

members on both sides who had to put up with the arguments coming forth from the pilots and from the carriers, and I know that that was no easy job listening to them repeatedly, and for the legislation that they developed along with the Members of the committee I strongly salute them.

So once again I say I support this bill enthusiastically, and I yield back the balance of my time.

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consume to simply echo the remarks of the ranking member, the gentleman from Illinois [Mr. LIPINSKI]. In fact, a few minutes ago I whispered to Dave Schaffer, our very fine staff director for the subcommittee, that I thought many people watching the discussion on the Child Pilot Safety Act and the Airline Pilot Hiring and Safety Act, these 2 bills, would not fully realize that if we had gone too far in either direction on either one of these bills, we could have turned either or both of these bills into something very, very controversial, and instead everyone has worked together in a very bipartisan and a very cordial fashion to fashion legislation that I think merits the support of all of our colleagues. And I, too, like Mr. LIPINSKI, want to thank the staff for some outstanding work on these two bills, and also thank once again the gentleman from Illinois [Mr. LIPINSKI] and the gentleman from Minnesota [Mr. OBERSTAR], and I urge passage of this bill.

Mr. TRAFICANT. Mr. Speaker, as a member of the Transportation and Infrastructure Subcommittee on Aviation, I rise in strong support of H.R. 3536.

Over the past 8 years, there have been eight commercial airplane crashes—all but one on small airlines. According to the National Transportation Safety Board, five of these crashes are attributable to pilot error. In at least four of these fatal accidents, the employing airline was not aware that the pilots had documented histories of poor performance with other airlines that had employed them.

One of these crashes occurred on December 13, 1994, when American Eagle flight 3379 on route from Greensboro, NC to Raleigh-Durham crashed four miles short of the runway while attempting an instrument controlled landing in poor weather conditions. Thirteen passengers and the two crew members were killed.

The pilot, Capt. Mike Hillis, was hired by American Eagle just 4 days after he was forced to quit by his previous employer because of poor piloting skills. American Eagle had no knowledge of his prior poor performance ratings.

One of the passengers who died on flight 3379 was William Gibson of Kernersville, NC. Mr. Gibson's mom, Mary Ann Gibson and his sister, Susan Gibson Berson, testified before the Aviation subcommittee last December. The Gibsons are residents of Warren, OH in my congressional district. Mary Ann's husband, Howard Gibson, passed away on January 20. Howard was also here when his wife testified. I can't think of a more fitting tribute to this beautiful family than to get this legislation enacted into law.

According to the NTSB, the probable cause of the American Eagle flight 3379 accident was pilot error. American Eagle failed to identify, document, monitor, and remedy deficiencies in pilot performance and training.

While the FAA requires airlines to conduct security checks of pilot applicants, there is no FAA requirement to verify flight experience, determine an applicant's safety/enforcement history, pilot training and performance in the pilot's previous position, or any criminal or driving history.

H.R. 3536 requires an airline to obtain the records of a pilot from the pilot's previous employer before hiring that pilot. The bill requires airlines to keep pilot records for up to 5 years, and allows pilots full access to their records and notice of whenever records are being provided. The bill also provides immunity to airlines unless the airline knowingly lies about the pilot's record.

I would like to note for the record that the airline pilots have raised some legitimate concerns about this bill. They argue that many pilot training records are subjective, and requiring record sharing and background checks will result in the sanitization of pilot records to protect pilots' careers. This, they argue, would have the effect of making the system less safe.

While I understand the pilots' concerns, I believe the bill before strikes a reasonable balance between safety and privacy. And the bill does directly address another concern the pilot's raised by requiring the FAA to issue a proposed rule within 18 months establishing minimum standards for pilot qualifications.

The airline pilots are right on target when they note that one way to address the safety issue is for the FAA to standardize and tighten pilot hiring standards.

I would also repeat that the bill allows pilots to sue airlines if an airline lied about a pilot. The bill also includes clear language safeguarding the privacy of pilot records.

On balance, this is a good bill and I urge all Members to support it.

Mr. LAZIO of New York. Mr. Speaker, I rise in strong support of the Airline Pilot Hiring and Safety Act, H.R. 3536, which we are considering today. This bill requires an airline to perform a background check on a pilot before that individual can be hired. It also requires the FAA to establish minimum standards for pilot qualifications, and work with the Department of Defense to determine if military pilot records should be available to civilian airlines seeking to hire former military pilots. Privacy safeguards are incorporated into the bill.

