

GENERAL LEAVE

Mr. POMBO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1789, the bill just passed.

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

There was no objection.

CENSUS OF AGRICULTURE ACT OF 1997

Mr. GOODLATTE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2366) to transfer to the Secretary of Agriculture the authority to conduct the census of agriculture, and for other purposes.

The Clerk read as follows:

H.R. 2366

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 1997".

SEC. 2. AUTHORITY OF SECRETARY OF AGRICULTURE TO CONDUCT CENSUS OF AGRICULTURE.

(a) CENSUS OF AGRICULTURE REQUIRED.—In 1998 and every fifth year thereafter, the Secretary of Agriculture shall take a census of agriculture.

(b) METHODS.—In connection with the census, the Secretary may conduct any survey or other information collection, and employ any sampling or other statistical method, that the Secretary determines is appropriate.

(c) YEAR OF INFORMATION.—The information collected in each census taken under this section shall relate to the year immediately preceding the year in which the census is taken.

(d) ENFORCEMENT.—

(1) FRAUD.—A person over 18 years of age who willfully gives an answer that is false to a question, which is authorized by the Secretary to be submitted to the person in connection with a census under this section, shall be fined not more than \$500.

(2) REFUSAL OR NEGLECT TO ANSWER QUESTIONS.—A person over 18 years of age who refuses or willfully neglects to answer a question, which is authorized by the Secretary to be submitted to the person in connection with a census under this section, shall be fined not more than \$100.

(3) SOCIAL SECURITY NUMBER.—The failure or refusal of a person to disclose the person's social security number in response to a request made in connection with any census or other activity under this section shall not be a violation under this subsection.

(4) RELIGIOUS INFORMATION.—Notwithstanding any other provision of this section, no person shall be compelled to disclose information relative to the religious beliefs of the person or to membership of the person in a religious body.

(e) GEOGRAPHIC COVERAGE.—A census under this section shall include—

(1) each of the several States of the United States;

(2) as determined appropriate by the Secretary, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, and Guam; and

(3) with the concurrence of the Secretary and the Secretary of State, any other possession or area over which the United States exercises jurisdiction, control, or sovereignty.

(f) COOPERATION WITH SECRETARY OF COMMERCE.—

(1) INFORMATION PROVIDED TO SECRETARY OF AGRICULTURE.—On a written request by the Secretary of Agriculture, the Secretary of Commerce may provide to the Secretary of Agriculture any information collected under title 13, United States Code, that the Secretary of Agriculture considers necessary for the taking of a census or survey under this section.

(2) INFORMATION PROVIDED TO SECRETARY OF COMMERCE.—On a written request by the Secretary of Commerce, the Secretary of Agriculture may provide to the Secretary of Commerce any information collected in a census taken under this section that the Secretary of Commerce considers necessary for the taking of a census or survey under title 13, United States Code.

(3) CONFIDENTIALITY.—Information obtained under this subsection may not be used for any purpose other than the statistical purposes for which the information is supplied. For purposes of sections 9 and 214 of title 13, United States Code, any information provided under paragraph (2) shall be considered information furnished under the provisions of title 13, United States Code.

(g) REGULATIONS.—A regulation necessary to carry out this section may be promulgated by—

(1) the Secretary of Agriculture, to the extent that a matter under the jurisdiction of the Secretary is involved; and

(2) the Secretary of Commerce, to the extent that a matter under the jurisdiction of the Secretary of Commerce is involved."

SEC. 3. REPEAL OF SUPERSEDED PROVISION.

(a) REPEAL.—Section 142 of title 13, United States Code, is repealed.

(b) CLERICAL AMENDMENTS.—

(1) Subchapter II of chapter 5 of title 13, United States Code, is amended by striking the subchapter heading and inserting the following:

"SUBCHAPTER II—POPULATION, HOUSING, AND UNEMPLOYMENT".

