actually proved that the Reaganomics theory worked, and that combination is if you cut taxes but slow the growth of spending below the rate of the growth of the economy plus inflation, you, in fact, will at least wind up with annual surpluses.

Now it is a legitimate question of at what point do we replace them out from the Social Security Trust Fund, and how fast, and how do we invest that. Does it go in the market? Does it go back to individuals to invest? Do we put it in certain types of bonds? And we need to work that through because now, because of the combination of controlling spending and the tax cuts that this Congress and the past Congress implemented, we have economic growth without at least targeted tax cuts.

And let me make one other comment here. Sometimes the other side loves straw men. There was a proposal never formally proposed but a number of individuals were debating for 10 percent across the board. It has been stated in the media, and it is certainly the opinion of most of our conference, that that is not going to have enough votes to pass and, in fact, was never adopted by our conference nor put forth as a Republican position. That is a straw man. Perhaps it will be, but we have not had a vote on that yet. It is unlikely that that will be in the budget or a Republican position.

We will probably, however, have some tax cuts. Without tax cuts such as capital gains cuts or other inheritance tax changes or investment tax

changes, you will not have the economic growth to sustain the surpluses that keep Social Security going.

If you do not have the economic growth in the high-paying jobs, we will not have the FICA taxes with which to do that. It is both sides of the coin have to work.

How do we keep enough money in investment and in businesses and in individual's hands plus so we stimulate the growth plus control the spending so that there is enough money there when baby boomers like myself, and I am sorry to say, turning 49 this summer, I have no hope right now of seeing Social Security unless we can combine economic growth with spending.

Earlier this afternoon we also heard from the gentleman from Pennsylvania (Mr. GOODLING) on the Committee on Education and the Workforce of which I am a part. There is no question. Not only we are looking at Social Security in tax cuts as a primary problem for this country in sustaining economic growth but how to improve the quality of education. Because if we are going to compete internationally, if we are going to have good jobs in Indiana and Florida and in Texas and all over this country, we need to have the premier education system in the world. How much of that is the Federal role, State role or local role we are going to debate.

I favor ed flex, giving more flexibility to the local levels, but through the gentleman from Pennsylvania (Mr. GOODLING) and the Committee on Education and the Workforce you are going to see innovative proposals coming out as we look at the Elementary and Secondary Education Act and for creative things there.

You have also been hearing over this week and you will hear in the weeks to come about the devastating decline in our national defense, particularly our missile systems, and we are going to have to address that in our budget because we have been wandering around for good humanitarian purposes with our troops all over the world, but that puts a tremendous squeeze on our readiness in our military.

Furthermore, we have not kept up with these terrorist groups, these rogue nations, whether it is Bin Laden, whether it is Iraq, whether it is who knows who with some kind of chemical, biological and nuclear weapon. It is not just the communists any more that we have to worry about with that threat to the United States, it is all sorts of terrorist groups. So we are going to be looking at national defense.

But without a doubt at the grass-roots level every single person in this country knows that back home they are facing rising crime and this pressure in crime. Yes, we have had decline in homicides in some cities and up in other cities, but when you are at home and you are on the street, you know that drug and alcohol abuse has put your family at risk, your kids at risk, you at risk driving down the highway,

whether it is your kids at school, whether it is trying to go to the mall or go to the parking lot at a mall, regardless where you are in America, whether it is a rural area, whether it is a small town, whether it is a suburban area.

Here on the Washington TV last night we are hearing about a rapist who is out there threatening numbers of people. In my hometown, in Ft. Wayne, we have had numerous articles in the last week on the drug and alcohol abuse related things. There is no question that this problem is everywhere. Let me share you with a few statistics:

From 1993 to 1997 youth ages 12 to 17 that used illegal drugs has more than doubled 120 percent, and there has been a 27 percent increase between 1996 and 1997 alone.

Now the key variable there was youth between 12 and 17, because the drop in crime and the drop in drug uses we are seeing is among older individuals, but we have a rising problem among our younger generation that has not gotten the message on usage. That is from the 1998 National Household Survey.

In 1999, a study shows that over the past 10 years, fueled by illegal drugs and alcohol, the number of abused and neglected children has more than doubled, from 1.4 million in 1986 to more than 3 million in 1997. That is consistent in this study. We hear at every county from the prosecutors, from the sheriffs, that 70 to 85 percent; it varies by county; of all crime including child abuse, including spouse abuse, including neglect as well as traditional drug and alcohol related crimes are related to drug and alcohol.

The 1997 Dawn Report said that between 1992 and 1997 drug related emergency room episodes nationwide increased 25 percent, and they increased 7 percent between 1996 and 1997.

The 1998 National Household Survey said the overall number of past month heroin users increased 378 percent from 1993 to 1997, and we particularly had that heroin risk heightened in certain areas, including the chairman's area we will hear from in a minute in Florida.

One other comment on heroin. When I was in Miami with the Coast Guard, they have machines now that can take your, and usually I do not have a 20, but actually I have a 20 and take your money through and test it to see if there are traces of drugs on this that can be up to 2 years old. They took a 20 from my billfold and, admittedly, even though I got this 20 from an ATM machine in Ft. Wayne, Indiana, it could have come from somewhere else. But they ran it through the machine to see if my \$20 bill, and you need to know I have never even smoked or I have inhaled because other people smoke, but I have never even smoked a cigarette, yet alone marijuana, heroin or cocaine, but on my \$20 bill from Ft. Wayne they not only found cocaine, they found heroin.

□ 1730

Heroin has soared in every part of the country as a high risk drug.

I see we have also been joined by the chairman of the Committee on International Relations and I will yield to the gentleman from New York (Mr. GILMAN), our distinguished chairman, who has been not only since we have taken the majority a leader in international efforts through drug prevention, through interdiction and eradication but, before that, with the Republican leader on the Narcotics Special Committee and has been a crusader against illegal drugs for his whole career here in Washington, D.C. I yield to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Indiana (Mr. SOUDER) for yielding, and I want to commend him for his continual efforts and commitment to our war on drugs. I want to compliment the gentleman from Florida (Mr. MICA) for taking the time to discuss some recent success stories on fighting drugs.

Too often we hear nothing but the voices of doom and gloom and despair. The other morning, when we were at a meeting that was arranged by the gentleman from Florida (Mr. MICA) and our Senate narcotics caucus committee, Mr. BENNETT was there, our former drug czar, and he leaned over and said what we should be doing is focusing attention on some of the success stories and some of the victories that we have had.

Too often, of course, we hear only the doom and gloom stories and it is time we did focus, and we are making some progress in many areas. We must fight this scourge of narcotics, both on the supply and demand side and we have to do that simultaneously, without emphasis of one to the detriment of the other.

Too many voices that we often hear say nothing can be done, and therefore we should throw in the towel. Why do not we just legalize it? We have all heard that too often. Of course, that is all wrong and that is not the way to go.

The five major battle fronts in the real war on drugs include reduction of supply through eradication at its source and providing alternative crops to replace the illicit coca or opium use for drug production.

Secondly, interdiction of the drugs once they have left the source nation before those drugs can reach our shorelines and destroy our communities and impact our young people.

Third, strong law enforcement, once these drugs reach our shorelines, to be able to arrest, to prosecute and lock up the drug dealers who traffic in these deadly substances.

Then in addition to that, educating to reduce demand as well supply by educating our young people on the dangers of drugs so we can prevent them ever from using drugs in the first place. Teach them that drugs are not just recreational; they are deadly.

Finally, treatment and rehabilitation of those who have become addicted so that we can help restore them as productive members of our society. We have to do all of those at the same time and not neglect one for the other.

When we fought the war on drugs that way, along with President Reagan and the First Lady, Nancy Reagan, she told us just say no, taught us about the just say no policy, between 1985 and 1992 we reduced monthly cocaine use by nearly 80 percent here in our own country, results that very few Federal programs can point to today.

Around the world, things in many places are going equally as well. For example, today in Peru we have a 56 percent reduction in coca leaf production in just 3 years; 56 percent reduction. Poor Peruvian coca farmers are walking away from their coca fields in droves since the price has fallen below the cost of production. Those results flow from a no nonsense policy adopted by the administration in Peru of shooting down planes that carry illicit coca base for coca production in nearby Colombia.

Another example, in Bolivia, the story is the same. A government committed to eliminating coca production in just a few years has cut production by nearly 20 percent.

In Colombia, another one of the Latin American producers of drugs, under the outstanding leadership of General Jose Serrano of the Colombian National Police, nearly 70,000 hectares of coca were eradicated last year, 70,000 hectares eradicated despite the lack of proper equipment, especially helicopters that have been so sorely needed.

In one port city alone, Cartagena, Colombia, the CNP, the drug police, seized 18 tons of cocaine. We used to think a seizure of a few grams was important. Imagine, 18 tons of cocaine, almost more than what the entire country of Mexico seized in the way of cocaine during the same time period. In one city, 18 tons. If that was marketed on the streets of New York, it would inure millions and millions of dollars.

Here at home, where we hurt today, when a no-nonsense approach is taken to crime and drugs, good things can happen as well. Our New York City mayor, Rudy Guiliani testified before the Subcommittee on Criminal Justice, Drug Policy and Human Resources chaired by the gentleman from Florida (Mr. MICA), that getting tough on crime and drugs has reduced murders by nearly 50 percent in the city of New York and overall crime by nearly 70 percent. He reminded us that 70 percent of the prison cells are filled by drug people, who have been criminally charged with drug possession or drug trafficking.

In cities like Baltimore, where those who argue that we ought to take a hands-off approach, the results are exactly the reverse. The mayor of Baltimore for many years has said that we should legalize and not go after the

drug people. Murder and crime are soaring in Baltimore and de facto legalization has solved nothing, just made things worse.

One set of figures tells the whole story. While population declined from 950,000 in 1950 to 675,000 in 1996, the heroin addict population went from 300 to 38,000 in 1996, the city of Baltimore. That is what despair and the wrong message can do from city leaders who throw in the towel.

The voices of doom and gloom do not speak from a true understanding of what is going on today and what can be accomplished in most of the world. Yes, we can and we will win this war on drugs if we do it right and if we have the international community working with us. There has to be full cooperation throughout the world.

As Pino Arlacchi, the UNDCP director of the United Nations drug agency, said just a few days ago when he appeared before our committee, we have not lost the war on drugs; we never began to wage one.

So I want to thank the gentleman from Indiana (Mr. SOUDER) and the gentleman from Florida (Mr. MICA) for their continual efforts in this direction.

We cannot say enough to the entire world, that there is an opportunity to do something about this drug situation if we all work together and we focus on what the accomplishments are that have occurred when people work together and put their shoulder behind the wheel.

Mr. SOUDER. Mr. Speaker, I want to again thank the distinguished chairman of the Committee on International Relations because he has frequently been down in these countries that he has complimented and seen firsthand the successful efforts or the progress being made in Peru and Bolivia. Without his help in Colombia, where people are fighting and dying, we would have lost that country and we are going to lose it unless we continue to help them. He has been at the forefront in particular in Colombia and in struggling with these other nations. There are good news stories, as well as more difficult ones.

Mr. Speaker, I yield to the gentleman from Florida (Mr. MICA), the distinguished subcommittee chairman of the Subcommittee on Criminal Justice, Drug Policy and Human Resources. Just recently he headed a CODEL, a congressional delegation, to Central and South America, and we want to review some of that.

First, partly what we need to understand as Americans, with what the gentleman from New York (Mr. GILMAN) just talked about, what I alluded to, is we are facing on our streets some progress here and there but net as a country, particularly among young people, a terrible threat. To understand why we are focusing on the Indian countries and why we are looking at the problems in Mexico and other places, we have to understand what is happening to us first.

Mr. MICA. Mr. Speaker, first of all, I want to take this opportunity to thank the distinguished gentleman from Indiana (Mr. SOUDER) for yielding. He reserved the time tonight. He has been a tireless worker in the effort to bring to the attention of the Congress and the American people the situation that we face as a nation and communities relating to illegal narcotics.

He has been at the forefront of trying to save our children, trying to save the resources of life that are being drained and sapped by this problem and crisis that we face across this land, the scourge of illegal narcotics, and I salute the gentleman from Indiana (Mr. SOUDER) on his tremendous and tireless effort since he has come to Congress.

I also want to take this opportunity to thank the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN). I had the opportunity to see the gentleman from New York (Mr. GILMAN) when I was a staffer. I worked for the United States Senate back in the early eighties. The gentleman from New York was there when they helped put together the drug programs that we have today. The gentleman from New York was there when drug use among our population was increasing in a dramatic fashion and he helped turn that around and decrease it.

The gentleman from New York was there when they developed an Andean Strategy to stop drugs very cost effectively at their source. The gentleman from New York was there when I worked with him and others to create a certification process by which countries that did not cooperate do not receive foreign assistance, do not receive trade benefits, do not receive international assistance, all benefits of the United States. The gentleman from New York, myself and others said these countries should not receive these benefits if they are not cooperating in stopping drugs and illegal narcotics at their source and also in international trafficking. Again, the gentleman from New York was there.

Again, the gentleman from New York has taken up the cause. I remember when I came as a freshman in 1993 and they would not listen to us. This administration would not listen. The other side of the aisle would not listen, and they controlled the other body, they controlled this House and the White House. What happened is they cut those programs. They slashed the participation of our military in interdiction. They cut dramatically the source country programs. They denuded the programs that stopped the growing of illegal narcotics in these foreign countries.

The Coast Guard was kept from participating as the head in keeping drugs away from our shores in particularly places like Puerto Rico which became a sieve through which the drugs have flowed.

So the gentleman from New York and others, their voices were heard. My

voice was not heard then. In 2 years from 1993 to 1995, and I had bipartisan support, Republicans and Democrats signed a request for hearings on a national drug policy that was headed for disaster. One hearing was held; one hearing was held on a drug policy that was leading to disaster.

Let me say the disaster is here. Ladies and gentlemen, we have 1.8 million Americans behind bars. The estimates are somewhere between 60 and 70 percent of those individuals incarcerated in our prisons, in jails across this land, are there because of drug-related offenses. I am not talking about purchasing a small amount of narcotics. I am talking about drug dealing. I am talking about major drug transit. I am talking about murders and heinous crimes committed while under the influence, who were trying to obtain illegal narcotics.

Our entire nation has been devastated and now one can almost ask anywhere, at any level, the inner cities, the affluent, the rich, every family in this country can point to someone who has been involved and a victim of illegal narcotics and narcotics abuse.

What concerns me is this problem has grown from a minor problem to, again, a major problem. Who is it affecting? Well, the apologists would say it is not affecting the adult population. They are sort of leveling out, and maybe those statistics are true but the fact is, this is causing devastation among our young people.

□ 1745

Now listen to this statistic: 14,200 young people, mostly, died in this country from drug overdoses or related effects last year. Over 14,200. That figure has nearly doubled since 1993. The heroin deaths have doubled in a short period of time from 2,000 to 4,000.

Let me talk about the national drug crisis that we have and how it is affecting particularly the most vulnerable in our society, our young people. In 1998, more than three-quarters of our high school teens report that drugs are sold or kept at their schools, a 6 percent increase over 1996. Are drugs increasing with our youth or decreasing?

From 1993 to 1997, youth age 12 to 17 using illegal drugs has more than doubled, 120 percent. And there has been a 27 percent increase between 1996 and 1997 alone. Has drug use and abuse among our young people increased or decreased? That is a 1998 national household survey.

The overall number of past month heroin users increased from 1993 to 1997 by a whopping 378 percent. Between 1993 and 1997, LSD emergency room incidents increased 142 percent. That is a 1997 Dawn report. And during 1997, statistically significant increases in heroin emergency room incidents were observed in Miami, a 77 percent increase; in New Orleans, a 63 percent increase; in Phoenix, a 49 percent increase; and in Chicago, a 47 percent increase. Just a small sampling of dramatic increases

in a drug that is deadly and devastating.

These are the hard, cold facts about what has happened. The most astounding figure to me is for kids from 12 to 17, first-time heroin use, first-time heroin use, which is proven to kill so many of these young people, surged a whopping 875 percent from 1992 to 1996.