Without question, the vast majority of airline pilots are well-qualified individuals with impeccable records. Nevertheless, pilot error occurs and there have been accidents because the pilot's flying history was not known to the current employer. A tragic case in point was the American Eagle flight 3379 crash on December 13, 1994 near Raleigh-Durham Airport. This accident took the lives of the 15 people, including my Long Island constituent, Kelly Ciulla. The National Transportation Safety Board found that pilot error was the probable cause. Disturbingly, the pilot has a history of poor performance with errors similar to those that contributed to this crash and was forced to quit his previous job with another airline because of his poor piloting skills. However, American Eagle was not aware of the pilot's flight record because this information is not traditionally shared among the airlines.

Following investigations involving pilot error, the NTSB has repeatedly recommended that the Federal Aviation Administration require substantive background checks on pilot applicants, but the agency has failed to do so. The consequences have been tragic and needlessly so.

The airlines must know that their pilots are highly qualified, and the flying public deserves no less. At the request of Kelly Ciulla's mother, Maureen Ryan, I cosponsored a similar bill introduced by Congressman HEINEMAN in whose congressional district the flight 3379 crash occurred. H.R. 3536 before us today has evolved from the bill. Requiring pilot background checks is purely common sense and not without precedent in other industries. The railroads, trucking companies, defense contractors, and many school districts follow this practice when they hire an employee.

I commend the leadership for bringing this H.R. 3536 to the floor, and I urge my colleagues to support this long overdue legislation that will save lives.

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

The SPEAKER pro tempore (Mr. COBLE). The question is on the motion offered by the gentleman from Tennessee [Mr. DUNCAN] that the House suspend the rules and pass the bill, H.R. 3536, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

□ 1315

#### NATIONAL TRANSPORTATION SAFETY BOARD AMENDMENTS OF 1996

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3159) to amend title 49, United States Code, to authorize appropriations for fiscal years 1997, 1998, and 1999 for the National Transportation Safety Board, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3159

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Transportation Safety Board Amendments of 1996".

#### SEC. 2. TERMS OF OFFICE.

(a) IN GENERAL.—Section 1111(d) of title 49, United States Code, is amended by striking the third sentence and inserting the following: "The term of office of the Chairman shall be 4 years and the term of the Vice Chairman shall be 2 years."

(b) APPLICABILITY.—The amendment made by subsection (a) shall only apply to persons designated as Chairman of the National Transportation Safety Board after the date of the enactment of this Act.

#### SEC. 3. FOREIGN INVESTIGATIONS.

Section 1114 of title 49, United States Code, is amended—

(1) in subsection (a) by striking "(b) and (c)" and inserting "(b), (c), and (e)"; and

(2) by adding at the end the following:

"(e) FOREIGN INVESTIGATIONS.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, neither the Board, nor any agency receiving information from the Board, shall disclose records or information relating to its participation in foreign aircraft accident investigations; except that—

"(A) the Board shall release records pertaining to such an investigation when the country conducting the investigation issues its final report or 2 years following the date of the accident, whichever occurs first; and

"(B) the Board may disclose records and information when authorized to do so by the country conducting the investigation.

"(2) SAFETY RECOMMENDATIONS.—Nothing in this subsection shall restrict the Board at any time from referring to foreign accident investigation information in making safety recommendations."

#### SEC. 4. PROTECTION OF VOLUNTARY SUBMISSION OF INFORMATION.

Section 1114(b) of title 49, United States Code, is amended by adding at the end the following:

"(3) PROTECTION OF VOLUNTARY SUBMISSION OF INFORMATION.—Notwithstanding any other provision of law, neither the Board, nor any agency receiving information from the Board, shall disclose voluntarily provided safety-related information if that information is not related to the exercise of the Board's accident or incident investigation authority under this chapter and if the Board finds that the disclosure of the information would inhibit the voluntary provision of that type of information."

#### SEC. 5. TRAINING.

Section 1115 of title 49, United States Code, is amended by adding at the end the following:

"(d) TRAINING OF BOARD EMPLOYEES AND OTHERS.—The Board may conduct training of its employees in those subjects necessary for the proper performance of accident investigations. The Board may also authorize attendance at courses given under this subsection by other governmental personnel, personnel of foreign governments, and personnel from industry or otherwise who have a requirement for accident investigation training. The Board may require non-Board personnel to reimburse some or all of the training costs, and amounts so reimbursed shall be credited to the appropriation of the 'National Transportation Safety Board, Salaries and Expenses' as offsetting collections."