(2) The analysis of chapter 5 of title 13, United States code, is amended—

(A) by striking the item relating to section 142; and

(B) by striking the item relating to the heading for subchapter II and inserting the following:

"SUBCHAPTER II—POPULATION, HOUSING, AND UNEMPLOYMENT".

(c) CROSS REFERENCE.—Section 343(a)(11)(F) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(11)(F)) is amended by striking "taken under section 142 of title 13, United States Code".

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect October 1, 1998.

SEC. 4. CONFIDENTIALITY OF INFORMATION.

(a) INFORMATION PROVIDED TO SECRETARY OF AGRICULTURE.—

(1) AUTHORITY TO PROVIDE INFORMATION.—Section 9(a) of title 13, United States Code, is amended by inserting after "chapter 10 of this title" the following: "or section 2(f) of the Census of Agriculture Act of 1997".

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

(A) by striking "or" at the end of paragraph (8);

(B) by striking the period at the end of paragraph (9) and inserting "; or"; and

(C) by adding at the end the following:

"(10) section 2 of the Census of Agriculture Act of 1997."

(b) INFORMATION PROVIDED TO THE SECRETARY OF COMMERCE.—Section 1770 of the

Food Security Act of 1985 (7 U.S.C. 2276) is amended by adding at the end the following:

"(e) INFORMATION PROVIDED TO SECRETARY OF COMMERCE.—This section shall not prohibit the release of information under section 2(f)(2) of the Census of Agriculture Act of 1997."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia [Mr. GOODLATTE] and the gentleman from Texas [Mr. STENHOLM] each will control 20 minutes.

The Chair recognizes the gentleman from Virginia [Mr. GOODLATTE].

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

Madam Speaker, H.R. 2366 is a short bill. It simply transfers the authority to conduct the census of 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. 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 of agriculture from the Census Bureau in the Commerce Department to the USDA makes sense from both an administrative and cost-effective point of view.

In fact, the fiscal years 1997 and 1998 agriculture appropriations bills have already shifted funding for the census of agriculture to the USDA rather than the Department of Commerce. By moving the authority to conduct the census over to the USDA, it allows the Department of Commerce to free up 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 information collected from the census, without precluding the U.S. Department of Agriculture from working with the Commerce Department on actually getting the work done.

Madam Speaker, I would like to acknowledge the assistance of the Department of Agriculture in producing this transfer, and I would also like to thank the Committee on Government Reform and Oversight for their cooperation in developing this legislation.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, H.R. 2366, the Census of Agriculture Act of 1997, is, as has been explained, legislation that would shift the authority to carry out a census of agriculture from the Commerce Department to the Department of Agriculture. Similar legislation, H.R. 3665, passed the House last year.

The interest in shifting the agriculture census from the Commerce Department to USDA has occurred because of budget pressures being felt by the Census Bureau, and USDA's interest in including the agriculture census

responsibilities with the data collection and dissemination which they already carry out. The Secretary of Agriculture has indicated that the National Agriculture Statistics Service, which is already responsible for gathering statistics in the agriculture arena, will be the agency charged with carrying out the agriculture census. I also expect the Secretary to utilize the other agencies within the Department who also have a field structure.

Last year's agriculture appropriation bill moved funding for the agriculture census from the Commerce Department to the USDA in order to ensure that no additional cost burden would be imposed on USDA by undertaking this task. Funding has also been included in the fiscal year 1998 agriculture appropriation bill.

As a final step, the Committee on Agriculture and the Committee on Government Reform and Oversight have agreed to legislative language that provides for the transfer of authority to carry out the agriculture census. Staff from both committees worked out language with the Census Bureau and USDA, and the result is H.R. 2366, which I introduced on July 31.

I am pleased that 16 of my colleagues have cosponsored the bill, which was reported out favorably by the full Committee on Agriculture on September 24. I would hope that my colleagues would support this effort to streamline reporting requirements on agricultural producers while saving the taxpayer several dollars.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia [Mr. GOODLATTE] that the House suspend the rules and pass the bill, H.R. 2366.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2366, the bill just passed.