Mr. Speaker, I come from central Florida. This is the headline from my newspaper. Read this headline. This is a recent headline, the last few days of last year: "Drug deaths top homicides." We are not talking about Detroit. We are not talking about New York City. We are not talking about Los Angeles. We are not talking about some inner city population. No one should die or suffer from illegal narcotics. We are talking about one of the most affluent, one of the most economically advanced, one of the highest educated populations in the State of Florida, and drug deaths top homicides.

Again, what is devastating about this, again what should shock the conscience of everyone in this Nation is most of these deaths are young people.

I was asked to take on the responsibility of chairing a subcommittee to oversee our national drug policy. I inherited that position, was requested to take that position by the Speaker of the House, Mr. HASTERT.

Mr. HASTERT, the gentleman from Indiana (Mr. SOUDER), myself, all served on a subcommittee in the previous Congress that had that responsibility. We did everything we could to put back together the programs that had been taken apart and destroyed during the 1993 to 1995 period. I took on that responsibility because of this headline and because of other headlines in my State. I took on that responsibility because, and maybe for a selfish reason, because of the drug crisis in my State and my community. But I also see what it is doing to our Nation.

In central Florida, I will tell a little bit about what has happened in my area. Heroin killed twice as many people in 1998 as it did in 1997. The death toll is expected to break 50 when the final results are in. And we are just getting those results now from autopsies and other reports.

Sampling of heroin tested in central Florida revealed purity levels ranging from 58 to 92 percent. The national average for heroin has been about 40 percent. High purity levels and increased drug availability is contributing to the increase in heroin deaths in central Florida and across our land.

Now, if young people are listening, if Americans are listening and Members are listening, the heroin that is on our streets, the crack cocaine that is on our streets, even the marijuana that is on our streets, is not the drug that was on our streets 10 or 12 years ago. These are drugs that are deadly. These are drugs that are pure. These are drugs that will kill. And they are killing. They are killing our young people.

Mr. Speaker, what is shocking is that in my area in 1995, there were 1,500 teenagers between the age of 12 and 15 arrested in central Florida for using or selling illegal drugs. This number has doubled over the last 5 years. Now, when we let down our guard, when we stop the eradication programs, when we stop the interdiction programs as they did again from 1993 to 1995, when we take the military and the Coast Guard out of the effort to stop drugs before they reach our shores, what happens?

In 1991, the cost of 1 kilo of heroin was \$210,000. In 1997, the cost of one kilo of heroin was \$80,000. So what we have done is increased the flow, decreased the price, made it available to our young people.

Let me talk, if I may, a little bit about the pattern of what has taken place with illegal narcotics trafficking. This chart here shows from the 1970s to the 1980s, the flow of illegal narcotics, primarily from Colombia and primarily cocaine. Cocaine or coca is only grown in three countries in the world. It is grown in Peru, it is grown in Bolivia, and it was grown a little bit in Colombia, but most of it came from Peru and Bolivia.

That cocaine came up, some to Miami. As I said back in the 1980s, we had a crisis which the gentleman from New York (Mr. GILMAN) and others addressed through different legislative initiatives, including the Andean Strategy, stopping drugs at their source, and the certification process.

That cocaine and other drugs also went to New York and also to Los Angeles. That was the 1970s and the 1980s. Ronald Reagan and George Bush developed programs, and people like the gentleman from New York (Mr. GILMAN), Senator Hawkins who I worked for, developed programs to stop those drugs, and we saw a decline in the flow of drugs and the use of drugs.

Then look at what has taken place in the 1990s. In the 1990s, we now have Colombia producing more and more cocaine, growing coca. We have a decrease in Peru and Bolivia where we have started and working in cooperation, as we heard just a few minutes ago, we have a cooperative effort, a restart of those Andean eradication and crop substitution programs. A few millions of dollars to again stop drugs at their source. Very cost-effective.

Mr. HASTERT, the Speaker of the House who chaired this responsibility, helped restart those programs; the gentleman from Indiana (Mr. SOUDER); the gentleman from New York (Mr. GILMAN); myself; and others. And we have found dramatic decreases in the production of cocaine and coca in Peru and Bolivia through the cooperation of President Fujimori in Peru, through the courage and cooperation of President Hugo Banzer in Bolivia.

Now Colombia has, for the last several years, become a source. In fact, it is now producing, the statistics we heard when we visited these areas last

week, it is now producing more coca and more cocaine than any other region in the world, Colombia.

Now, why did Colombia suddenly become a source of narcotics? What is interesting, again, if we look at the history of what took place, this administration has blocked consistently any assistance to Colombia to eradicate drugs at their source, to go after drug traffickers and to stop the production of drugs. So what has happened is they are now becoming producers.

The gentleman from Indiana (Mr. SOUDER), myself, the gentleman from Illinois (Mr. HASTERT), the previous chair of this responsibility when the Republicans took over the Congress, we went down to Colombia some 4 years ago. Four years ago, there was almost no heroin being produced in Colombia. They told us then, unless the administration freed up the constraints on sending ammunition, helicopters, eradication resources into that country, there would be a flood of poppies and heroin produced. Guess what? That is exactly what has happened. An incredible amount of heroin is now being produced, and it is now flowing from Colombia.

Look at this chart. Into Miami. Some came through Puerto Rico, because the administration cut the Coast Guard's budget. The Coast Guard protects the air around Puerto Rico. They cut that in half. So it came into Puerto Rico, it came into Miami and came into central Florida and also is coming in through a weak link in the chain which is Mexico.

This is the new pattern that we see. Mexico has approximately 60 to 70 percent of the hard narcotics coming into the United States, coming in through Mexico, transiting through Mexico.

Now we have a new development. In addition to a failed policy in Colombia which this administration, over the objections of Congress, the new majority in Congress, we repeatedly sent letters, requests, we passed resolutions, we did everything we could to get them to give General Serrano, the head of the National Colombian Police, and others the resources and ammunition, eradication equipment to do away with drugs at their source. Cost-effective. When they get into our streets, into our schools and law enforcement in this country tries to go after narcotics, that is the most expensive solution to an expensive problem.

Mr. Speaker, the problem is now a quarter of a trillion dollar problem. And that is just the dollars and cents, not the lives lost, the families destroyed, and the terrible scourge, again, of illegal narcotics.

This is the new pattern. Now, what concerns me as chairman of this new subcommittee and with the responsibility given to me by the Speaker is the presentation just over a week ago of the national drug control strategy by this administration. One would think that they would learn. One would think that if we had an experience and had a

bad experience, that one would learn from that experience.

What disturbs me, and tomorrow we are going to hear from the national drug czar, and I think General McCaffrey has tried to do a good job. I think the former drug czar, Mr. Brown, did a horrible job. He presided over death and destruction of this land unparalleled, unequal to anything except an attack that we had in Pearl Harbor. But this is the proposal by the administration to deal with the problem.

Now, again, one would think that they would learn. Let me tell what is in this. First of all, they have one of the most clever charts I have ever seen in my life. It is, I guess, Clintonesque in its explanation. But last year this Congress appropriated \$17.9 billion for the war on drugs. Now, they managed to develop a chart that showed us going from \$17.9 billion to \$17.8 billion, a net decrease of \$109 million, and show it on a chart as an increase. Now, that is clever in its presentation, but it is disastrous in its effect.

□ 1800

Where do the cuts come in? Let me tell you where these cuts are that disturb me, that concern me. Again, have we not learned? Interdiction has been cut dramatically again. Crop substitution programs cut again. International programs cut again, cut from last year to this year in this proposal.

Mr. SOUDER. Mr. Speaker, reclaiming my time, the gentleman is saying, it is not what passed Congress; this is the administration's proposal coming to Congress that is actually to reduce interdiction and eradication efforts.

Mr. MICA. Mr. Speaker, that is right. The gentleman from Indiana (Mr. SOUDER) and my other colleagues, we requested of the administration to put some specifics in their budget that we know will work, that we know will be effective.

For example, we have been promoting a microherbicide program and research and development because we know we have the technical capability to destroy drugs as a crop. It is a simple process. It can be done. We are making advances in that. We asked for a few dollars to effectively develop the final techniques to make this happen. Is it in the President's budget? No. Is it cost effective? Yes.

Now, the other thing that the administration did back in the 1970s and 1980s and 1990s, in the 1970s and 1980s, as my colleagues heard, we increased our Customs, our air interdiction, our going after drug traffickers.

We must have learned that, from 1993 to 1995, when we decreased that, when this administration, this Congress decreased that, that a mistake was made. Here we go again. Customs interdiction program, funds lacking. We know that is effective. We know it stops drugs before, again, it gets into our streets and our communities.

Counterintelligence. If I have learned nothing else in dealing with this prob-

lem, I have learned that the most effective means of stopping drugs, of getting drugs close to their source before they get into our country is counterintelligence. I intend to speak with the gentleman from Florida (Mr. GOSS), who chairs that committee. But, again, they have not learned.

We requested more funds in this area, and they are not in the President's budget; and that disturbs me because it is cost effective. If we have the intelligence, we can get large quantities, we can get the production facilities, we can stop the routing of drugs into our Nation even before they get close to our border. So, again, lacking in this budget, in this proposal is a concrete expenditure or program for counterintelligence.

My colleagues heard about stopping the Coast Guard and cutting their involvement, particularly around Puerto Rico and other places around the United States. The Coast Guard was very actively involved.

I remember working with Admiral Yost and others back in the 1980s who helped develop programs that stopped drugs again before they got to our streets. In this budget, here it is, folks, in this budget, this proposal, the Coast Guard operation and maintenance again not properly funded.

We have the most serious problem facing me as chairman of this subcommittee, the gentleman from Indiana (Mr. SOUDER), the gentleman from New York (Mr. GILMAN) who chairs our Committee on International Relations; and that is the question of Mexico.

Mexico has become the sieve. Look at this. Just take a moment and look at the drugs coming through here. Sixty to 70 percent of all the narcotics, the hard drugs coming into this Nation are coming in through Mexico. Mexico is the tough enchilada in this whole equation.

Mr. SOUDER. Mr. Speaker, reclaiming my time, in addition, when the gentleman earlier focused on cocaine and talked about the shift of cocaine to Colombia, and the gentleman presumably gets into some of this here, too, but we have seen a shift in heroin, because we were getting it from the Golden Triangle, in Asia, and other places. We have now seen this move to Mexican brown in some part of our country.

So while it looks like, and one of the things that we are hearing is that, oh, this Colombian problem is huge and disguising some of the problems in relationship to Mexico, the fact is that, simultaneously, because of a shift from Turkey and Southeast Asia, we have two places that have become the pivotal points.

Mr. MICA. Mr. Speaker, if the gentleman will yield, the gentleman from Indiana (Mr. SOUDER) makes an excellent point in what I was going to lead up to. With this signature heroin program results, we see a dramatic increase in Mexican heroin. This is heroin produced in Mexico. Just a one digit several years ago is now double digits, 14 percent.

We see South American heroin 75 percent, most of it coming from Colombia. But if my colleagues remember the other chart, most of it is flowing through Mexico. Almost all of it is transversing through Mexico.

What does this budget have as far as dealing with the Mexico problem? U.S.-Mexico border security funds, again not adequately provided for.

So do we have in the President's budget a proposal to deal with the problems, to deal with the narcotics, and to deal with it in a cost-effective manner? We can throw money at problems. This Congress is an expert at throwing money at problems. But are we solving the problems? Are we putting the money into it, and sometimes small amounts of money?

The program we started in Peru and Bolivia, those countries in the next several years, will almost totally eliminate cocaine production. Will we start? We need to get our program started back in Colombia. We have a new president there, a new opportunity. We need to get equipment resources and assistance to stop that production there.

So this budget is a little bit scary to me because they have not learned. We have paid a high price. Thousands and thousands of our young people have died. One could not do more damage if one had launched a chemical attack on the United States. Over 14,200 died last year from drug-related deaths. If we add that up, probably since I served in Congress, it is probably close to 100,000 people dead. Most of the narcotics are now coming through Mexico.

That leads up to this past week when the President went to Merida and presented this document. This document is a whitewash of the entire Mexican-United States drug problem. I have read through it. Some of the proposals, some of it, the cooperative efforts are almost laughable.

I stood on this floor, and we debated decertification of Mexico 2 years ago. This House voted to decertify Mexico. We made several minimal requests 2 years ago asking for Mexico's cooperation. What were those items? Let me repeat them if I may.

First of all, we asked Mexico to sign a maritime agreement. Have they signed a maritime agreement? No. We asked Mexico to extradite major drug traffickers. Have they extradited major drug traffickers? No. We have had one minor drug trafficker who actually killed a border patrolman, but not one major cartel trafficker extradited to the United States, despite countless requests.

We asked for the protection of our DEA agents. Why would we do that? I would like to have my colleagues come and read with me sometime the autopsy report of what Mexican drug traffickers did to our agent, Mr. Camarena. It is the most frightening thing that I have ever read.

But our DEA agents asked for the ability to protect themselves, not only

with arms, but also insulation in a crime- and corruption-ridden country to have basic minimal protection while they operated.

We have a cap, I cannot talk about the exact number, I do not want to, but it is just a few DEA agents in that country. We have requested additional DEA agents. Only a minimal number have been allowed in. Quite frankly, to allow them in without adequate protection does not make a lot of sense.

Next, again, we passed this here in the House by an overwhelming vote in the decertification 2 years ago. We asked simply that Mexico start to put radar and some protections across its southern border. Have they done that? No. Not until the threat of decertification just a few weeks ago and the President must present his certification proposal in the next few days.

Have we seen any action from Mexico? They are now proposing to do what we asked them to do 2 years ago as far as protecting that southern border where all those drugs are coming through, and we will see even more drugs.

Then we asked them to execute some of the laws that they had passed relating to money laundering and corruption. Money laundering and corruption. What have they done? Last year, United States Custom agents conducted a sting operation in Mexico. They found incredible corruption. We had briefings on it, and it involved hundreds of millions of dollars in corruption throughout the financial institutions.

We went after some of those traffickers. Do you know what Mexico had the nerve to do? They threatened to indict our Customs officials. It was called operation Casa Blanca. The nerve. So instead of enforcing and helping us to go after the drug traffickers, they made our Customs officials the villains.

Only because of the threat of decertification has there been a resolution within the last 30 to 60 days on the matter called Casa Blanca and the threat to indict our officials for doing work to help save their country.

These are some of the items we asked for 2 years ago. This is the report. This report again is almost laughable. It was done with great fanfare. Do you know where it was done? It was done in Merida. I have been to Merida, a beautiful place in Mexico. Merida is located in the Yucatan Peninsula.

Do my colleagues know what we have been told by our Federal agencies and those dealing with intelligence and this whole international drug trafficking situation? They told us that the Yucatan Peninsula in Mexico is lost. It is a narcoterrorist state. They are quivering now whether or not to even arrest the governor of that state who is up to his eyeballs in illegal narcotics trafficking. So the Mexicans have lost the Yucatan to a narcoterrorist state.

Then we found that, in the Baja Peninsula, another cartel has taken the entire Baja Peninsula. Not only have

they taken it, they have slaughtered and intimidated. They lined up 22 people just recently, women and children, to create in the Baja Peninsula a narcoterrorist state. They have killed 315 people in the last year and lined up 22 women and children and taken that region.

As we go over the map of Mexico, we see more and more of Mexico that has now been encircled by drug traffickers. So we have a friend, we have a neighbor, we have a trading ally who we have provided financial assistance, who we have provided trading benefits, who is now being taken over by drug trafficking. It is a very, very serious problem.

The gentleman from Indiana (Mr. SOUDER) and I and other members of our subcommittee visited and we met with the president of Colombia, President Pastrana, last week. He is doing and committed to an eradication crop substitution and going after drug traffickers at every turn. He is committed to that.

We met with President Fujimori and President Hugo Banzer who are both not only committed but also have dramatically reduced the production and trafficking of illegal narcotics.

□ 1815

Now we have the big problem of Mexico. Will the President, will this administration certify a country that is not meeting its responsibility; who has not followed through on the requests of Congress from 2 years ago; who does not have before us any requests or plan to deal with what has happened with their country being taken over by narcoterrorism?

So we are in a very difficult situation. Wall Street will not be happy if we decertify Mexico, because now we are doing business with them. But is it worth it to sell our souls for a few bucks?