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Section 1118(a) of title 49, United States Code, is amended—

(1) by striking "and"; and

(2) by inserting before the period at the end of the first sentence the following: " , \$42,407,000 for fiscal year 1997, \$44,460,000 for fiscal year 1998, and \$45,040,000 for fiscal year 1999".

#### SEC. 7. REPORTS ON SAFETY RECOMMENDATIONS.

Section 1135(d) of title 49, United States Code, is amended—

(1) by striking "January 1" and inserting "January 31";

(2) by inserting "or any other officer of the Department of Transportation" after "to the Secretary"; and

(3) by inserting "or such officer's" after "the Secretary's".

The SPEAKER pro tempore (Mr. COBLE). Pursuant to the rule, the gentleman from Tennessee [Mr. DUNCAN] and the gentleman from Illinois [Mr. LIPINSKI] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Tennessee [Mr. DUNCAN].

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

Mr. Speaker, the Transportation and Infrastructure Committee, under the outstanding leadership of its chairman, Mr. SHUSTER, reported H.R. 3159 on May 9. The Aviation Subcommittee and the Railroad Subcommittee held a joint hearing on the needs and concerns of the National Transportation Safety Board on March 6.

I must say that I have been very impressed with the work of the NTSB under the leadership of Chairman Jim Hall.

The NTSB has responded extremely well to the recent airline tragedies involving ValuJet and TWA. The professionalism and dedication, in often very tough and demanding situations, should be heeded by several other Federal agencies and Departments.

H.R. 3159, authorizes appropriations for fiscal years 1997, 1998, and 1999 for the National Transportation Safety.

H.R. 3159 has six components that I will briefly outline. First, the typical NTSB reauthorization has been 3 years and this bill contains a 3-year reauthorization.

Second, for this current fiscal year, the committee had authorized \$45.1 million dollars, however the Appropriations Committee appropriated a level of \$38.8 million. Let me say that the authorization levels in this bill are not those that were reported in the original bill. They have been adjusted to reflect what the House has recently approved in this year's Department of Transportation appropriations bill, H.R. 3675. So, this bill authorizes \$42.4 million for fiscal year 1997, \$44.46 million for fiscal year 1998, and \$45.0 million for fiscal year 1999.

The first year's authorization represents a 9.3 percent increase from the fiscal year 1996 appropriated level, and it provides an adequate increase in the remaining 2 years, which results in a 6.2 percent increase between 1997 and 1999. I think these levels will allow the NTSB to adequately perform its mission.

Third, the bill extends the term of the NTSB chairman from 2-years to 4-years. NTSB argued that it has had rapid turnover in its chairmanship and that a 4-year term would promote leadership stability. Many other agency chairmen have terms of 4 years or more so we are not doing anything out of the ordinary here.

Fourth, we also have a provision in H.R. 3159 that would allow the NTSB to withhold foreign accident information. Currently, many foreign aviation authorities will not give accident information to the NTSB for fear that the Board will have to release it to the public under the Freedom of Information Act. As a result, Board employees must travel to foreign countries or embassies to review data. This is costly and inefficient. We correct this problem in our bill.

Fifth, we also give the NTSB authority to withhold voluntarily provided safety information. At this time, the NTSB learns of safety problems only after there has been an accident. A major initiative in the aviation community is to try to spot trends or unsafe practices before they cause an accident. This initiative could be accomplished by voluntarily sharing data among airlines and with the Government. However, many are reluctant to do this because they fear possible repercussions if the information was released.

Let me say that the Aviation Subcommittee recently held a hearing regarding protections for whistleblowers in the aviation industry. I think we will continue to look at this issue.

Sixth, and finally, H.R. 3159 allows the NTSB to charge a reasonable fee for courses given to non-Board members. The NTSB conducts safety-related classes and this provision will allow them to recoup some of its cost for conducting these classes.

So, we have a very fine bill which I feel very confident every Members of the House can support.

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

Mr. LIPINSKI. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I join the chairman in expressing my strong support for H.R. 3159, the National Transportation Safety Board Amendments of 1996. This legislation reauthorizes the NTSB for 3 years, and makes a number of changes requested by the NTSB to allow the Board to continue its excellent work.

As this bill moved through the Transportation and Infrastructure Committee, I repeatedly observed that the NTSB is probably the most respected Government entity in the United States. Since the committee reported this legislation, we have witnessed two devastating aircraft crashes that have focused the Nation's attention on the NTSB's work. In the most difficult of circumstances, the NTSB works with local, State, and Federal entities as well as with the families of accident victims. And the Board is not just involved in aviation—the NTSB leads investigations of accidents in every mode of transportation. As we discuss this reauthorization on the floor today, it is important for us to recognize the public service performed by the Board. They are a critical element of our national transportation system.

