



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143

WASHINGTON, MONDAY, SEPTEMBER 15, 1997

No. 122

House of Representatives

The House met at 12 noon and was called to order by the Speaker pro tempore [Mr. HASTINGS of Washington].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 15, 1997.

I hereby designate the Honorable DOC HASTINGS to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

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

*Let us pray using words from Psalm 107:
O give thanks to the Lord, for he is good;
For his steadfast love endures for ever;
Let the redeemed of the Lord say so,
whom he has redeemed from trouble
and gathered in from the lands,
from the east and from the west,
from the north and from the south.
Whoever is wise, let him give heed to these things;
Let all consider the steadfast love of the Lord.*

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Guam [Mr. UNDERWOOD] come forward and lead the House in the Pledge of Allegiance.

Mr. UNDERWOOD 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 concurrent resolution of the Senate of the following title:

S. Con. Res. 50. Concurrent resolution condemning in the strongest possible terms the bombing in Jerusalem on September 4, 1997.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

GOVERNOR WELD DESERVES A HEARING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa [Mr. LEACH] is recognized for 5 minutes.

Mr. LEACH. Mr. Speaker, while the House of Representatives does not have a role in the process of confirming individuals to high-level Government positions, I feel compelled to object today to Senate intransigence with regard to a particular nomination, both because of the significance of the nomination itself and because of the reflection it casts on Senate procedures and American politics.

First, with regard to the individual involved, it should be stressed that the President of the United States has designated a superbly qualified former Governor to be our Ambassador to Mexico. Bill Weld stands out for his in-

tegrity, his intelligence, and his distinguished public service. In selecting a Republican, the President has wisely determined to act in a bipartisan fashion. He is to be congratulated.

The irony that a Senate controlled by the same political party as a nominee has not even given Governor Weld the courtesy of a public hearing reveals an intolerant aspect of public discourse today. It is an embarrassment to the Republican Party and to the Congress.

In addition, the capacity of a single U.S. Senator to prevent a nomination from being considered underscores the need for the Senate to reform itself.

The Constitution posits within the Senate the power to confirm. The Founding Fathers carefully and prudently crafted this provision to ensure that highly qualified persons would occupy high offices. They did not devolve this power over nominations by the President to an individual Senator. Presidents, under the Constitution, are provided veto authority over legislation. Individual Senators were never provided such authority over nominations.

Indeed, the American Revolution was premised on the notion that democratic decisionmaking involving institutional checks and balances was preferable to kingly dictates and capricious decisions of a landed nobility. Governor Weld deserves a hearing. Senate procedures demand reform. The Constitution requires respect.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are cautioned not to urge action or inaction by the Senate during the confirmation process.

□ 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.



Printed on recycled paper containing 100% post consumer waste

H7265

FOREIGN AIR CARRIER FAMILY SUPPORT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, today I will introduce the Foreign Air Carrier Family Support Act which would require foreign air carriers to implement a disaster family assistance plan should an accident involving their carrier take place on American soil.

As many of my colleagues know, the accident involving Korean Air flight 801 has spurred the momentum for this legislation. Two hundred and twenty-eight individuals perished from that tragic episode, and countless friends and families have been affected by the loss of a loved one.

Various civil, military, and Federal personnel were involved in the search and rescue mission, as well as assisting family members on Guam and those who traveled from South Korea and the continental United States. Under the conditions at the time, all personnel contributed their time and energy to preserving life, searching for remains, and helping families cope with their grief.

However, I do point out that there were many criticisms made on behalf of family members regarding the search and rescue efforts as well as media involvement in the aftermath of the Korean Air crash. My legislation will aim to coordinate the complex procedures associated with an airline accident.

The foreign air carrier's clear delineation of responsibilities will clarify and streamline efforts when providing assistance to family members. This regulation is already required for our domestic airlines, as mandated in the passage of the Aviation Disaster Family Assistance Act of 1996. And, after close consultation with the Department of Transportation and the National Transportation Safety Board, I am ready to introduce the Foreign Air Carrier Family Support Act.