We have some very serious questions to answer before us in the next few days and the next few weeks. The President must certify or decertify this major drug trafficking Nation, Mexico, by Monday, March 1, and the Congress has 30 days to act.

I will continue to review the information. I will continue to extend my hand to the Mexican government and officials to come up with a plan that has some measurable objectives on how to deal with this horrible problem. But right now I do not see in this budget a plan to deal with this situation. I do not see in this proposal that was presented in Merida anything concrete to deal with the situation that has grown out of control.

Now, we can whitewash this, we can forget it, or we can address it. The results are going to be pretty dramatic for our young people and for our Nation.

I yield back to the gentleman.

Mr. SOUDER. I would like to conclude, Madam Speaker. We are about out of time here.

If the gentleman could put the one chart up there that had Colombia on it. And let me thank the gentleman for laying out systematically the background of the problems that we have and the immediate pressure that we have in front of us.

Just yesterday, right before I did my 5-minute speech, they delivered a report on the Western Hemisphere Drug Alliance and the President of the United States. It is in yesterday's CONGRESSIONAL RECORD. Not only do they not have the dollars to continue the interdiction efforts, but in this document we are seeing more of what the Speaker, myself, and the gentleman from Arizona (Mr. SHADEGG) heard when we went down to the Summit of the Americas. We heard at that point that the proposal that the President is holding out is a counternarcotics multilateral evaluation mechanism in the hemisphere. Basically, what they want to eliminate is what the gentleman from Florida (Mr. MICA) first developed as a staffer for Senator Hawkins, the drug certification process.

What we have seen in Colombia, Bolivia, Peru, Mexico, and others is that because of this annual review, not of whether or not they are good people, not of whether or not they are a good government, but whether we as the United States should use taxpayer dollars in the United States to invest in their countries, that we have a legitimate review on the part of our country of their policies, because it is our money that we are proposing to deal with, it is our trade policies that we are looking at, and they are trying to, in effect, water this down.

We strongly believe that we do need to work with these countries. We applaud the administration's efforts to work on drug prevention and drug treatment programs around the world and to encourage these countries to engage. That is not the question here. Furthermore, this is not really a question of motives at this point. It is not like what was happening in Colombia, where we saw the narco dollars going directly into the campaign of then President Samper. What we have is a lack of results in Mexico.

When we were down there the last few days we saw lots of plans. Over the next few days we will be looking at those and debating those and trying to see if we can work out something, because we believe that their leadership is, in fact, working towards solutions. What we need to see, however, are some results.

The facts are that all of our intelligence was compromised. The facts are we do not have certain agents in certain parts of the country. We saw many of the things that the gentleman from Florida outlined. So we have a real dilemma in our face. How much do we want the trade dollars versus the ability to use that as a leverage? The fact is that as we used that as a leverage with Colombia, they engaged more aggressively. It enabled those people in

Mexico, like those people in Colombia, who are fighting this problem, to have their hand strengthened relative to those who would undermine it.

We are all for drug prevention. The drug czar, Barry McCaffrey, has done an amazing job of getting this administration back engaged. But there is drug prevention in education, drug prevention in treatment, drug prevention in law enforcement, and there is also drug prevention in elimination. Every coca leaf, every lab that we destroy is less drugs coming into Illinois, to Indiana, to Florida, wherever. That is one of the best ways to prevent it, is to keep it from getting there. Similarly with eradication.

One last point here. That map is drawn in a way to show the Colombia-Mexico traffic. But there is actually not blue water between Mexico and Colombia. That is Central America. Next to Colombia is Panama, the Darien Peninsula, which used to be part of Colombia. As we are turning the canal over in less than a year and pulling our troops out, we are in danger of having our trade threatened through the canal.

On the other side of Colombia it is not blue water either. It is Venezuela. Our number one oil supplier. I think it is roughly 18 percent. And Colombia is number two in by-products. We have had money intended for eradication and interdiction diverted to Bosnia. We have had it diverted into all sorts of humanitarian well-sounding goals.

This is a compelling national interest. We can argue whether Kosovo is a compelling national interest, we can argue whether Bosnia is a compelling national interest, we can argue whether Somalia was a compelling national interest, we can argue whether Iraq is a compelling national interest, but this is a compelling national interest. It has drugs coming in to my hometown, my kids' schools. It is threatening our oil and energy. It is threatening our trade in Panama. This is a compelling national interest.

Are we going to help these people fight? Are we going to get them the weapons they need? They are increasingly willing to carry the battle, which is in large part caused by our consumption. But when we went to move Black Hawk helicopters 4 years with the gentleman from New York (Mr. GILMAN) and my colleague with me here tonight, because they could not get to where they were starting to plant the poppy in the higher parts of the Andes, we would not give them the mechanisms to go get it. So now we are shocked that 40 percent of their country is inundated and controlled by terrorist groups.

We have to give them the resources necessary or the danger is they are going to ask us to come in, like other countries throughout the world, to help fix these problems that are clearly in our national interest.

So as we head into these certification processes, we are going to be bringing,

in the education bill this year, drug-free school stuff; and we are going to work with education programs to try to figure out how to reach these kids. We will look at the prison population, as the President is talking about, because if we can get people who are heavily addicted off, that will benefit us in the drug war.

But there is only so much the kids can do in our schools and the teachers and the school boards and the police departments when the price drops, when the purity soars, as it did in 1993 through 1995, as the gentleman pointed out. There is only so much they can do on the streets of Fort Wayne when that price is dropped down. It is both ends of supply and demand here that are responsible.

We need to encourage and build up those governments' efforts and also hold them accountable when they are falling behind.

The gentleman from Florida.

Mr. MICA. In closing, I thank the gentleman.

SUPPORT EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

The SPEAKER pro tempore (Mrs. BIGGERT). Under a previous order of the House, the gentleman from Connecticut (Mr. MALONEY) is recognized for 5 minutes.

Mr. MALONEY of Connecticut. Madam Speaker, I rise today in support of the Education Flexibility Partnership Act of 1999, known as Ed-Flex, which was filed today by the gentleman from Delaware (Mr. CASTLE), the gentleman from Indiana (Mr. ROEMER), myself, and a number of other cosponsors. This is critical legislation that helps States and local school districts effectively prepare our children for the 21st Century.

We are, in this Congress, engaged in a number of educational efforts. We are trying, for example, to provide additional teachers so that our class sizes can be reduced. We are fighting to provide school modernization funds so that our facilities can be brought up to standard and can be made ready for the new educational efforts that the new economy and the new technology require.

Now, however, is also the time to take a look at doing better with the funds that we already have. Now is the time to give our schools the flexibility they need to adopt rigorous educational standards, to raise academic achievement levels and empower our children for the challenges of the future.

In exchange for increased accountability for results, the Ed-Flex bill gives States and localities greater flexibility in using Federal education funds to support locally designed comprehensive school improvement efforts. Our Ed-Flex bill expands current law by making all 50 States, including my home State of Connecticut, eligible to apply for Ed-Flex.

Let me take a moment to give some examples of the benefits of Ed-Flex that have already been achieved in the pilot program that we currently have underway.

In Oregon, for example, community colleges and high schools have worked together to improve their professional technical education programs together rather than creating two separate and duplicative programs.

Maryland has used Ed-Flex to reduce student-teacher ratios, for students with the greatest need in math and science, from 25 students to one teacher to 12 students to one teacher. A dramatic improvement in student-teacher ratios.

The State of Kansas has used Ed-Flex to better coordinate Title I and special education services so that there is a consolidated delivery of services. The waiver of Ed-Flex in Kansas has allowed a more integrated approach to education for these students.

In preparing to file this legislation today, I have been in touch with the education officials in my home State of Connecticut, and they have indicated that they would use Ed-Flex authority to provide flexibility on the eligibility of students for remedial services, the kids who need the help the most.

Connecticut, as a matter of State policy, is committed to empowering parents with a variety of options for educating their children; in allowing, for example, various forms of cross district enrollment. But there are times when a child goes from an old district to a new district.

Under the proposal that we have made for education flexibility, the money that is associated with that child, say a Title I child, would accompany the child to the new district. This would, in turn, enhance the new district's ability to provide services to the child. It would also, of course, support the State of Connecticut's efforts to provide public school choice opportunities and, fundamentally and most importantly, to give each child the best education possible.

This Ed-Flex legislation provides accountability for results. It allows education reform, which we in this Congress support, to work from the bottom up instead of enforcing top-down mandates. And the most successful and impressive education experiments and new procedures and new techniques are springing from the local school districts. The Federal Government needs to give those local school districts the flexibility to take advantage of the ideas and energy that they have, in turn equipping our children with the best possible education for their futures.

I urge my colleagues to support this important legislation.

GENERAL LEAVE

Mrs. JONES of Ohio. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days

within which to revise and extend their remarks on the subject of my special order this evening, Black History Month.

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

There was no objection.

BLACK HISTORY MONTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Ohio (Mrs. JONES) is recognized for 60 minutes.

Mrs. JONES of Ohio. Madam Speaker, I reserved this time tonight for a special order to allow my colleagues and I to recognize and celebrate contributions of African Americans during Black History Month.

I stand here the 101st African American to serve in the House of Representatives. It is only appropriate that I recognize the two people who are most responsible for my service: My parents, Andrew and Mary Tubbs, residents of my district, the 11th Congressional District of Ohio. I stand upon their legacy of hard work, undying faith and love. Thank you, mom and dad. I love you.

I first want to pay tribute to the founder of Black History Month, Dr. Carter G. Woodson, an historian and educator who pioneered the research and dissemination of African American history. It was his mission to dispel the racist myth about African Americans and their past that the historical writings of scholars promulgated. He asserted, and I quote, "If a race has no history, if it has no worthwhile tradition, it becomes a negligible factor in the thought of the world and it stands in danger of being exterminated."

One of his most enduring achievements is his initiation of Black History Month. In 1926, he launched Negro History Week, a commemoration of black achievement held the second week of February, which marks the birthdays of Frederick Douglass and Abraham Lincoln.

□ 1830

To encourage African-Americans to celebrate Negro History Week, Woodson distributed a kit containing pictures of and stories about notable African-Americans. Negro History Week was changed to Black History Month in the 1960s.

Woodson was a prodigious author, co-authoring 19 books on various aspects of African-American history. He was one the first scholars to consider slavery from the slave's perspective, to compare slavery in the United States with slavery in Latin America, and to note the African-American cultural influences in new world slave culture.

Perhaps more than any other person, Woodson helped African-American history develop into a widely recognized and respected academic discipline. It was his faith that "the achievements of

the Negro properly set forth will crown him as a factor in early human progress and a maker of modern civilization."

Madam Speaker, I yield to the gentleman from Florida (Mrs. MEEK) my friend.

Mrs. MEEK of Florida. Madam Speaker, I want to thank my colleague, the gentleman from Ohio (Mrs. JONES), for organizing today's Black History Month special order. It is a tribute to her creativity to convene us here today. I think it is Congress's duty to help America understand what black history is all about.

The gentleman from Ohio (Mrs. JONES) follows in the footsteps of one of the individuals whom history will surely recall as one of the giants of not only black history but surely the history of this body, the Honorable Louis Stokes, who for 30 years distinguished himself and us as a caring and committed legislator who served his constituents and this Nation with impeccable leadership and integrity.

We are here today not only to celebrate black history but American history as well. Certainly the history of black Americans is interwoven with the history of America. Since the first Americans arrived on what is now American soil in 1619, black Americans have played an important part in the development of this great Nation. Black Americans helped build this country's thriving cities, farmed its fields and settled the West.

Recently, the Allstate Insurance Company of Chicago, Illinois, recognized 12 contemporary African-American leaders at their "From Whence We Came Awards." These leaders were honored as architects of the African-American village for their efforts to help build stronger, safer communities across America. These were contemporary African-American leaders and heroes.

I commend Allstate for its efforts to promote black history and for emphasizing the importance of celebrating the contributions of African-Americans year-round by making available to schoolchildren a black history calendar, commemorative poster and video documentary.

So as we celebrate this Black History Month, I want to pay tribute to some of the more contemporary leaders who history is sure to record as significant figures in black history and the history of this Nation.

If it takes a village to raise a child, then surely some of the individuals I am about to mention who were recently honored by the Allstate Insurance Company can be designated as "architects of the village."

Contemporary black leaders like Dave Bing of the Bing Group of Detroit, Michigan; actor and actress Ossie Davis and Ruby Dee; Tommy Dortch, president of the 100 Black Men of America; George Fraser, author and motivational speaker; William H. Gray, III, president of the United Negro

College Fund; Linda Johnson Rice, president of Johnson Publishing Company; Tom Joyner, radio host; Mayor Marc Morial of New Orleans; Dr. Jane Smith, National Council of Negro Women; Sheryl Lee Ralph, actress; and Mother Mary Ann Wright.

Each weekday morning from 6 a.m. to 10 a.m., Tom Joyner entertains and informs the Nation during his live, nationally syndicated radio show.

My colleague, the gentlewoman from Ohio (Mrs. JONES), wants America to understand that these contemporary leaders are leaders in their own right; and history will record them as having contributed quite a bit to African-American history.

A four-time *Billboard Magazine* award winner, Mr. Joyner's upbeat attitude has helped America understand at this particular point various issues that have come over this radio hall of fame. He has established the Tom Joyner Foundation, and he has funded a United Negro College Fund scholarship, Dollars for Scholars, to help give financial aid to students at black colleges.

Linda Johnson Rice presides over two of the world's largest black-owned companies, Fashion Fair Cosmetics and Johnson Publishing Company. As president and chief operating officer of Chicago-based Johnson Publishing Company, Ms. Johnson Rice manages the largest number one black-owned publishing company in the world, boasting the familiar magazine titles *Ebony*, *Jet*, and *Ebony South Africa*.

Ms. Johnson Rice is also the President of Fashion Fair Cosmetics, the largest black-owned cosmetic company in the world, with more than 2,500 stores in the United States, Africa, Europe, the Caribbean and Canada.

I can go on and on. But I did want my colleagues to understand that these are contemporary African-American leaders who will go down in history as helping America understand and made a contribution and it is a tribute to them to have been named "architects of the village."

Mrs. JONES of Ohio. Madam Speaker, reclaiming my time, I want to thank my colleague, the gentlewoman from Florida (Mrs. MEEK), for her presentation.

Madam Speaker, I yield to my friend, the gentlewoman from the District of Columbia (Ms. Norton), for a presentation.

Ms. NORTON. Madam Speaker, I thank the gentlewoman from Ohio for yielding; and I thank her, in addition, for keeping alive the tradition of her esteemed predecessor, Congressman Louis Stokes, who retired last year.

The gentlewoman from Ohio (Mrs. JONES) brings precisely the kind of intelligence and dedication that Congressman Stokes was well-known for, and so he has left his seat in the best of hands.

I also congratulate the gentlewoman that she has chosen a subject which allows us to speak on this floor about the

contributions of African-Americans. In outlining the history of Negro History Week and Black History Month, she reminds us that the reason for an occasion like this is precisely that black history and the contribution of African-Americans have been obscured, even suppressed.

This floor is an appropriate place to begin to expose Members and our country to these important contributions which have helped build our country. I would like to devote a few minutes to discussing the life of a great American leader who died on December 14 and who contributed much to his country in general and to the Congressional Black Caucus in particular.

I speak of former Judge A. Leon Higginbotham. And may I say that the Congressional Black Caucus will hold a memorial service for Judge Higginbotham on Wednesday, April 14, at 345 Cannon. That, of course, has to do with our own special relationship to Judge Higginbotham, who was counsel to us in the voting rights cases.

I was Judge Higginbotham's law clerk, so I have to confess that for me this is also personal. I remained close to the Judge throughout my professional life. And to the extent that there is anything noteworthy about my life as a lawyer, I owe much of it to the head start I got when I clerked for Judge Higginbotham shortly after I graduated from law school.

Quite apart from how we may view the Judge as a person or any personal relationship the Members may have had with him, I think it fair to say that Judge A. Leon Higginbotham will be evaluated as one of the great Federal judges of the 20th century. I believe that that will be the verdict of his own peers on the bench.