Mr. Speaker, as requested by the NTSB, H.R. 3159 extends the Chairman's term for future Chairmen from 2 years to 4 in an effort to promote leadership stability. It also enables the Board to fully participate in foreign investigations by providing protection from Freedom of Information Act requests for a 2-year period. Our intention is not to keep information from the public. Rather, the measure simply

enhances the NTSB's access to information that will lead to improvements in aviation safety.

The bill also encourages data sharing programs among the FAA, NTSB, and the aviation community by prohibiting the Board from disclosing voluntarily provided safety information. By sharing information before an accident occurs, we can save lives. The legislation establishes a framework which will enable this to occur.

Mr. Speaker, the legislation we are considering today contains higher funding levels than those contained in the introduced bill. This slightly higher authorization in the out years, along the lines of an amendment offered by Mr. OBERSTAR during committee markup, will enable the NTSB to increase its workforce by some 20 employees. In recent months, with the ValuJet crash in the Florida Everglades and the TWA crash last week off Long Island, it has become even clearer to me that the NTSB needs every resource it can get. I want to thank the ranking member of the committee, Mr. OBERSTAR, for his leadership on this issue, and both Chairman SHUSTER and Chairman DUNCAN for their willingness to work with us. The higher funding level makes this a better bill for the American people.

Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. OBERSTAR].

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

Mr. Speaker, I strongly support H.R. 3159, to reauthorize the National Transportation Safety Board. I appreciate the very thorough, complete explanations provided by the chairman of the committee, the gentleman from Tennessee [Mr. DUNCAN], and the ranking member, the gentleman from Illinois [Mr. LIPINSKI], on the details of this administration. I just want to address the issue about the NTSB, about which I have had such very deep and strong admiration for many years.

□ 1330

In the end we have worked it out. I am very appreciative of the consideration Chairman SHUSTER has given to this issue, the work that Chairman DUNCAN has done and the digging in of my good colleague from Illinois who has worked so hard to achieve the resolution that we came to in this legislation today that will increase the work force to 370 employees.

If ever there were a question about the value, the significance, the objectivity, and the meticulous workmanship of this small, effective agency, the National Transportation Safety Board, surely any concerns were put to rest by its work on the tragic ValuJet crash in Florida. Although we do not have as yet a probable cause, I am certain that the workmanlike job of the NTSB investigators, that the continuing meticulous metallurgical studies that are being done and other work will lead NTSB to a determination of probable

cause from which can come regulatory action to prevent such tragedies in the future.

We gather this afternoon in the aftermath of another unspeakable tragedy. Again we see the professionalism and the integrity of the NTSB managing the investigation of this tragic accident. We have come to rely upon NTSB as the front line of defense in aviation safety. They are the first ones who deal with the families of the victims of tragedies. They are the first ones on the scene with the expertise to sift through the wreckage and come to an understanding of how it came about, what caused it, and then what should be done to prevent future accidents. I have such enormous respect for all those who are the first on the scene who have to deal with the grisly results of a tragic accident. We should give them our total support. This legislation is a very strong move in the right direction.

I greatly appreciate again the work of Chairman DUNCAN, Ranking Member LIPINSKI, and our staff who on both sides of the aisle have worked together very hard to come to a resolution of issues so that we can bring to this body a truly bipartisan piece of legislation that must be enacted.

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

Mr. Speaker, let me say that I rise to once again thank our two outstanding ranking members, the gentleman from Minnesota [Mr. OBERSTAR], and the gentleman from Illinois [Mr. LIPINSKI]. All three of these bills that we have had on the floor today pertain to aviation safety. We just, of course, have been through two terrible tragedies with the ValuJet crash and the TWA crash. The sympathy of every Member of this body goes out to the family members of the victims of those tragedies. In fact I think on our subcommittee we see that tragedy closer up than almost any other Member of this body because we have heard in just recent weeks from the family members of some of these victims. I think that we are going to produce legislation in the next few weeks or months that will help improve the treatment of family members of victims of these tragedies and hopefully will produce legislation to make our airports even more secure.

These bills today, along with the legislation that we approved in March to reform the FAA, are the first major overhaul of our civil aviation law since 1958, a major step that we took if passed by the Senate. I think the members of the public should know that we are not sitting idly by, that the Members of this body are doing everything possible to make sure that our aviation system becomes even safer.