I am pleased that two of my colleagues have chosen to support me in this important matter. Representative JIMMY DUNCAN, chairman of the Subcommittee on Aviation, and Representative LIPINSKI, ranking member of the subcommittee, demonstrated their commitment to airline safety by electing to be original cosponsors of this legislation. I have also received support from the administration and Members of the Senate.

The overwhelming endorsement for this bill is not surprising. More and more of our own citizens take domestic and foreign air carriers to various destinations. We must work to ensure their safety as well as peace of mind.

The crash of Korean Air flight 801 demonstrated the need for this legislation. Although Korean Air did all that they could to assist victims' family members, their efforts could have been more efficient had a prearranged plan

been in effect. With prior arrangements there could have been greater coordination not only with family members but with NTSB officials and military personnel.

I encourage my colleagues to support the Foreign Air Carrier Family Assistance Act. This bipartisan legislation assures us that victims' family members of a foreign air carrier accident will not receive not merely sufficient assistance but efficient assistance as well.

COMPREHENSIVE APPROACH NEEDED IN EDUCATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes as the designee of the minority leader.

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

Mr. OWENS. Mr. Speaker, we are already in the process of debating the Labor, Health and Human Services, and Education appropriation. We have spent most of last week on that debate, and that debate will continue tomorrow. I think it is very interesting some of the kinds of amendments that have been introduced with respect to using funds from other places to assist various programs in education.

While I am all in favor of increased funding for education, I did not support amendments that sought to take funds from Health and Human Services or to take funds from labor programs, programs related to working people. I think we should take this opportunity that has been presented to us. Education is now clearly on the minds of a lot of people, including the decision-makers in the 105th Congress.

We have listened to the common sense of the American people. They have clearly made education a high priority over a long period of time. Education as a priority has not gone away. Prior to the last election, there was a clear, highly visible concern about education which both parties responded to. We had a sudden increase of \$4 billion in funding for education just before the last elections in 1996, last year. That was an indication that both parties had gotten the message. They funded time honored programs, like Head Start got an increase and title I got an increase, and we had several other increases which were very much needed.

We are still in a situation where the public is demanding more, and rightly so, from elected officials at every level for education. They are demanding more of people at the local level and State level and here. We have an unprecedented window of opportunity to do something of great and lasting significance about educational reform in this country.

We can start our schools on the road to improvement, a road to improve-

ment which will have a continuum. It will not be a stop-and-start sort of situation, but it can be a road of steady improvement. But we cannot do that unless we understand that the window of opportunity that we have now requires a comprehensive approach to reform. It requires that we not vulcanize our attempts to improve education.

We understand that it is good to have so much concern at every level; all Members of Congress concerned, parents concerned, people in general concerned about education. That is wonderful.

It is also a fact of life that everybody in America who is an adult considers himself to be an expert in education. Everybody has their own set of pet theories about how education can be improved and what should be done. Everybody has their own theory and approach to instructions on how to raise kids and how to handle young people in the school system.

Lots and lots of people are involved in the process, and that is good. We should not try to turn that off. It is good that millions and millions of people care about education and they care about school reform.

□ 1215

I would like to, however, caution those of us who are in power to understand that although it is good to have everybody involved in the process, there is a danger that any one person who thinks he has the truth can do a great deal of harm if he also has a lot of power. Those who are concerned, who have a lot of power, who want to put their pet theories into practice can wreck the process, or certainly throw it off track for a long time.

Let me just use the story that we have heard repeated often about the blind men who were describing the elephant. Each blind man who felt a part of the elephant, the tail, the trunk, the leg, the body, each blind man who felt a part of the elephant proceeded to describe the elephant, and they felt they had the true situation, the true perception of the elephant. They described the elephant in terms of the parts they felt. They were blind, however. We cannot blame them. They were not lying. They were sincere. They really believed that, according to what they felt, they had a good description of the truth of what an elephant is.

We have millions of blind men and women, I am one, blind in different degrees, who are involved in trying to reform education and improve education. We should stop and think of ourselves as blind people groping to try to come to some kind of ongoing, continual improvement of education in America and have a little more humility. The blind men should understand that you cannot hand down the truth here, that education and reform, improving our schools, is as complicated as nuclear physics. It is more complicated than building an atom bomb or building a hydrogen bomb. It is more complicated