He went to the bench at the age of 36 and became known as a principal judge who was a fine technical lawyer, a man of awesome work habits who enjoyed the most extraordinary reputation among his peers on the bench.

At the same time, he began to teach while he was on the bench, as a number of scholarly Federal judges often do. While he was on the bench, he taught at the University of Pennsylvania, which of course is in Philadelphia, where he served first as a District Court judge and then on the Court of Appeals, finally as the chief judge of the Third Circuit Court of Appeals.

But this extraordinary man managed also to teach at Harvard and Yale and at Stanford and at NYU. His capacity for hard work is itself an example for us all and for young people.

The Judge always planned to leave the bench. Perhaps this was because he was so gifted that it was unthinkable that he would have only one life. He planned to leave the bench and did so in order to pursue the scholarly work that had become such a great part of his life while on the bench.

He wrote two extraordinary books: "In The Matter of Color" and "Shades of Freedom." These books have helped

to place Judge Higginbotham in black history and in the history of the United States of America. Because, in these volumes, Judge Higginbotham demonstrated, on the basis of prodigious investigation of the statutes and of the case law, that slavery and discrimination in the United States of America owed their existence to American law. He did this not simply by exclaiming it but by years of investigation into the case laws of the States and of the United States. And there he discovered a real perversion of law.

I do not speak only of the Jim Crow laws, under which some of us lived, I, for one, in the District of Columbia, which had legal segregation, because we all know about those. I speak of law that enmeshed slavery and discrimination into the character and life of this country from the very beginning and without law, it must be said, neither slavery nor discrimination could have either existed or become so thoroughly embedded in the fabric of our country.

It is the painstaking research, it is looking at it statute by statute and State by State that gives the Judge's work on the history of law in discrimination and slavery its credibility.

I would like to give two examples of the kind of discovery, that is the only word for it, "discovery", the Judge made in the complicity of law in the greatest injustices of our country, slavery and discrimination. I refer first to the Declaration of Independence.

There was what the Judge discovered a discarded July 2 draft of the Declaration of Independence, written of course by Mr. Jefferson. Now, listen to this sentence from that discarded draft. This sentence refers to King George. "He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carry them into slavery in another hemisphere or to incur miserable death in their transportation thither."

□ 1845

Here is Jefferson criticizing King George for transporting slaves and for the institution of slavery itself. Well, if that is the case, you would have expected the Declaration of Independence to say something about how there should not be slavery, and, of course, we know there should not be. This is the kind of work that the judge is known for.

Let me give my colleagues one further example of what he discovered. There is, of course, the myth of slavery as a southern institution. We know that it got its worst features perhaps in the South and in how long it remained in the South. But let me quote from Judge Higginbotham. So that we will be at peace with this institution, let us quote from Judge Higginbotham about the State that one least associates with slavery and most associates with abolition, Massachusetts. I quote from "In the Matter of Color":

"Unlike Virginia, for example, which developed a legal framework for slavery in response to societal custom, the Massachusetts Bay and Plymouth colonies statutorily sanctioned slavery as part of the 1641 Body of Liberties a mere 3 years after the first blacks arrived. Thus, Massachusetts was the first colony to authorize slavery by legislative enactment."

We will never rid ourselves of discrimination and its effects unless we come to grips with how it got into our law. And as lawmakers it is particularly important for us to recognize how discrimination and worse can be, and in our case was, imported into the law.

Judge Higginbotham was recognized in virtually every important way, from the Medal of Freedom that he won from the President to the Spingarn Medal which he was granted by the NAACP.

The Congressional Black Caucus is particularly grateful for the role he played in assisting us in the voting rights cases when we were most under attack.

I close by reminding this body that on April 14, there will be a memorial service in 345 Cannon for Judge A. Leon Higginbotham.

I thank the gentlewoman for yielding.

Mrs. JONES of Ohio. Madam Speaker, I would like to thank the gentlewoman from the District of Columbia. She is a historical figure in her own right. I need to remind her that I used to be a lawyer with the Equal Employment Opportunity Commission when she was serving on the commission. I thank the gentlewoman so very much for her comments.

Madam Speaker, I yield to the gentleman from Alabama (Mr. HILLIARD). I have to remind him that my father is a graduate of Parker High School in Birmingham, Alabama.

Mr. HILLIARD. Wonderful.

Madam Speaker, I rise tonight to offer my thoughts on Black History Month which is observed every year during the month of February.

I stand here humble to the reality that many African Americans sacrificed their pride, their joy, their jobs, their dreams and, yes, some their lives so that I and 38 other African-American Members of Congress would be able to stand here today as duly elected officials of the United States House of Representatives.

While I am aware of the specific accomplishments of many African Americans, I do feel that it is important to stress that I do not think that there should be a Black History Month. I understand the motive behind observing and acknowledging the contributions of African Americans to this great country. However, I feel strongly that we must move away from being contained in a box. Every day should be African-American day. Every week should be African-American week. And every month should be African-American month.

Historians for as long as I can recall have written history as they chose. They have made history in many instances a mockery of what actually occurred. They only wrote the version they wanted told. However, historians must have a high duty and a moral responsibility to record history accurately. They should be charged with those responsibilities, and they should be inclusive of all of those things that occur. They definitely should include those persons that made history, the way in which history was made, and there should be no prejudice or bias in recording history. A truthful and accurate account of what happened and who participated should be recorded in American history, and we would not have to have days, months and times set aside for Italian Americans, for Hispanic Americans, or for African Americans.

I truly believe that hopefully in the new millennium, we will have it such, so that we will have a celebration of American history, and that they will truthfully and accurately display and record all of the players regardless of their national origin.

At first glance, most people would assume that this is a given, that historians write history accurately and truthfully. But we know and it is sad, a very sad commentary that that is not the case. We must change.

Madam Speaker, as we move into a new millennium, we must charge those persons who have duties and certain responsibilities to record our history as it is done, as it happened, so that the next generations will not have to deal with the problems of our generation.

I fully urge all historians to include and incorporate all of the deeds of African Americans and all of the other groupings that make up this great country so that its achievements and the achievements of all others will properly and appropriately be recorded.

Yes, I am against what you call African-American Week. I am against the Hispanics having a day. I am against all nationalities having a segment to say something about their contribution to American history. America is a dream land. It is a melting pot. Because it is such, we should only talk about the accomplishments of all of the players of history.

And one day hopefully we will reach the place in our history, we will reach the time in our history when all Americans, no matter how great or how small their contribution to its history, will be fairly portrayed and our history will be accurately recorded.

Mrs. JONES of Ohio. Madam Speaker, I would like to thank my colleague from the great State of Alabama for his comments.

I yield to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON. Madam Speaker, I thank my distinguished colleague from Ohio for yielding. I rise as a proud person tonight in celebration of black history, because I am indeed a proud re-

ipient of the achievements that we applaud during Black History Month.

I rise today to celebrate black history in a way that was demonstrated by a woman named Rosa Parks who has become affectionately and reverently referred to as the Mother of the Civil Rights Movement.

Rosa Parks in her quiet courage on December 1, 1955, in the proud State that Mr. HILLIARD represents now, in Montgomery, Alabama, launched a new revolution that opened doors a little wider and brought equality a little closer for all Americans in our Nation.

In 1955, Rosa Parks touched off a bus boycott in Montgomery, Alabama, when she was arrested for refusing to yield her seat to a gentleman there who was not of her own race. She was bone weary from a long day at work, she was on her way home, she was sitting in a colored section on the bus. But the law said that African Americans in that section had to yield their seats to people who were not African Americans if no seats were available in the white section for them. This was a visceral symbol to African Americans of their second-class citizenship that was continuing to be reinforced by those blatant segregation laws.

The white section of the bus was full, and a white man demanded that Rosa Parks give up her seat. She refused and was subsequently arrested. Because Rosa Parks sat there with the dignity and the courage that she embraced, she sat there and the whole world stood up. And the name of Dr. Martin Luther King at that point came to the ears and eyes of America as the Montgomery bus boycott was created and launched and came to the ears and eyes of America.

That is why I believe it is important, it is imperative for this body, the United States House of Representatives, to award Mrs. Rosa Parks a Congressional Gold Medal, a bill that I introduced on her 86th birthday, February 4. We have amassed some 127 cosponsors to that effort, and I would love to see all 435 Members join in this effort to ensure that while she yet lives that she will understand that the United States House of Representatives recognizes the achievement in terms of the movement that she created by virtue of the Montgomery bus boycott and that she will still be able to live and receive in person the Congressional Gold Medal.

Mrs. Parks has established, along with her now late husband, an institute for self-development, a training school for Detroit teenagers. The legislation, H.R. 573, would authorize the President to award Mrs. Parks a gold medal on behalf of the Congress and, of course, as gold medals move through, it authorizes the United States Mint to strike and sell duplicates to the public.

This legislation not only is symbolic, it is a very necessary action upon which the United States Congress should engage, because it bespeaks not only the character and the integrity

but the courage and the perseverance of an incredibly fine woman. On the eve of the celebration of the International Woman's Year next month, national periodicals and publications across this land have identified Mrs. Parks as being one of clearly the dynamic women, if you will, of the century. I think that it would be extremely befitting for all Members of Congress to join in this noteworthy and vital effort to provide this Congressional Gold Medal.

I appreciate very much your indulgence and your attention to this effort.

When I first heard that Congress has never recognized Rosa Parks' role in the civil rights movement, I was astounded. We have gone 44 years without expressing our gratitude for her leadership.

Rosa Parks is an outstanding American, the type of person for whom the Congressional Gold Medal was created. I urge all my colleagues to join the 122 bi-partisan co-sponsors in supporting this bill.

Mrs. JONES of Ohio. Madam Speaker, I would like to thank my colleague from the great State of Indiana for her presentation and let her know that I truly and wholeheartedly support her effort to have a Congressional Gold Medal awarded to Rosa Parks and have signed on to her resolution and legislation.

Madam Speaker, I yield to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Speaker, let me first of all thank the gentlewoman from Ohio for not only yielding but also for her leadership and tenacious manner of jumping into the activities of this Congress even though this is her first term in office. While we are all going to miss Mr. Stokes and all of the work that he did from that district, I think those of us who have had the good fortune to interact with his replacement know that Lou Stokes is probably sitting someplace smiling, saying, "I am so glad that this lady was elected to take my spot."

□ 1900

So thank you so very much.

Madam Speaker, I rise today to join with those who are paying tribute to the concept of African American History Month, and it is a time to reflect, it is a time to share, it is a time to appreciate the tremendous ideas of Dr. Carter G. Woodson as we look not only into the past but also to the present and into the future.

But I am going to read a poem that I was asked to read by a gentleman from the State of Utah. He is not from Illinois. He is not from Chicago. As a matter of fact, he lives in Congressman MERRILL COOK's district and, through the Congressman, asked me if I would read this poem that he has written.

Mr. Harris is a 32-year-old teacher at the Salt Lake Community College and also does biomedical research at the school. He is originally from Columbus, Mississippi, and is active in the Salt Lake chapter of the NAACP, and he wrote this poem to commemorate May

14, which was declared African American Creed Day in Mississippi.

He says:

- I, the African American, man, woman, child, son and daughter and great grandchild of slaves, descendant of Africa and child of God, no longer have to search to find my place in this world.
- I, the African American, have a responsibility, to my forefathers and foremothers whose struggles I must continue to ward off hatred and bigotry.
- I, the African American, descendant of Ishmael and Abraham, have a responsibility, to help my brothers and sisters when, and after, they fall by the wayside.
- I, the African American, descendant of great kings and queens of Africa, am obligated to teach my children about our ancestors and their customs.
- I, the African American, of dark complexion, have a responsibility for keeping my dark beautiful armor shined with Christ-like luster in my daily walk.
- I, the African American, whose ancestors were great warriors, must become a great warrior against such things as drugs and gang violence.
- I, the African American, come from a race which was so powerful, to cause a nation to change its views on segregation and rethink its views of desegregation.
- I, the African American, great grandchild of great chiefs in Africa, have a responsibility to become the head of my family and to raise my children in such a manner that will enable my children to become great leaders.
- I, the African American, have come from a race which helped build this country, have a responsibility to keep the talent alive and to build great buildings that will stand alongside the great pyramids of Egypt.
- I, the African American, whose forefathers came from a land rich in vegetation and animal life, have a responsibility to preserve that beauty so that my children will have the same opportunities to bathe in the beauty of nature that God has created for all to enjoy.
- I, the African American, whose ancestors used as a part of their culture great dances, am obligated to pass this tradition and the history behind the dances on to my children.
- I, the African American, come from a race where such powerful men and women laid down their lives so that I may be able to get a fair education. Therefore, I am obligated to attend a school of higher learning.
- I, the African American, whose forefathers have been spit upon and smitten, all in the name of equality, just so you and I could stand here today, must be willing to display in return the same equal kindness that we have demanded, not just to men and women of the African American race, but to men and women of all races.
- I, the African American, whose fathers and mothers can now become men of science, medicine and law, am obligated to follow in their footsteps ensuring the best possible care, in order to preserve my history.
- I, the African American, whose forefathers have died in wars when they were not allowed to drink from the same drinking fountain, yet were equal enough to share the same bullet, but couldn't be buried in the same cemetery, am obligated to become a great general of the Armed Forces and even to become a

President of the United States of America.

And so I say, my country tis of thee, sweet land of liberty, let it be known that if any changes are to occur, it must start with me. Of thee I sing. Land where my fathers died, land of every man's pride, from every mountain side, we shall let freedom ring.

And let me just say that I am pleased to have had the opportunity to share this all the way from Salt Lake City, Utah, by way of Mississippi, and I do not represent either one of those, but certainly the thoughts and ideas that have been generated by Mr. Harris are worthy of an entire Nation to consider.

Mrs. JONES of Ohio. Congressman DAVIS, thank you very much.

Madam Speaker, I reclaim my time, and I would like to have a copy of that poem, if the gentleman from Illinois would allow me.

Madam Speaker, I now rise to yield to the gentleman from New York (Mr. OWENS).

Mr. OWENS. I thank the gentlewoman from Ohio and congratulate her for continuing the tradition that was started by her predecessor, Lou Stokes, in guaranteeing that at least once a year the members of the Congressional Caucus should make a special effort to note some achievements in African American history.

There is a lot of talk these days about the fact that it is a little ridiculous to set aside one month a year to pay tribute to African American history, and a lot of people say it is a little silly on the one hand. Others say that it is now being over-commercialized, and companies are exploiting it, and people are trivializing it by running advertisements that say that they support Black History Month, et cetera.

I disagree. I disagree profoundly. I think that only people who are snobbish and people who are elitists and who have lost contact with the masses would come to those kinds of conclusions. There is a great vast body out there of African Americans who are totally ignorant about their own history and who are victimized with low self-esteem and low sense of self-worth because they have to hear from other people lies about their history. They hear from other people that they have no history. Even such great writers as Arnold Toynbee dared to say that, you know, of all the races, the Africans were the only ones who made no contributions to civilization.

You know, since he said that of course there have been many, many diggings in the desert, and African cities have been unearthed, and the whole Kingdom of Cush have been attributed to Africa instead of Egypt, and people have recognized that many of the great kings of Egypt have Negroid features, and on and on it goes. It was a big lie perpetrated, however, by a very high-level British scholar.

I would like to pay particular tribute to one individual that certainly had a great impact on my life in terms of the

importance of African American history. It was a little old lady, one of the unsung heroes that very few people ever know about, but she made a contribution, not only an impression on me, but many other people, a little old lady who lived in the community of Brownsville where I got my first assignment when I went to New York City as a professional librarian.

In the local library we have programs of various kinds, and this lady appeared to ask me to have a series of lectures on African American history, and I agreed to do that, and she was going to help me set it up. And during the course of it, of the development of that series of lectures, I got to know her very well. Her name was Mother Rosetta Gaston. They called her Mother because when I met her she was already 88. When she died, she was 99. She was quite a person because she was quite lucid and had all her faculties and quite strong and combative all the way to the time when I went to the hospital to visit her shortly before her death, a very short little black lady who also fascinated me because she is one of the few people I ever met who was born and raised in New York City. Most of the African Americans in New York that I met, they came, like me, from somewhere else. I came from Tennessee. A lot of other people come from North Carolina, South Carolina, all over, but she was born and raised in New York, and that fascinated me.