I think we should note that we have by far the safest aviation system in the world. We have had a little over 12,900 deaths in all U.S. aviation accidents combined since the Wright brothers' flight of 1903. Even one death is too many. We need to work constantly to

improve and make it better, especially with air passenger traffic going up as much as it is, and it is going to shoot way up in these next 10 years, possibly to as many as 1 billion passengers a year. So we have got a lot of work to do.

We should note that unfortunately as many people are killed on the highways in this Nation every 4 months as have been killed in all of these U.S. aviation accidents combined since the Wright brothers' flight. We have an aviation system that the world looks up to and that we should be proud of. We should reassure the flying public that our aviation system in this country is very, very safe, and we are going to do everything we can to make it safer. That is why we can all be so proud not only of our FAA reform legislation but of these bills today.

Mr. Speaker, I urge passage of this final bill, H.R. 3159.

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

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

Mr. Speaker, in conclusion I simply want to say that we have the safest airline system in the world. The gentleman from Minnesota, [Mr. OBERSTAR], Chairman DUNCAN, myself and all other members of the Subcommittee on Aviation of the Committee on Transportation and Infrastructure of the House of Representatives will do and have done everything we possibly can to continue to improve airline safety in this Nation. We are passing 3 bills today that deal with airline safety. There is much more to be done, but I am sure that we are up to the challenge. We will do it.

I want to say that Chairman DUNCAN is a man who I sincerely appreciate working with because he is very easy to work with, he is very understanding, and he is very committed to aviation safety and the improvement of aviation in this Nation and, quite frankly, in this world.

To have a man with the experience of the gentleman from Minnesota, [Mr. OBERSTAR] serving on this subcommittee and, of course, on the full committee has been of enormous help to myself and to Chairman DUNCAN. I want to state publicly I appreciate the work that both of those gentlemen have done in regard to aviation. I ask everyone's support of this bill for the National Transportation Safety Board, particularly because there is another great Tennessean that is the chairman of that board.

Tennessee has sent us outstanding public people: Davy Crockett, Sam Houston, Andrew Jackson, BOB CLEMENT, Jim Hall, and, the most outstanding of all, Chairman DUNCAN.

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

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

The SPEAKER pro tempore (Mr. COBLE). The question is on the motion

offered by the gentleman from Tennessee [Mr. DUNCAN] that the House suspend the rules and pass the bill, H.R. 3159, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

#### GENERAL LEAVE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on all three of the bills just considered, H.R. 3267, H.R. 3536, and H.R. 3159.

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

There was no objection.

#### CENSUS OF AGRICULTURE ACT OF 1996

Mr. COMBEST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3665) to transfer to the Secretary of Agriculture the authority to conduct the census of agriculture, as amended.

The Clerk read as follows:

H.R. 3665

*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 "Census of Agriculture Act of 1996".

#### SEC. 2. TRANSFER TO THE SECRETARY OF AGRICULTURE OF THE AUTHORITY TO CONDUCT THE CENSUS OF AGRICULTURE

(a) IN GENERAL.—Section 526 of the Revised Statutes (7 U.S.C. 2204) is amended by adding at the end the following:

"(c)(1) The Secretary shall, in 1998 and in every 5th year beginning after 1998, take a census of agriculture. In connection with each such census, the Secretary may conduct any survey or other data collection, and employ any sampling or other statistical method, that the Secretary determines is necessary and appropriate.

"(2) The data collected in each census taken under this subsection shall relate to the year immediately preceding the year in which the census is taken.

"(3) Any person who refuses or neglects to answer questions submitted to such person in connection with a census or survey under this subsection, or who answers any such questions falsely, shall be subject to section 221 of title 13, United States Code, to the same extent and in the same manner as if—

"(A) section 142 of such title 13 had remained in effect; and

"(B) the census or survey were a census or survey under such section 142, rather than under this subsection.

The failure or refusal on the part of any person to disclose such person's social security number in response to a request made in connection with any census or other activity under this subsection shall not be a violation under the preceding sentence.

"(4) Each census under this subsection shall include each State, and as may be de-

termined by the Secretary, the District of Columbia, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico, and any such other possessions and areas over which the United States exercises jurisdiction, control, or sovereignty. Inclusion of other areas over which the United States exercises jurisdiction, control, or sovereignty shall be subject to the concurrence of the Secretary of State.

"(5) The Secretary of Commerce may, upon written request of the Secretary of Agriculture, furnish any information collected under title 13, United States Code, which the Secretary of Agriculture considers necessary for the taking of a census or survey under this subsection. Any information so furnished may not be used for any purpose other than the statistical purposes for which it is supplied.