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

There was no objection.

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AMENDING THE IMMIGRATION AND NATIONALITY ACT TO EXEMPT INTERNATIONALLY ADOPTED CHILDREN UNDER AGE 10 FROM IMMUNIZATION REQUIREMENT

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2464) to amend the Immigration and Nationality Act to exempt internationally adopted children under age 10 from the immunization requirement, as amended.

The Clerk read as follows:

H.R. 2464

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

SECTION 1. EXEMPTION FOR INTERNATIONALLY ADOPTED CHILDREN 10 YEARS OF AGE OR YOUNGER FROM IMMUNIZATION REQUIREMENT.

Section 212(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)) is amended—

(1) in subparagraph (A)(ii), by inserting "except as provided in subparagraph (C)," after "(ii)"; and

(2) by adding at the end the following:

"(C) EXCEPTION FROM IMMUNIZATION REQUIREMENT FOR ADOPTED CHILDREN 10 YEARS OF AGE OR YOUNGER.—Clause (ii) of subparagraph (A) shall not apply to a child who—

"(i) is 10 years of age or younger,

"(ii) is described in section 101(b)(1)(F), and

"(iii) is seeking an immigrant visa as an immediate relative under section 201(b),

if, prior to the admission of the child, an adoptive parent or prospective adoptive parent of the child, who has sponsored the child for admission as an immediate relative, has executed an affidavit stating that the parent is aware of the provisions of subparagraph (A)(ii) and will ensure that, within 30 days of the child's admission, or at the earliest time that is medically appropriate, the child will receive the vaccinations identified in such subparagraph."

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the rule, the gentleman from Texas [Mr. SMITH] and the gentleman from Massachusetts [Mr. DELAHUNT] each will control 20 minutes.

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

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I was pleased to support the efforts of the gentleman from Florida [Mr. MCCOLLUM] last year to include a vaccination requirement for all new immigrants in the Illegal Immigration Reform Act of 1996. This revision, section 341 of the 1996 act, is an important measure to protect the public health.

In recent months, adoptive parents have become concerned about whether implementation of the new vaccination requirements will compromise the health of their foreign-born adopted children. These parents have raised legitimate arguments that the administration of vaccines to their adopted or prospective adopted children should take place here in the United States.

We have every confidence that these parents will see to the immunization needs of their new children. The amendment made in committee will require parents to attest to their intention to fulfill the vaccination requirements in an appropriate time after their children have been admitted into the United States.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, when the 104th Congress amended the Immigration and Nationality Act in 1996, they unintentionally denied American parents who were adopting orphans from other countries the right to decide where their child would be vaccinated.

That amendment required applicants for immigrant status, including children who will be adopted by American parents, to present evidence of numerous vaccinations for diseases ranging from mumps to hepatitis B before they can be admitted to the United States. This, despite the fact that there has never been a single documented case of an adopted child from another country posing any public health risk.

This unintended consequence of the 1996 act has provoked major concerns among adoptive parents and for good reason. It is important to note that every year, American families adopt some 12,000 orphaned and abandoned children living in countries that cannot care for them. These adoptive parents and families endure innumerable bureaucratic obstacles and delays that frequently take many months or even years to overcome.

International adoption is an expensive process. It is time consuming and it is often frustrating and can certainly be an emotional roller coaster for many, many parents. I know from personal experience, as my younger daughter Kara came from Vietnam. The daughter of the gentleman from Louisiana [Mr. LIVINGSTON], came from Taiwan, and the gentleman from North Dakota [Mr. POMEROY] has a son and a daughter from Korea. I certainly want to acknowledge the help and support of these Members for this proposal before the Congress.

Madam Speaker, the new requirement that I referred to only serves to impede the process of intercountry adoptions and may very well create potential health risks to the children themselves.

I would simply ask a rhetorical question: Would any parent want to be required to rely on the medical care