But the most fascinating thing about Mother Rosetta Gaston was the fact that she actually knew Carter G. Woodson. She had actually met, and she knew Carter G. Woodson, and she adored him. He was kind of like a saint for her.

Carter G. Woodson is a founder of the study of Negro life and history, the Association for Study of Negro Life and History, which later sponsored the first Negro History Week and then later became Negro History Month and Black History Month or African American History Month, whichever way you like to label it.

And Carter G. Woodson was, of course, a scholar. He had a Ph.D. And Carter G. Woodson was interested in dealing with other scholars, trying to straighten out people like Arnold Toynbee who distorted history by saying that Africans had never contributed anything to history, trying to straighten out the people who wrote the textbooks in America, who refused to recognize basic facts about African American history. He wanted to change curriculums and do many kinds of things that needed to be done at the level of scholars and educators.

He was not particularly interested in popularizing it. It was Mother Gaston who influenced him to begin the Negro History Weeks and to start young people's groups called Negro History Clubs throughout the country. And a whole youth movement was developed as a result of Mother Rosetta Gaston pushing the great scholar, Dr. Carter G. Wood-

son, to popularize African American history.

So it is, you know, most people will find it hard to understand how in school districts and in local schools where 90 percent or 95 percent of the young people attending the school, students, were African Americans, it was hard to get the teachers to acknowledge that there was anything significant that African Americans had ever contributed. It was hard to get them to break away from racist textbooks.

You know, I had textbooks when I was at this school in the south, in Memphis, and they described the Civil War as a disagreement between the States, and there is nothing wrong with slavery according to that textbook. And on and on it goes. Corrections like that Carter G. Woodson was very concerned about, moving to have the curriculum supplemented so that some sense of self-worth, some sense of self-esteem could be communicated by the curriculum.

In a place like New York, a rich history of slavery, most people do not know that New York was the third largest slave port in the country. They think slavery is something totally associated with the south. Unfortunately, that is not the case. There are many streets in Brooklyn named after great slave owners and slave holders, and New York City's early days, when they cleared the forests and built the area from the downtown waterfront upward to Central Park, all of that was done by slave labor. We recently unearthed a burial ground in the building of the Federal building which documented that fact very well.

So there is a whole lot of history that needs to be dealt with at the scholarly level, and all of it in my opinion is filled with the kinds of anecdotes and incidents and facts that should be communicated to the larger population. The larger population needs to know the history, and Mother Rosetta Gaston is one of the heroines of the movement to popularize African American history.

I hope that we will not never fall into the trap of being snobbish and elitist to the point of wanting to get rid of African American History Month.

Mrs. JONES of Ohio. Mr. Speaker, reclaiming my time, I would like to thank my colleague from the great State of New York (Mr. OWENS) for his comments; and at this time I yield to the gentlewoman from the State of Texas, my colleague, Representative SHEILA JACKSON-LEE.

□ 1915

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentlewoman from Cleveland, Ohio (Mrs. JONES) for yielding. I thank her for her initiative and for the history of what she brings to this place.

Needless to say that the gentlewoman from Ohio (Mrs. JONES) will be making her own history, but I know that she is gratified by the fact that

her predecessor served so ably in this House and as well creates his page in African American history.

That is why I would say that this is such an important special order, because I want to pick up on the theme of my friend, the gentleman from New York (Mr. OWENS). I heard his last words saying that is why we should not engage in debate on the question of whether or not we should have commemoration of African American history.

I think that is an important discussion because, as I understand it, there are several movements around the country where people are rising to express their opposition to months that commemorate Hispanic heritage month or Asian heritage month or black history month, because they say we are one America.

I believe that we can all sing from the same page, but we are tenors and altos and sopranos. We are bass and, therefore, to eliminate the celebration of African American history is, of course, to eliminate the very infrastructure of a nation.

I rise today to thank Carter G. Woodson for his vision. I rise today to acknowledge that we first came to this Nation, African Americans, in the bottom of a belly of a slave boat. Having read extensively the Constitution over the past 13 months, we also were three-fifths of a person when the Constitution was written. So we find that our history is worn but it is wrapped up in challenges. It is wrapped up in people overcoming obstacles.

I think that there is every reason to continue to commemorate. It is important that we acknowledge the most recent of episodes in our history: *Brown v. Board of Education*, *Sweatt v. Painter*, the Civil Rights Act of 1964, the Voter Rights Act of 1965, landmark decisions all based upon the advocacy and the energy and the excitement of African American warriors and African American challengers to the system.

They used vehicles that were not weapons of war but they were weapons of words. They were similar to the words of why a caged bird sings with Maya Angelou recalling her graduation ceremony in Stamps, Arkansas, the students sang "Lift Every Voice and Sing" the song that has become to be known as the Negro national anthem.

Her expressions were such to give to America the understanding of why those of us of African American heritage are, one, perceived as a caged bird but yet, in being caged, we sung out for freedom and for justice.

It is important that we claim our history and it is important, although we recognize that we have come from different perspectives and that America is one Nation, that it is still very valuable that we talk about being a mosaic.

As I close, let me, Madam Speaker, say just a moment of tribute to home, to Houston, Texas, for there are, again, African leaders, African Americans

who have accepted the call, the challenge, to not be turned away by the inequities in the law and the injustices, the segregation, the discrimination, but to stand up. Moses Leroy, one of the first fighters for workers' rights; Luella Harrison, a premier teacher who taught young African American students that they could be anything they desired to be as long as they sought to achieve; Hattie Mae White, the first member of the school board; Erma Leroy; Zollie Scales, who taught us what politics was all about, claiming your constitutional rights; Mack Hannah, our first banker; Reverend Jack Yates, who a school was named after and who a whole community, Freedomstown, was part of; Mickey Leland; Dr. John B. Coleman, a doctor who not only nurtured our sickness but also our community; and finally Dr. C. Anderson Davis, who has founded the emancipation organization that for over the years has helped us understand the emancipation proclamation; Juneteenth, where Texans learned about our freedom two years later.

Madam Speaker, let me thank the gentlewoman from Ohio (Mrs. JONES) for giving me this opportunity but more importantly let me tip my hat, let me raise my hand, to all of those African Americans who gave to me the opportunity to stand here tonight and let me challenge America that the wrong message is to eliminate this day, this month, but that we should all live a commemoration of African American history in our lives.

Mrs. JONES of Ohio. Madam speaker, I would like to thank the gentlewoman from Texas (Ms. JACKSON-LEE) for her presentation.

Madam Speaker, I yield to the gentleman from the great State of Georgia (Mr. BISHOP).

Mr. BISHOP. Madam Speaker, let me thank the gentlewoman from Ohio (Mrs. JONES) for handling this special order and for her kindness and graciousness in yielding the time to me to speak at this very, very important time.

Madam Speaker, like many of our colleagues, I have been making talks about black history this month at schools, churches and civic organizations throughout my area of middle and south Georgia. It is an honor to participate. I believe that the goals Dr. Carter J. Woodson had in mind when he established this observance 73 years ago are indeed being fulfilled.

As a historian, he wanted to make American history as accurate and as complete as possible. As an African American who worked his way up from poverty to become a renowned teacher, a writer and a scholar, he wanted to give black people, particularly young people, a better sense of their heritage and a more hopeful vision of their future and the country's future.

Today, Americans everywhere recognize the contributions that African Americans have made in science, exploration, business, education, religion,

the arts, in politics and government, in entertainment and supports and the military and citizenship and in every field of endeavor that has made our country a beacon of freedom and opportunity throughout the world.

One example from my area of southwest Georgia, Thomasville, is Lieutenant Henry Flipper. Henry Flipper was born a slave, became the first African American to graduate from West Point. After serving with distinction as an officer in the legendary Buffalo Soldiers on the western frontier, he was falsely charged with the disappearance of commissary funds. He was found innocent of these charges but was nevertheless dismissed from the Army on a wrongful charge of conduct unbecoming an officer.

Others might have been defeated by this setback but Henry Flipper never lost his sense of duty and responsibility and he rose to great heights in the years that followed.

As a civilian, he was a pioneer in the oil industry, helped develop the railroad in the west and served as an inventor, surveyor, engineer, author and newspaper editor. He rose to positions of extraordinary influence in government, serving as an assistant to the Secretary of the Interior, a special agent to the U.S. Justice Department and as an advisor to Congress.

Just a few days ago, he was formally pardoned of all charges by President Clinton at a White House ceremony with many of his descendants in attendance. Today his statue can be found on the campus of West Point. A post office is named in his honor in the community where he was born in my district. Efforts are being made to issue a stamp with his portrait. He was truly a hero.

It was not his extraordinary accomplishments that made him such an inspiring figure. What made him special were the personal values and strengths that enabled him to overcome adversity time and time again and continue to live a highly productive life; qualities such as his remarkable courage and sense of discipline, personal dignity, duty, his fighting spirit and his unwavering faith in his country through all of the difficulties and injustices that he had to endure.

During his years at the military academy, Flipper experienced mistreatment and ostracism but he persevered and graduated as one of the academy's better students. In civilian life, he encountered a series of new challenges with the same skills and determination and the duty that characterized his career at West Point and in the military making historic contributions to our country's westward expansion.

In spite of his bitter experiences in the military, when Henry Flipper died in Atlanta in 1940 his death certificate listed the one occupation that he wished recorded: Retired Army officer.

America has produced many heroes. They come from all races, creeds and

colors. We find examples of great necessity among all people in the patchwork of cultures that has become the strongest, freest and most productive nation the world has ever known. Black history month gives us an opportunity to learn from their lives.

Mrs. JONES of Ohio. Madam Speaker, I would like to thank my colleague, the gentleman from the great State of Georgia (Mr. BISHOP) for his comments.

It is true that I stand here, and I say, on the shoulders of the great Congressman Louis Stokes of the 11th Congressional District of Ohio. I stand here bringing this special order, part of the tradition he began here in Congress.

I cannot recount in the few remaining minutes all the greatest of Congressman Louis Stokes but it is written in the annals of history. There are not many people who will retire from Congress that have a street named after them, a college technical building, a medical school building, a day care center, a library building, a recreational facility and his name plastered in the hearts and minds of all the people, not only of the State of Ohio but across this country.

I would end this special hour, Madam Speaker, with a poem. All of us have stood here and said we rise. I conclude with a poem by Maya Angelou that reads as follows, entitled, Still I Rise.

You may write me down in history with your bitter twisted lies. You may trod me in the very dirt but still like dust I'll rise.

Does my sassiness upset you? Why are you beset with gloom? 'Cause I walk like I've got oil wells pumping in my living room.

Just like moons and like suns, with the certainty of tides, just like hopes springing high, still I'll rise.

Did you want to see me broken? Bowed head and lowered eyes? Shoulders falling down like teardrops, weakened by my soulful cries.

Does my haughtiness offend you? Don't you take it awful hard 'cause I laugh like I've got gold mines digging in my own back yard.

You may shoot me with your words, you may cut me with your eyes, you may kill me with your hatefulness, but still, like air, I'll rise.

Does my sexiness upset you? Does it come as a surprise that I dance like I've got diamonds at the meeting of my thighs?

Out of the huts of history's shame, I rise. Up from a past that's rooted in pain, I rise. I'm a black ocean, leaping and wide, welling and swelling I bear the tide.

Leaving behind nights of terror and fear, I rise. Into a daybreak that's wondrously clear, I rise. Bringing the gifts that my ancestors gave, I am the dream and the hope of the slave. I rise. I rise. I rise.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in celebration of Black History Month.

This year's proclamation from the President for Black History Month is "Celebrating African-American Leadership Past and Present." My hometown of Dallas and homestate of Texas are fortunate to have many prominent African-American leaders of whom I would like to mention just a few.

Dallas Mayor Ron Kirk is a prime example of a successful African-American leader. He

was born in Austin where he lived until graduating from the University of Texas School of Law. He later worked in Washington, DC for United States Senator Lloyd Bentsen in the early 1980's. Kirk returned to Dallas to work for the City Attorney's office. In 1994 he was appointed by Governor Ann Richards to be the Secretary of State, prior to his election as Dallas Mayor. As the elected leader of Dallas, Mayor Kirk has effortlessly promoted the city's economic opportunities helping make it one of the nation's top business, tourist and convention centers in the country.

Not only has Mayor Kirk been a strong leader in the public sector, he has also been a tremendous volunteer having been awarded in 1992 the Volunteer of the Year Award from Big Brothers/Big Sisters.

Mayor Kirk has also been a strong proponent of celebrating the legacy of African-American leadership. Last year I worked with Mayor Kirk and the city of Dallas to secure a \$14,000 grant from the Corporation For National Service. This grant allowed the city to incorporate youth service into its very successful annual Martin Luther King celebration.

Another standout is singer Charley Pride, the first African-American to perform at the Grand Ole Opry. Through not a native Texan, he has made Dallas his home for the last 30 years. This three-time grammy award winner started his public career in the Negro American baseball league. He later went on to record such song hits as "Snakes Crawl at Night," "Does My Ring Hurt Your Finger" and "I Know One."

Currently, Pride resides in Dallas, Texas, where he is part owner of Cecca Productions.

Bessie Coleman, the first African-American to fly an airplane, was born in Atlanta, Texas in 1892. An exhibition flyer, Bessie earned her nickname "Queen Bess" as she appeared at air shows across the nation performing daring aerial acts with her plane. Rejected from American aviation schools, Coleman went to France to learn to fly where she became the first African-American female to earn an international pilot's license.

Madam Speaker, Texas is proud to have many other African-American leaders who have helped make Texas and especially Dallas world class. Many I have mentioned here before; the late Joseph Lockridge, A. Maceo Smith, George Allen Sr., Dr. Napoleon Lewis, Mrs. Juanita Craft, Clarence Laws, Roosevelt Johnson, the Rev. S.M. Wright and so many others. Without the determination, courage and talent of these individuals many African-American would not be able to achieve their dreams today. I salute the African-American leaders of our past and look forward to the success of the leaders of our future.

This is not to overlook a long string of African Americans who helped to make Texas and especially Dallas world class.

Mr. VISCLOSKY. Madam Speaker, it is with a great sense of honor that I rise to celebrate Black History Month. As we honor the great cultural and historic legacy that African-Americans have left to us and to future generations, we recognize that they led one of the greatest social transformations in the history of the United States: the civil rights movement of the 1950s and 1960s.

The civil rights movement was a period of enormous growth for our country and society. Great African-American leaders such as Dr. Martin Luther King, Jr., Malcolm X, Rosa

Parks and others forced us, as a nation, to search our souls and confront the forces of hate and ignorance that were splitting our society.

Today, we continue to confront the forces of hate and ignorance. The fact remains that much still needs to be done before true equality and racial harmony become a fact of life in this country. Now, more than ever, we need strong African-American leadership. We must have leaders who, like the leaders of the civil rights movement, are able to take action and inspire others to confront bigotry.

In the First Congressional District of Indiana, we are blessed with a number of outstanding African-American leaders. But there are 10 specific leaders that I want to recognize today for their devotion to public service and their ability to inspire future generations to achieve all that they can.

Suzette Raggs is the current Deputy Mayor of Gary. She is the first black woman appointed Deputy Mayor in the state of Indiana. She was appointed by Mayor Scott King in 1996. She is President of the Gary City Board of Public Works and Safety, the body that oversees all of the contractual agreements for the city. She is also Co-Chairman of the Harambee African Celebration in the Gary City Council Chambers as part of the Black History Month celebration. She currently sits on the Board of Redevelopment Commission for the Department of Redevelopment.

Sandra Jean Carr Irons has been the President of the Gary Teachers' Union, Local No. 4, since 1971. Her involvement in union activities has taken her all across the nation and the world. She has served in leadership positions with the American Federation of Teachers and the International Federation of Free Trade Unions. She has served on a number of state and local bodies, including the Gary Commission on the Status of Women and the State of Indiana Civil Rights Commission's Employment Advisory Committee. Prior to her service with the Gary Teachers' Union, she had been a mathematics teacher in the Gary Community School Corporation. She holds a B.S. Degree in Mathematics and Chemistry from Kentucky State College and a Masters Degree in Teaching Mathematics from Purdue University. She was also the Valedictorian of her high school class at Rosenwald High School in Harlan, Kentucky.