"(6) The Secretary of Agriculture shall, upon written request of the Secretary of Commerce, furnish any information collected in a census taken under this subsection which the Secretary of Commerce considers necessary for the taking of a census or survey under title 13, United States Code. Any information so furnished may not be used for any purpose other than the statistical purposes for which it is supplied.

"(7) Any rules or regulations necessary to carry out this subsection may be prescribed by—

"(A) the Secretary, to the extent that matters within the jurisdiction of the Secretary are involved; and

"(B) the Secretary of Commerce, to the extent that matters within the jurisdiction of the Secretary of Commerce are involved."

(b) CONFORMING AMENDMENTS.—Effective October 1, 1998—

(1) section 142 of title 13, United States Code, and the item relating to section 142 in the table of sections for chapter 5 of such title 13, are repealed; and

(2) section 343(a)(11)(F) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(11)(F)) is amended by inserting "or section 526(c) of the Revised Statutes (7 U.S.C. 2204(c)), as the case may be," before "except".

#### SEC. 3. PROVISIONS RELATING TO CONFIDENTIALITY OF INFORMATION.

(a) INFORMATION FURNISHED TO THE DEPARTMENT OF AGRICULTURE.—

(1) AUTHORITY TO FURNISH INFORMATION.—Section 9(a) of title 13, United States Code, is amended by striking "chapter 10 of this title—" and

(2) CONFIDENTIALITY OF INFORMATION.—Section 1770(d)(5) of the Food Security Act of 1985 (7 U.S.C. 2276(d)(5)) is amended to read as follows:

"(5) subsections (a) and (c) of section 526 of the Revised Statutes (7 U.S.C. 2204(a) and (c));"

(b) INFORMATION FURNISHED TO THE DEPARTMENT OF COMMERCE.—

(1) AUTHORITY TO FURNISH INFORMATION.—Section 1770 of the Food Security Act of 1985 is amended by adding at the end the following:

"(e) Nothing in this section shall be considered to prohibit any release of information under section 526(c)(6) of the Revised Statutes (7 U.S.C. 2204(c)(6))."

(2) CONFIDENTIALITY OF INFORMATION.—Information furnished under section 526(c)(6) of the Revised Statutes shall, for purposes of section 9 and 214 of title 13, United States Code, be treated as if it were information furnished under the provisions of such title 13.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. COMBEST] and the gen-

tleman from Texas [Mr. STENHOLM] each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. COMBEST].

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

Mr. Speaker, H.R. 3665 is a short bill—it simply transfers the authority to conduct the Census on Agriculture from the Secretary of Commerce to the Secretary of Agriculture and eliminates this authority from the Secretary of Commerce as of October 1, 1998.

This census authority change was one that the Senate wanted to include as part of the 1996 farm bill. However, we completed the farm bill conference before we on the House side had a chance to clear this change with the Government Reform Committee.

I, along with Chairman ROBERTS and all the other members of the Agriculture Committee, want to thank all the members and staff of the Government Reform Subcommittee on National Security, International Affairs, and Criminal Justice, Chairman ZELIFF and his ranking member, Mrs. THURMAN, for their help in accommodating this move—everyone worked very hard to get this bill put together very quickly.

In order to cope with the continuing move to streamline and downsize Federal agencies, it has become apparent that moving the authority to conduct the Census on Agriculture from Commerce to USDA makes sense, from both an administrative and cost-effective point of view. In fact, the fiscal year 1997 Agriculture appropriations bill has already shifted the \$17 million in funding for the Census on Agriculture to USDA, rather than the Department of Commerce.

By moving the authority to conduct the census over to USDA, it allows the Department of Commerce to free up the funds otherwise obligated for this census; eliminates the need for a specific line-item in the Commerce Department's appropriation; and locates the census at the agency with the biggest interest in the ag census, without precluding USDA from working with the Commerce Department on actually getting the work done.

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

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

Mr. Speaker, I rise today in support of H.R. 3665, the Census of Agriculture Act of 1996. I would simply like to reiterate to my colleagues what my colleague the gentleman from Texas [Mr. COMBEST] has already said, and that is that this bill does not change the definition of what constitutes a farm nor does it decrease the amount of funding available for other discretionary activities within the Department of Agriculture.

This legislation simply moves the administration of the ag census from the Bureau of the Census within Commerce to the Department of Agriculture. Secretary Glickman has indicated that he