State Senator Earline Rogers of Gary, Indiana was first elected to the Indiana General Assembly as a State Representative in 1982, after two years as a member of the Gary City Council. In 1990, she became a member of the Indiana State Senate. During her tenure in the legislature, she has severed in several leadership positions and currently serves as Assistant Minority Floor Leader of the Democratic Caucus. As a retired teacher, Senator Rogers has taken a special interest in education reform and has co-authored many of the state's education bills. She is actively involved in many community organizations, including the National Association for the Advancement of Colored People, the Urban League, the Black Professional Women, the American Federal of Teachers, the Indiana State Teachers' Association, the National Council of Negro Women, the YWCA and the Hoosier Boys' Town.

Rudolph Clay is a 13-year member of the Lake County Board of Commissioners. In 1972, he was elected to the State Senate,

making him the first black state Senator from Northwest Indiana. During his stay in the State Senate, he earmarked \$100,000 in the state budget to recruit and hire minority state troopers. He was also elected to two terms as a member of the Lake County Council, beginning in 1978, and served as Council President. In 1984, he again broke barriers as the first black county recorder. As a member of the Board of Commissioners, he has instituted a major overhaul of the county's Affirmative Action policies and practices. Most recently, he was part of the Board that adopted the most comprehensive Equal Employment Opportunity Plan to date.

Bernard A. Carter was appointed to the position of Prosecuting Attorney of Lake County, Indiana, in December 1993 to fill the unexpired term of his predecessor. In May of 1994, he was elected to the position. Prior to being named Prosecutor, he served for three years as the presiding Judge of the Lake County Superior Court, County Division III. He was the first African-American Judge elected in the history of Lake County. Prior to his election, Carter served as a Lake County Deputy Prosecutor for six years. During that time, he successfully tried more than 80 important felony cases and was appointed Supervisor of the County court division of the Lake County Prosecutor's Office.

William A. Smith, Jr. is the Lake County Third District councilman and has held that seat since 1983. In 1999, his peers elected him Vice President of the Lake county council. A graduate of the Lincoln Service Academy in St. Louis, Missouri, Mr. Smith served for 20 years as a firefighter and 12 years as the Gary City Court Administrator. He currently serves as the Deputy Government Liaison for the Calumet Township Trustee's Office.

Lonnie Randolph is the current City Judge of East Chicago, Indiana. He was appointed to that position in August of 1998. He served as an Assistant States Attorney and a Deputy Prosecuting Attorney in Lake County before entering private practice for the past 17 years. In 1992, he was elected to the Indiana State Senate. In addition to his public service, he is involved with a number of community organizations including the East Chicago Lions Club, the East Chicago NAACP, the East Chicago Katherine Boys Club of America and the Hammond YMCA.

Morris W. Carter is the Recorder for Lake County, Indiana and is a former County Councilman. Educated through the Gary Community School system, he attended the Indiana University Northwest School of Public and Environmental Affairs. As a County Councilman, Mr. Carter served on as many as 25 boards and committees throughout Lake County. He has also served in administrative posts throughout city, township and county governments. Over the past 25 years, Mr. Carter has served as mentor for some of the most outstanding leaders in the Gary community and of his generation. Recently, he has devoted much of his time and energy to the Gary Accord and the local Commission on the Status of Black Males, where he serves as a board member.

Troy Montgomery is the current President of the Lake County Council. He has represented the citizens of Gary for seven years. He is also a 33-year employee of U.S. Steel corporation. A disabled veteran, he has been active in the United Steelworkers of America,

holding a number of leadership positions, including serving on the International Civil Rights Committee. He has also been active with the NAACP, serving as Chairman of the Gary Branch of the NAACP Labor and Industry Committee and as Chairman of the Indiana State Conference of Branches State Labor and Industry Committee.

Dharathula "Dolly" Millender is a former school librarian and Gary City Councilwoman. She is currently a member of the Board of Trustees for the Gary Community Schools. She is the author of several books for children, including Martin Luther King, Jr. which is published in both English and Norwegian. She has authored two other books on the childhood and young adulthood of Crispus Attucks and Louis Armstrong. She has also written Yesterday in Gary, a book about Gary's African-American heritage. She is the founder and Chief Executive Officer of the Gary Historical and Cultural Society. She is considered the Historian of Gary, Indiana, and frequently speaks to audiences of children, youths and people of all ages about the history of Gary and Lake County.

Madam Speaker, I ask you and my distinguished colleagues to join me in commending these outstanding African-American leaders and their efforts to build a better society for our country and the citizens of Northwest Indiana.

Mr. CONYERS. Madam Speaker, today I rise to lift up three extraordinary people who have contributed much the Civil Rights Era: Martin Luther King, Jr., John Coltrane and Nelson Mandela.

Dr. King was very much aware of the cultural impact of jazz on the civil rights struggle. He talked while he was in Berlin, Germany about how music is such a great unifying force, in particular jazz, that connects people and enhances cultural development of society. King went on to discuss how jazz evolved from the black churches gospel songs and hymns into a popular art form that has wide appeal across racial and ethnic lines. Coltrane was instrumental in insuring jazz's distinction as a National American treasure. Coltrane once said, "My goal . . . is to uplift people as much as I can, to inspire them to realize capacities for living meaningful lives." Through his boundless music, he like King and Mandela helped to break down the walls of prejudice and intolerance in our nation. Because of Coltrane, jazz has become the music that America is known for around the world. Jazz has such cultural significance that it crosses racial, ethnic, socio-economic, and geographic boundaries. The importance of music cannot be understated in the struggle for African-Americans in this country to gain rights of equality and fair treatment. Coltrane's musical genius acted to soothe the wounds after the harsh, brutal fight, acted as healing salve to bring both black and white, red and brown peoples together. It is Coltrane musical essence that still brings us together today.

President Nelson Mandela is the last name in this trinity that I would like to lift up. It was Mandela who endured 27 years of prison interment only to merge as the leader of the most feared, apartheid ruled, police state in the world. It was Mandela who, in his brilliance organized his people and all South Africans to move toward reconciliation and forgiveness. President Mandela was also acutely aware of the healing power of music to the soul. If you

ever listen to African music, to the congo drums, the singing, envision the women and men swaying with the beat, you can hear reminiscences of jazz, you can sense the cultural divide weakening, you can feel the healing in the music. We owe a great deal to King, Coltrane and Mandela and we profoundly thank them for their contribution to our lives.

Ms. LEE. Madam Speaker, I would like to take a moment to thank my colleagues, the gentleman from South Carolina, Mr. CLYBURN, chair of the Black Caucus, and the gentlewoman from Ohio, Ms. TUBBS JONES, for organizing this Black History month special order.

Today I join my colleagues in the Congressional Black Caucus, and our colleagues on both sides of the aisle as we acknowledge the contributions of African American women and men to the building and shaping of this nation.

What began as Negro History week in 1926, expanded to Black History month in 1976. Let me say that one month cannot capture in full the history of a people. It is important that we make efforts to incorporate the contributions and achievements of African Americans to this nation, year round.

As we mark the 1999 observance of Black History month, I do so keeping in mind this year's theme, "The Legacy of African American Leadership for the present and the future." The theme this year gives us an opportunity to draw strength and inspiration from the many African Americans who have gone before us. I would like to use this time to highlight the legacy of African American women's political involvement and participation.

The history of African American women's participation in American politics must recognize our involvement in traditional political acts, such as registering, voting, and holding office, but also those nontraditional activities in which we engaged long before we had access to the ballot. Because African American women are simultaneously members of the two groups that have suffered the nation's most blatant exclusions from politics, African American and women, our political behavior has been largely overlooked.

African American women organized slave revolts, established underground networks, and even sued for the right to be free. Public records reveal that many African American women were involved in the abolition movement and were active participants in the early women's rights movement. African American women's political activity has largely been directed towards altering our disadvantaged status as African Americans and women.

Because African American women have only recently been granted access to the political arena as voters and officeholders in significant numbers, there is a lack of information about them, and even less information about those actions that predated these roles.

Today, we look to African American women holding political office as a recent experience. The First African American women elected to state legislature took office in 1938, the first to sit on a federal bench in 1966, and the first elected to Congress in 1968.

This is the legacy that I follow. I am thrilled to stand here on the House floor as an American, as an African American, and as a woman member of Congress. I stand here as the 171st Woman, the 99th African American, and the 19th African American woman ever to have the privilege of serving in this body. I stand here today because of the legacy of those who have gone before me.

I stand here today because of those African American women who had the courage to be involved in electoral politics, and I stand here today to fulfill my role as an African American leader.

Again, Madam Speaker, I thank so much the gentlewoman from Ohio, and the gentleman from South Carolina for the opportunity to say these words.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REYES (at the request of Mr. GEPHARDT) for today and for the balance of the week on account of official business.

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 Mrs. JONES of Ohio) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Mr. DOOLEY of California, for 5 minutes, today.

Mr. SHOWS, for 5 minutes, today.

Mr. ROEMER, for 5 minutes, today.

Mr. MALONEY of Connecticut, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. FALEOMAVEGA, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. HOOLEY of Oregon, for 5 minutes, today.

(The following Members (at the request of Mr. NETHERCUTT) to revise and extend their remarks and include extraneous material:)

Mr. BALLENGER, for 5 minutes, today.

Mr. WELLER, for 5 minutes, today.

Mr. BEREUTER, for 5 minutes each, today and February 25.

Ms. PRYCE of Ohio, for 5 minutes, today.

Mr. JONES, for 5 minutes, March 1.

Mr. SCHAFFER, for 5 minutes, today.

ADJOURNMENT

Mrs. JONES. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 28 minutes p.m.) the House adjourned until tomorrow, Thursday, February 25, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

730. A letter from the Secretary of Defense, transmitting a report detailing the security

situation in the Taiwan Strait; to the Committee on International Relations.

731. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L-1011-385-1 Series Airplanes [Docket No. 98-NM-241-AD; Amendment 39-10994; AD 99-02-05] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

732. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0100 Series Airplanes [Docket No. 98-NM-250-AD; Amendment 39-10995; AD 99-02-06] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

733. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Robinson Helicopter Company (RHC) Model R22 Helicopters [Docket No. 98-SW-79-AD; Amendment 39-10991; AD 99-02-02] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

734. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Avions Pierre Robin Model R2160 Airplanes [Docket No. 98-CE-83-AD; Amendment 39-10971; AD 99-01-04] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

735. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes [Docket No. 96-NM-103-AD; Amendment 39-10992; AD 99-02-03] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

736. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendments to Restricted Areas 6302C, D and E; Fort Hood, TX [Airspace Docket No. 98-ASW-47] (RIN: 2120-AA66) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

737. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Federal Aviation Regulation No. 36, Development of Major Repair Data [Docket No. FAA-1998-4654; Amendment No. SFAR 36-7] (RIN: 2120-AG64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

738. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Golden Triangle Regional Airport, MS. [Airspace Docket No. 98-ASO-27] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

739. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes [Docket No. 98-NM-348-AD; Amendment 39-10988; AD 98-25-11 R1] (RIN: 2120-AA64) received August 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

740. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Rockland, ME [Airspace Docket No. 98-ANE-95] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the

Committee on Transportation and Infrastructure.

741. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Perryville, MO [Airspace Docket No. 99-ACE-1] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

742. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Grand Island, NE [Airspace Docket No. 99-ACE-2] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

743. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Riverton, WY [Airspace Docket No. 98-ANM-15] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

744. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Monroe, MI [Airspace Docket No. 98-AGL-55] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

745. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Norwalk, OH [Airspace Docket No. 98-AGL-58] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

746. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Fostoria, OH [Airspace Docket No. 98-AGL-57] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

747. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Sandusky, OH [Airspace Docket No. 98-AGL-59] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

748. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Bellevue, OH [Airspace Docket No. 98-AGL-60] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DIAZ-BALART: Committee on Rules. House Resolution 83. Resolution providing for consideration of the bill (H.R. 669) to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act (Rept. 106-30). Referred to the House Calendar.

Mr. GOODLING: Committee on Education and the Workforce. H.R. 221. A bill to amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products (Rept. 106-31). Referred

to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 603. A bill to amend title 49, United States Code, to clarify the application of the Act popularly known as the "Death on the High Seas Act" to aviation incidents (Rept. 106-32). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. WATTS of Oklahoma (for himself, Mr. DAVIS of Illinois, Mr. TALENT, Mr. CLYBURN, Mr. ARMEY, Mr. FROST, Mrs. FOWLER, Mr. ENGLISH, Mr. FORD, Ms. PRYCE of Ohio, Mr. KING of New York, Mr. LIPINSKI, Mrs. BONO, Mr. KOLBE, Mr. DELAY, Mrs. CHRISTIAN-CHRISTENSEN, Mrs. EMERSON, Mr. KNOLLENBERG, Mr. HAYWORTH, Mrs. CUBIN, Mr. HORN, Mr. HILL of Montana, Mr. WELDON of Florida, Mr. TERRY, Mr. SOUDER, Mr. BALLENGER, Mr. CHABOT, Mr. CHAMBLISS, Mr. WELLER, Mr. TANGREDO, Mr. SENSENBRENNER, Mr. NORWOOD, Mr. METCALF, Mr. DICKEY, Mr. GILLMOR, Mr. GREEN of Wisconsin, Mr. HULSHOF, Mr. LARGENT, Mr. SCARBOROUGH, Mr. PITTS, Mr. ROHR-ABACHER, Mr. BURR of North Carolina, Mr. EHLERS, Mr. BUYER, Mr. LATHAM, Mr. SIMPSON, Mr. MCCOLLUM, Mr. LATOURETTE, Mr. CUNNINGHAM, Mr. COOK, Mr. LEWIS of Kentucky, Mr. BLUNT, Mr. NEY, Mr. GARY MILLER of California, Mr. PICKERING, Mr. NETHERCUTT, Mr. MCHUGH, Ms. GRANGER, Mr. FORBES, Mrs. MYRICK, Mr. SHOWS, Mrs. KELLY, Mr. OWENS, Mr. THOMPSON of Mississippi, and Mr. COBURN):

H.R. 815. A bill to amend the Internal Revenue Code of 1986 to provide for the designation of renewal communities, to provide tax incentives relating to such communities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Banking and Financial Services, Commerce, and the Budget, 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. COX:

H.R. 816. A bill to require a parent who is delinquent in child support to include his unpaid obligation in gross income, and to allow custodial parents a bad debt deduction for unpaid child support payments; to the Committee on Ways and Means.

By Mr. EWING (for himself, Mr. MORAN of Kansas, Mr. BOEHNER, Mr. BARRETT of Nebraska, Mr. SMITH of Michigan, Mr. MINGE, Mr. LAHOOD, Mr. WELLER, and Mr. BERETTER):

H.R. 817. A bill to promote trade in United States agricultural commodities, livestock, and value-added products, and to prepare for future bilateral and multilateral trade negotiations; to the Committee on Ways and Means, and in addition to the Committees on International Relations, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TALENT (for himself, Ms. VELAZQUEZ, Mr. BAIRD, and Ms. SCHAKOWSKY):

H.R. 818. A bill to amend the Small Business Act to authorize a pilot program for the

implementation of disaster mitigation measures by small businesses; to the Committee on Small Business.

By Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. GILCHREST, and Mr. DEFAZIO):

H.R. 819. A bill to authorize appropriations for the Federal Maritime Commission for fiscal years 2000 and 2001; to the Committee on Transportation and Infrastructure.

By Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. GILCHREST, and Mr. DEFAZIO):

H.R. 820. A bill to authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 821. A bill to amend title XIX of the Social Security Act to require Medicaid coverage of disabled children, and individuals who became disabled as children, without regard to income or assets; to the Committee on Commerce.

By Mr. BAKER (for himself and Mr. KANJORSKI):

H.R. 822. A bill to modernize and improve the Federal Home Loan Bank System, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. BAKER:

H.R. 823. A bill to modernize and improve the financial services industry; 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 Mr. BARCIA:

H.R. 824. A bill expressing the sense of the Congress that the Government of Poland should address the claims of Polish-Americans whose homes and properties were wrongfully expropriated under Poland's former totalitarian government; to the Committee on International Relations.

By Mr. BEREUTER (for himself, Mr. LANTOS, Mr. ROYCE, Mr. BERMAN, Mr. MANZULLO, and Mr. FALEOMAVAEGA):

H.R. 825. A bill to set forth the policy of the United States with respect to Macau, and for other purposes; to the Committee on International Relations.

By Mr. DAVIS of Virginia (for himself, Mr. WATTS of Oklahoma, Mr. KING of New York, Mr. SNYDER, Mr. ABERCROMBIE, Mr. MORAN of Virginia, Mrs. MEEK of Florida, Mr. KUCINICH, Mrs. MINK of Hawaii, Mr. FROST, and Mr. MCNULTY):

H.R. 826. A bill to amend title 5, United States Code, to provide for appropriate overtime pay for National Weather Service forecasters performing essential services during severe weather events, and to limit Sunday premium pay for employees of the National Weather Service to hours of service actually performed on Sunday; to the Committee on Government Reform.

By Ms. DEGETTE (for herself, Mrs. MORELLA, Mr. WAXMAN, Mr. BROWN of Ohio, Mr. PALLONE, Mr. DEUTSCH, Mr. STUPAK, Mr. MARKEY, Mr. GREEN of Texas, Mr. STRICKLAND, Mrs. CAPPS, Mr. BARRETT of Wisconsin, Mr. TOWNS, Mr. BOUCHER, Mr. GORDON, Mr. KLINK, Mr. SAWYER, Mr. WYNN, Ms. MCCARTHY of Missouri, Mr. LUTHER, Ms. ESHOO, Mr. HALL of Texas, Mr. GILMAN, and Mr. ENGEL):

H.R. 827. A bill to amend titles XIX and XXI of the Social Security Act to improve the coverage of needy children under the State Children's Health Insurance Program (CHIP) and the Medicaid Program; to the Committee on Commerce.

By Mr. BARCIA (for himself, Mr. ROEMER, Mr. TERRY, Mr. FRANK of Massachusetts, Mr. NEY, Mr. MASCARA, Ms. MCCARTHY of Missouri, Mr. ALLEN, Mr. BALDACC, and Mr. DINGELL):

H.R. 828. A bill to amend the Federal Water Pollution Control Act to require that discharges from combined storm and sanitary sewers conform to the Combined Sewer Overflow Control Policy of the Environmental Protection Agency, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. DEGETTE:

H.R. 829. A bill to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes; to the Committee on Resources.

By Mr. DINGELL (for himself, Mr. BROWN of Ohio, Mr. STUPAK, Mr. PALLONE, Mr. WAXMAN, Mr. MARKEY, Mr. BOUCHER, Mr. GORDON, Mr. DEUTSCH, Mr. RUSH, Mr. KLINK, Mr. WYNN, Mr. GREEN of Texas, Ms. MCCARTHY of Missouri, Ms. DEGETTE, Mr. BARRETT of Wisconsin, Mrs. CAPPS, Mr. BONIOR, and Mr. SERRANO):

H.R. 830. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of food from foreign countries; to the Committee on Commerce.

By Ms. DUNN (for herself and Mr. DEFAZIO):

H.R. 831. A bill to amend the Incentive Grants for Local Delinquency Prevention Programs Act to authorize appropriations for fiscal years 2000 through 2005, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FRANK of Massachusetts (for himself, Mr. MOAKLEY, Mr. LEWIS of Georgia, Ms. PELOSI, Mr. MCDERMOTT, Mrs. EMERSON, Mr. DINGELL, Mr. FROST, Mr. INSLEE, Mr. MCGOVERN, Mr. BROWN of Ohio, Mr. REYES, Ms. DELAURO, Mr. ACKERMAN, Mr. RAHALL, Mr. FORD, Mr. NEAL of Massachusetts, Mr. BLAGOJEVICH, Mr. FILNER, Mr. BALDACC, Ms. LEE, Mrs. MINK of Hawaii, Mr. SHOWS, Mr. BOUCHER, Ms. HOOLEY of Oregon, Mr. COSTELLO, Mrs. JONES of Ohio, Mr. BISHOP, Mr. CROWLEY, Mr. WYNN, Mr. GREEN of Texas, Ms. RIVERS, Mr. RODRIGUEZ, Mr. UDALL of New Mexico, Mr. GORDON, Mr. FALEOMAVAEGA, Mr. ANDREWS, Mr. MCINTOSH, Mr. ROTHMAN, Mrs. MALONEY of New York, Ms. KILPATRICK, and Mrs. THURMAN):

H.R. 832. A bill to restore veterans tobacco-related illness benefits as in effect before the enactment of the Transportation Equity Act for the 21st Century; to the Committee on Veterans' Affairs, and in addition to the Committee on the Budget, 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. GEKAS (for himself, Mr. BOUCHER, Mr. MCCOLLUM, Mr. MORAN of Virginia, Mr. ARMEY, Mr. FROST, Mr. MENENDEZ, Ms. PRYCE of Ohio, Mrs. FOWLER, Mr. KENNEDY of Rhode Island, Mr. DREIER, Mr. CANADY of Florida, Mr. GOODLATTE, Mr. CHABOT, Mr. BRYANT, Mr. ROTHMAN, Mrs. BONO, Mr. ANDREWS, Mr. BAKER, Mr. BEREUTER, Mr. CUNNINGHAM, Mr. DOOLEY of California, Ms. DUNN, Ms. HOOLEY of Oregon, Mrs. KELLY, Mr. LARGENT, Mr. MALONEY of Connecticut, Mr. RILEY, Mr. ROEMER, Mr. SESSIONS, Mr. SMITH of Washington, Mrs. TAUSCHER, Ms. VELAZQUEZ, Mr.

WYNN, Mr. DAVIS of Virginia, Mr. DAVIS of Florida, and Mr. HALL of Texas):

H.R. 833. A bill to amend title 11 of the United States Code, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HEFLEY:

H.R. 834. A bill to extend the authorization for the National Historic Preservation Fund, and for other purposes; to the Committee on Resources.

By Mrs. JOHNSON of Connecticut (for herself, Mr. MATSUI, Mr. CRANE, Mr. COYNE, Mr. HOUGHTON, Mr. LEVIN, Mr. HERGER, Mr. CARDIN, Mr. CAMP, Mr. MCDERMOTT, Mr. RAMSTAD, Mr. LEWIS of Georgia, Mr. SAM JOHNSON of Texas, Mr. NEAL of Massachusetts, Ms. DUNN, Mr. JEFFERSON, Mr. PORTMAN, Mr. BECERRA, Mr. ENGLISH, Mrs. THURMAN, Mr. WATKINS, Mr. WELLER, Mr. HULSHOF, Mr. MCINNIS, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. ALLEN, Mr. BAIRD, Mr. BALDACC, Mr. BLAGOJEVICH, Mr. BOEHLERT, Mr. BONIOR, Mr. CAMPBELL, Mr. CHAMBLISS, Mr. COOK, Mr. COX, Mr. CUNNINGHAM, Mr. DAVIS of Florida, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTSCH, Mr. DIXON, Mr. DOOLEY of California, Mr. DREIER, Mr. EHLERS, Mr. EHRlich, Ms. ESHOO, Mr. ETHERIDGE, Mr. FALEOMAVAEGA, Mr. FARR of California, Mr. FILNER, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GEJDENSON, Mr. HALL of Texas, Mr. HOLT, Ms. HOOLEY of Oregon, Mr. INSLEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KIND of Wisconsin, Mr. KOLBE, Mr. KUYKENDALL, Mr. LARSON, Ms. LOFGREN, Mr. LUCAS of Oklahoma, Mr. LUTHER, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MARKEY, Ms. MCCARTHY of Missouri, Mr. MCKEON, Mr. METCALF, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. NEY, Mr. PALLONE, Ms. PELOSI, Mr. PETERSON of Pennsylvania, Mr. PICKERING, Mr. PRICE of North Carolina, Mr. ROEMER, Mr. ROGAN, Mr. SANDLIN, Mr. SAWYER, Mr. SHAYS, Mr. SHERMAN, Mr. SHOWS, Mr. SMITH of Washington, Mr. SNYDER, Ms. STABENOW, Mrs. TAUSCHER, Mr. TOWNS, Mr. UDALL of Colorado, Mr. WAXMAN, Mr. WELDON of Pennsylvania, Mr. WU, Mr. WYNN, Mr. WALDEN of Oregon, and Mr. VENTO):

H.R. 835. A bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit and to adjust the alternative incremental credit rates; to the Committee on Ways and Means.

By Mr. LUTHER (for himself and Mr. RAMSTAD):

H.R. 836. A bill to authorize the Consumer Product Safety Commission to issue a standard for bleach safety; to the Committee on Commerce.

By Mr. GEORGE MILLER of California (for himself, Ms. KAPTUR, Mr. STRICKLAND, Mr. OLVER, Mr. STARK, Ms. PELOSI, Ms. JACKSON-LEE of Texas, Mr. GREEN of Texas, Mr. BALDACC, Mr. DEFAZIO, Mrs. CLAYTON, Mr. LEWIS of Georgia, Mr. MCGOVERN, Ms. ESHOO, Mrs. CHRISTIAN-CHRISTENSEN, Ms. MILLENDER-MCDONALD, Mr. FARR of California, Mr. FILNER, Mr. FROST, Mr. SANDLIN, Mr. NADLER, Ms. WOOLSEY, and Mr. FORD):

H.R. 837. A bill to meet the mental health and substance abuse treatment needs of incarcerated children and youth; to the Committee on Education and the Workforce, and in addition to the Committees on Commerce, and 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. MORAN of Virginia (for himself, Mr. SALMON, Mr. SMITH of Washington, Mr. WOLF, Mrs. MALONEY of New York, Mr. CONYERS, and Mr. SHOWS):

H.R. 838. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for information technology training expenses paid or incurred by the employer, and for other purposes; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 839. A bill to direct the Administrator of the Environmental Protection Agency to carry out a pilot program for restoration of urban watersheds and community environments in the Anacostia River watershed, District of Columbia and Maryland, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE:

H.R. 840. A bill to amend the Immigration and Nationality Act to permit the admission to the United States of nonimmigrant students and visitors who are the spouses and children of United States permanent resident aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. PASTOR (for himself, Mr. STUMP, Mr. HAYWORTH, and Mr. KOLBE):

H.R. 841. A bill to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes; to the Committee on Resources.

By Mr. REGULA (for himself, Mr. LATOURETTE, Mr. CANADY of Florida, Ms. LOFGREN, Ms. ROS-LEHTINEN, Mr. MANZULLO, Mr. CUNNINGHAM, Mr. DOYLE, Mr. KLINK, Mr. NEY, Mr. SKELTON, Ms. KAPTUR, Mr. STRICKLAND, Mrs. THURMAN, Mr. ADERHOLT, Mr. WHITFIELD, Ms. DEGETTE, Mr. SHUSTER, Mr. SKEEN, Mr. MOLLOHAN, Mr. SOUDER, Mr. DEUTSCH, and Mr. SPRATT):

H.R. 842. A bill to amend the Tariff Act of 1930 to eliminate disincentives to fair trade conditions; to the Committee on Ways and Means.

By Ms. RIVERS:

H.R. 843. A bill to amend the Transportation Equity Act for the 21st Century to correct a high priority highway project for Ann Arbor, Michigan; to the Committee on Transportation and Infrastructure.

By Mr. SHAW (for himself, Mr. THOMAS, Mr. LEWIS of Georgia, Mr. ENGLISH, Mrs. THURMAN, Mr. SAM JOHNSON of Texas, Mr. FOLEY, Mr. WELLER, and Mr. CANADY of Florida):

H.R. 844. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain leasehold improvements; to the Committee on Ways and Means.

By Mrs. THURMAN (for herself, Mr. STARK, Mr. YOUNG of Florida, Mr. KUCINICH, Mr. WAXMAN, and Mr. DAVIS of Florida):

H.R. 845. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require a health insurance issuer to notify participants and

beneficiaries of impending termination of coverage resulting from the failure of a group health plan to pay premiums necessary to maintain coverage, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEYGAND (for himself, Mr. SHOWS, Mr. MCDERMOTT, Ms. WATERS, Mr. NEAL of Massachusetts, and Ms. SCHAKOWSKY):

H.R. 846. A bill to establish a child care provider scholarship program; to the Committee on Education and the Workforce.

By Mr. WEYGAND (for himself and Mr. SHOWS):

H.R. 847. A bill to amend the Internal Revenue Code of 1986 to make the dependent care tax credit refundable and to increase the amount of allowable dependent care expenses; to the Committee on Ways and Means.

By Mr. CUNNINGHAM (for himself, Mr. MURTHA, Mr. SWEENEY, Mr. GOODLATTE, Mr. STUMP, Mr. LATHAM, Mr. HILL of Montana, Mr. BACHUS, Mr. HERGER, Mr. YOUNG of Alaska, Mr. HYDE, Mr. CRAMER, Mr. WELDON of Pennsylvania, Mr. MCHUGH, Mr. BOEHLERT, Mr. GILMAN, Mr. REYNOLDS, Mr. HORN, Mr. GILLMOR, Mr. COX, Mr. LARGENT, Mr. DOYLE, Mr. RAHALL, Mr. PALLONE, Mr. WALSH, Mr. OXLEY, Mr. FRELINGHUYSEN, Mr. WALDEN of Oregon, Mr. SUNUNU, Mr. GIBBONS, Mr. METCALF, Mr. MENENDEZ, Mrs. CHENOWETH, Mr. BERUTER, Mr. PORTMAN, Mr. BRADY of Texas, Mr. BURR of North Carolina, Mr. SKEEN, Mrs. JOHNSON of Connecticut, Mr. DUNCAN, Mr. BLILEY, Mr. JENKINS, Mr. LATOURETTE, Mrs. FOWLER, Mr. GOODE, Mrs. BONO, Mr. HUNTER, Mr. KING of New York, Mr. NORWOOD, Mr. BALDACCIO, Mr. ROEMER, Ms. DANER, Ms. KAPTUR, Mr. SAXTON, Mr. BILIRAKIS, Mr. CONDIT, Mr. HOLDEN, Mr. MOAKLEY, Mr. WOLF, Mr. FRANKS of New Jersey, Mr. HANSEN, Mr. KINGSTON, Mr. BASS, Mr. RAMSTAD, Mr. WELLER, Mr. MCINTYRE, Mr. CHAMBLISS, Mr. HILLEARY, Mr. ENGLISH, Mr. KUYKENDALL, Mr. GREEN of Wisconsin, Mr. RYAN of Wisconsin, Mr. OSE, Mr. SHERWOOD, Mr. ROGAN, Mr. TERRY, Mr. HAYES, Mr. FLETCHER, Mr. DEMINT, Mr. TOOMEY, Mr. CROWLEY, Mr. JOHN, Mr. MASCARA, Mrs. THURMAN, Mr. KILDEE, Mr. BURTON of Indiana, Mr. LUCAS of Kentucky, Mr. ISTOOK, Mr. TANCREDO, Mrs. EMERSON, Mrs. CUBIN, Mr. NEY, Mr. PEASE, Mr. TAYLOR of North Carolina, Mr. NETHERCUTT, Mr. HINOJOSA, Mr. SHOWS, Ms. PRYCE of Ohio, Mr. KNOLLENBERG, Mr. REGULA, Mr. LEWIS of California, Mr. TAYLOR of Mississippi, Mr. McNULTY, Mr. MCGOVERN, Mr. BUYER, Mr. EVERETT, Mr. ARCHER, Mr. SPENCE, Mr. CRANE, Mr. EHRlich, Mr. COOK, Mr. TIAHRT, Mr. WATTS of Oklahoma, Mr. CALAHAN, Mr. QUINN, Mr. GREEN of Texas, Mr. HALL of Texas, Mr. COBLE, Mr. LINDER, Mr. EWING, Mr. WATKINS, Mr. BARTLETT of Maryland, Mr. CLEMENT, Mr. TURNER, Mr. SKELTON, Mr. RADANOVICH, Mr. REYES, Ms. GRANGER, Mrs. MYRICK, Mr. GOSS, Mr. SOUDER, Mr. PETERSON of Pennsylvania, Mr. BOYD, Mr. LAHOOD, Mr. COMBEST, Mr. STEARNS, Mr. GUTKNECHT, Mr. CAMP, Mr. DIAZ-BALART,

Mr. FOSSELLA, Mr. POMEROY, Mr. BARCIA, Mr. MCINTOSH, Mr. YOUNG of Florida, Mr. KANJORSKI, Mr. ROTHMAN, Mr. WHITFIELD, Mr. LOBIONDO, Mrs. KELLY, Mr. KASICH, Mr. HULSHOF, Mr. LUCAS of Oklahoma, Mr. SHIMKUS, Mr. SMITH of Washington, Mr. ORTIZ, Mr. SISISKY, Mr. STENHOLM, Mr. BONILLA, Mr. CALVERT, Mr. FROST, Mr. SALMON, Mr. BATEMAN, Mr. SMITH of New Jersey, Mr. BRYANT, Mr. SANFORD, Mr. RILEY, Mr. MALONEY of Connecticut, Mr. GANSKE, Mr. MCCREY, Mr. BAKER, Mr. FOLEY, Mr. BISHOP, Mr. COOKSEY, Mr. DEAL of Georgia, Mr. MCCOLLUM, Mr. HEFLEY, Mr. PITTS, Mr. BILBRAY, Mr. PASCRELL, Mr. DAVIS of Virginia, Mr. DOOLEY of California, Mr. TRAFICANT, Mr. FORBES, Ms. ROS-LEHTINEN, Mrs. ROUKEMA, Mr. CHABOT, Mr. MCKEON, Mr. SIMPSON, Mrs. MCCARTHY of New York, Mr. MCINNIS, Mr. GORDON, Mr. BARRETT of Nebraska, Mr. HOBSON, Mr. COBURN, Mr. HOSTETTLER, Mr. WYNN, Mr. WAMP, Mr. MOLLOHAN, Mr. TALENT, Mr. SENSENRENNER, Mr. BOEHNER, Mr. DELAY, Mr. JEFFERSON, Mr. BALLENGER, Mr. LEWIS of Kentucky, Mr. GRAHAM, Mr. GALLEGLY, Mr. GEKAS, Mr. CANNON, Mr. HASTINGS of Washington, Mr. WICKER, Mr. GOODLING, Mr. DICKEY, Mr. EDWARDS, Mr. WELDON of Florida, Mr. RODRIGUEZ, Mr. ROYCE, Mr. PACKARD, Mr. SCHAFER, Mr. MICA, Mr. CAMPBELL, Mr. POMBO, Mr. SHUSTER, Mr. MANZULLO, Mr. MILLER of Florida, Mr. JONES of North Carolina, Mr. PICKERING, Mr. BLUNT, Mr. LIPINSKI, Mr. WISE, Mr. SAM JOHNSON of Texas, Mr. LAMPSON, Ms. BIGGERT, Mr. SESSIONS, Mr. CANADY of Florida, Mr. THOMPSON of Mississippi, Mr. SMITH of Michigan, Mr. BARR of Georgia, Ms. SANCHEZ, Mr. THORNBERRY, Mr. SMITH of Texas, Mr. UPTON, Mr. DOOLITTLE, Mr. HUTCHINSON, Mr. TAUZIN, Mr. NUSSLE, Ms. STABENOW, Mr. RYUN of Kansas, Mr. BENTSEN, Mr. STRICKLAND, Mr. HAYWORTH, Ms. DUNN, Mr. PETERSON of Minnesota, Mr. ROGERS, Mr. PICKETT, Mr. THUNE, Mr. BROWN of Ohio, Mr. ETHERIDGE, Mr. HOUGHTON, Mr. TOWNS, Mr. COLLINS, and Mr. MORAN of Virginia):

H.J. Res. 33. A joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. HOYER, Mr. WOLF, Ms. SLAUGHTER, Mr. PORTER, Mr. CARDIN, Mr. SALMON, and Mr. MARKEY):

H. Con. Res. 37. Concurrent resolution concerning anti-Semitic statements made by members of the Duma of the Russian Federation; to the Committee on International Relations.

By Ms. WOOLSEY (for herself, Ms. RIVERS, Mr. GEORGE MILLER of California, Mr. HINCHEY, Mr. MCGOVERN, Mr. STARK, Mr. FALEOMAVAEGA, Mrs. MINK of Hawaii, Mr. MARKEY, Mr. TOWNS, Mr. FRANK of Massachusetts, Ms. KILPATRICK, Mr. DEFazio, Ms. ESHOO, Mr. WAXMAN, Mr. HILLIARD, Mr. FILNER, Mr. RUSH, Mr. TIERNEY, Ms. SLAUGHTER, Ms. MCKINNEY, and Mr. BLUMENAUER):

H. Res. 82. A resolution recognizing the security interests of the United States in furthering complete nuclear disarmament; to the Committee on International Relations.

PRIVATE BILLS AND
RESOLUTIONS

Under clause 3 of rule XII,

Mr. ISTOOK introduced A bill (H.R. 848) for the relief of Sepandan Farnia and Farbod Farnia; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 4: Mr. KASICH and Mr. BUYER.
 H.R. 44: Ms. KILPATRICK, Mrs. MINK of Hawaii, Mr. BEREUTER, Mr. LIPINSKI, Mr. ENGLISH, Mr. OBERSTAR, Mr. SNYDER, Mr. NEY, and Mr. BRYANT.
 H.R. 58: Mr. SHOWS and Mr. CRAMER.
 H.R. 65: Mr. BEREUTER, Mr. LIPINSKI, Mr. MICA, and Mr. BRYANT.
 H.R. 111: Mr. TAUZIN, Mr. DEUTSCH, Mr. WAMP, Mr. GREEN of Texas, Mr. DICKEY, Mr. TIERNEY, Mr. MCCOLLUM, Mr. EVANS, Mrs. CHENOWETH, Mr. DOYLE, Mr. HOSTETTLER, Mr. FARR of California, Mr. FOSSELLA, Mr. KANJORSKI, Mr. FROST, and Mr. BLUNT.
 H.R. 125: Mr. DAVIS of Illinois, Mr. BROWN of California, Mr. FROST, Mr. KILDEE, and Mr. RANGEL.
 H.R. 133: Mr. HYDE, Mr. GOODLING, Mr. PORTMAN, Mr. PETERSON of Pennsylvania, and Mr. NEY.
 H.R. 136: Mr. SHADEGG.
 H.R. 152: Mr. WATKINS, Mr. LUCAS of Oklahoma, and Mr. SMITH of Washington.
 H.R. 163: Mr. WAXMAN, Ms. MILLENDER-McDONALD, Mr. DOYLE, and Mr. INSLEE.
 H.R. 192: Mr. LINDER.
 H.R. 206: Mr. WEXLER, Mr. FRANK of Massachusetts, and Mr. INSLEE.
 H.R. 222: Mr. PHELPS.
 H.R. 237: Ms. DANNER, Mr. WHITFIELD, Mr. OXLEY, and Mr. SHOWS.
 H.R. 263: Mr. COYNE and Mr. WELLER.
 H.R. 303: Mr. BEREUTER, Mr. LIPINSKI, Mr. SMITH of Washington, and Mr. BRYANT.
 H.R. 318: Mr. YOUNG of Florida, Mr. HASTINGS of Florida, Mr. CANADY of Florida, and Mrs. FOWLER.
 H.R. 323: Ms. LOFGREN, Mr. SANDLIN, Mr. HOLT, Mr. BARRETT of Wisconsin, Mr. BILBRAY, Mr. CLYBURN, Mr. MCINNIS, Mr. GARY MILLER of California, Mr. GEORGE MILLER of California, Mrs. THURMAN, Mr. WELLER, and Mr. WOLF.
 H.R. 351: Mr. THORNBERRY, Mr. OXLEY, Mr. GORDON, Mr. WOLF, and Mr. ETHERIDGE.
 H.R. 352: Mr. DUNCAN, Mr. MCINTOSH, Mr. BARRETT of Nebraska, Mr. BAKER, Mr. HYDE, and Mr. LEACH.
 H.R. 354: Mr. BERMAN, Mr. FRANK of Massachusetts, Mrs. BONO, Mr. GOODLATTE, Mr.

CANADY of Florida, Mr. HALL of Ohio, and Mr. SHOWS.

H.R. 357: Mr. KUCINICH, Mr. FALEOMAVAEGA, Mr. DOOLEY of California, and Mr. THOMPSON of California.

H.R. 371: Mr. HOLDEN, Mr. DELAHUNT, Mr. ROHRBACHER, Ms. LOFGREN, Mr. MATSUI, Mr. WEYGAND, Mr. MEEHAN, Mr. OLVER, Mrs. MINK of Hawaii, Mr. CONDIT, Mr. GUTIERREZ, Mr. BURTON of Indiana, Mr. MINGE, Mr. RAMSTAD, Mr. McDERMOTT, Mr. KILDEE, Mr. ABERCROMBIE, Ms. WOOLSEY, Ms. BROWN of Florida, Ms. KILPATRICK, Mr. FRANK of Massachusetts, Mr. LANTOS, Mr. UNDERWOOD, Ms. WATERS, Mr. BLAGOJEVICH, Mr. CUNNINGHAM, Ms. LEE, Mr. GEKAS, Mr. FROST, Mr. HUTCHINSON, Mr. SOUDER, Mr. GEORGE MILLER of California, and Mr. KLECZKA.

H.R. 372: Mr. FATTAH.

H.R. 384: Mrs. TAUSCHER, Mrs. MALONEY of New York, Mr. DIXON, Mr. BONIOR, Mr. CLEMENT, Mr. MEEKS of New York, Mr. JACKSON of Illinois, and Mr. BURTON of Indiana.

H.R. 408: Mr. LATHAM, Mr. POMBO, Mr. SHOWS, Mr. UDALL of Colorado, Mr. BARCIA, Mr. COSTELLO, Mr. TIERNEY, Mr. JOHN, Mr. TURNER, Ms. LOFGREN, Mr. MICA, Mr. WAXMAN, Mr. CONDIT, Mr. THUNE, Mr. PASTOR, Mr. CRAMER, and Mr. PHELPS.

H.R. 409: Mr. HORN, Mr. TURNER, Mr. SUNUNU, Mr. WEYGAND, Mr. SHOWS, Mr. BAKER, and Mr. DAVIS of Florida.

H.R. 423: Ms. GRANGER.

H.R. 425: Mr. RAMSTAD.

H.R. 430: Mr. DELAY, Mr. DAVIS of Florida, Mr. MEEHAN, Mr. SWEENEY, Mr. GOODLATTE, and Mrs. CLAYTON.

H.R. 434: Mr. DELAY, Mr. DAVIS of Florida, and Mr. DOOLITTLE.

H.R. 448: Mrs. MYRICK, Mr. CALVERT, Mr. LATOURETTE, Mr. FOLEY, and Mr. BALLENGER.

H.R. 483: Mr. NADLER, Mr. WYNN, Mr. FORD, and Mr. MICA.

H.R. 500: Mr. CLEMENT.

H.R. 504: Mr. ENGLISH.

H.R. 506: Mr. HINOJOSA, Mr. KLECZKA, Mr. CAPUANO, Mr. MOAKLEY, Mr. NADLER, Mr. PETERSON of Minnesota, Mrs. TAUSCHER, Mr. JENKINS, Mr. LUTHER, Mr. GILMAN, Mr. GOODLING, and Mr. WHITFIELD.

H.R. 516: Mr. SCHAFFER and Mr. LINDER.

H.R. 548: Mr. LEWIS of California and Mr. REYES.

H.R. 555: Mr. LEWIS of Georgia and Mr. THOMPSON of Mississippi.

H.R. 557: Mr. HINCHEY, Ms. SLAUGHTER, and Mr. EHRLICH.

H.R. 566: Mr. SANDLIN, Mrs. LOWEY, and Mr. WU.

H.R. 571: Mr. HOSTETTLER.

H.R. 575: Mr. ISTOOK.

H.R. 576: Mr. REGULA, Mrs. THURMAN, and Mr. FORD.

H.R. 582: Mr. FRANK of Massachusetts and Mr. CUMMINGS.

H.R. 584: Mr. ROMERO-BARCELO, Mr. EHRLICH, and Mr. TRAFICANT.

H.R. 599: Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. EHLERS, Mr. FILNER, Mr. RUSH, Mr. SHOWS, and Mr. TOWNS.

H.R. 612: Mr. GEORGE MILLER of California, Ms. SLAUGHTER, Mr. LAMPSON, Mr. SHOWS, Mr. ROTHMAN, and Mr. ALLEN.

H.R. 623: Mr. STEARNS.

H.R. 640: Mr. ETHERIDGE.

H.R. 689: Mr. HAYWORTH and Mr. JEFFERSON.

H.R. 700: Mrs. FOWLER and Mr. MCGOVERN.

H.R. 716: Mr. GORDON, Mr. STARK, Mr. NORWOOD, Mr. HAYWORTH, Mr. RAMSTAD, and Mr. BONILLA.

H.R. 718: Mr. GOODLING, Ms. SLAUGHTER, Mr. MCGOVERN, Mr. BARRETT of Nebraska, and Mr. PHELPS.

H.R. 728: Mr. WATTS of Oklahoma and Mr. GOODE.

H.R. 732: Mr. GREENWOOD, Mr. STARK, Mr. KLECZKA, Mr. DELAHUNT, and Ms. BALDWIN.

H.R. 750: Mr. DOOLEY of California and Mr. CAMP.

H.R. 756: Mr. SWEENEY and Mr. TIAHRT.

H.R. 766: Mr. NETHERCUTT and Mr. SCHAFFER.

H.R. 767: Mr. NETHERCUTT and Mr. SCHAFFER.

H.R. 775: Mrs. MORELLA, Mr. SUNUNU, Mr. CUNNINGHAM, Mr. GOODE, Mrs. TAUSCHER, Mr. GOODLATTE, Ms. DUNN, Mr. RILEY, Mr. HALL of Texas, Mr. GALLEGLY, Mr. COOK, Mr. JOHN, Mr. CAMPBELL, Mr. HAYES, Mr. ROYCE, Mr. ROGAN, Mrs. BIGGERT, Mr. BURTON of Indiana, Mrs. FOWLER, Mr. CANNON, Mrs. MYRICK, Mr. NEY, Mr. RYUN of Kansas, Mr. HOBSON, Mr. WHITFIELD, Mrs. BONO, Mr. SENSENBRENNER, Mr. BLUNT, and Mr. CHABOT.

H.R. 783: Mr. McNULTY.

H.R. 800: Mr. KOLBE, Mr. BARTON of Texas, Mr. GREEN of Texas, Mr. MALONEY of Connecticut, and Mr. KUYKENDALL.

H.R. 808: Mr. ETHERIDGE, Mr. WATKINS, and Mr. GORDON.

H.J. Res. 1: Mr. LINDER, Mr. DOYLE, Mr. SWEENEY, and Mr. SHOWS.

H.J. Res. 9: Mr. LATOURETTE, Mr. STEARNS, Mr. WELLER, Mr. NEY, and Mr. SCHAFFER.

H.J. Res. 32: Mr. BURTON of Indiana.

H. Res. 35: Ms. VELAZQUEZ, Ms. SLAUGHTER, Mr. BROWN of California, Mr. MALONEY of Connecticut, Mr. STUPAK, Mr. MENENDEZ, Mr. HILLIARD, Mr. REYES, Mr. PHELPS, Mr. MARKEY, Mr. CROWLEY, Mr. STRICKLAND, Mr. TIERNEY, Mr. KENNEDY of Rhode Island, Mr. TRAFICANT, Mr. SHOWS, Ms. CARSON, Mr. BONIOR, Mrs. NAPOLITANO, Mr. MORAN of Virginia, Mr. HOEFFEL, Mr. RANGEL, Mr. LUTHER, Mr. SANDLIN, Mr. MATSUI, Mr. PALLONE, Mr. LEVIN, Mrs. JONES of Ohio, Mr. ORTIZ, Ms. BALDWIN, Mr. KUCINICH, Mr. WAXMAN, and Mr. THOMPSON of Mississippi.