

Millender-	Price (NC)	Strickland
McDonald	Quinn	Stupak
Miller, George	Rahall	Tanner
Minge	Rangel	Tauscher
Mink	Reyes	Taylor (MS)
Moakley	Rivers	Thompson (CA)
Mollohan	Rodriguez	Thompson (MS)
Moore	Roemer	Thurman
Moran (VA)	Rothman	Tierney
Morella	Roybal-Allard	Towns
Murtha	Rush	Trafficant
Nadler	Sabo	Turner
Napolitano	Sanchez	Udall (CO)
Neal	Sanders	Udall (NM)
Oberstar	Sandlin	Velazquez
Obey	Sawyer	Vento
Olver	Schakowsky	Visclosky
Ortiz	Scott	Waters
Owens	Serrano	Watt (NC)
Pallone	Sherman	Waxman
Pascarell	Sisisky	Weiner
Pastor	Skelton	Wexler
Paul	Slaughter	Weygand
Payne	Smith (WA)	Wise
Pelosi	Snyder	Woolsey
Peterson (MN)	Spratt	Wu
Phelps	Stabenow	Wynn
Pickett	Stark	
Pomeroy	Stenholm	

NOT VOTING—6

Davis (IL)	LaHood	Shows
Hastings (FL)	Lantos	Thomas

□ 1332

Mrs. NAPOLITANO, Mr. WYNN and Mr. COYNE changed their vote from "yea" to "nay."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. THOMAS. Mr. Speaker, on rollcall No. 85, I was inadvertently detained. Had I been present, I would have voted "yes."

Stated against:

Mr. SHOWS. Mr. Speaker, during rollcall vote No. 85 on the conference report on H. Con. Res. 68, I was unavoidably detained. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. LAHOOD. Mr. Speaker, I was unavoidably detained for rollcall votes 84 and 85. Had I been present, I would have voted "yes" on rollcall vote 84, H. Res. 137, and "yes" on rollcall 85, H. Con. Res. 68.

GENERAL LEAVE

Mr. SHAYS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the conference report on H. Con. Res. 68 just agreed to.

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

There was no objection.

LOCAL CENSUS QUALITY CHECK ACT

Mr. SESSIONS. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 138 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 138

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 472) to amend title 13, United States Code, to require the use of postcensus local review as part of each decennial census. The bill shall be considered as read for amendment. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform; (2) a further amendment printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII, if offered by Representative Maloney of New York or her designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) 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 Texas (Mr. FROST), pending which I yield myself such time as I may consume. During the consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 138 is a fair structured rule providing 1 hour of debate in the House divided equally between the chairman and ranking minority member of the Committee on Government Reform.

Mr. Speaker, upon adoption of the resolution, the amendment printed in the Committee on Rules report is considered adopted.

The rule also provides for the consideration of amendment numbered 1 printed in the CONGRESSIONAL RECORD if offered by the gentlewoman from New York (Mrs. MALONEY), or her designee, which shall be debatable for 1 hour equally divided and controlled between the proponent and the opponent.

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

Mr. Speaker, H.R. 472, the, Local Census Quality Check Act, builds on Republican efforts and fulfills our constitutional duties by carrying out a quality census that counts every single person. Post census local review was used effectively in 1990 to add 124,000 households to the nationwide count. By using the knowledge, list management and mapping skills of local authorities, post census local review improved the accuracy of the 1990 census. This improvement will increase exponentially with the 2000 census as advancements in information technology will allow local authorities to provide better information which includes adding people to the census at the exact location where they live.

Specifically, Mr. Speaker, this bill provides for a post census local review

which will allow local governments to review household counts, boundary maps and other data that the Secretary of Commerce considers appropriate in order to identify discrepancies in housing unit counts before they release the final count of the census. Additionally, the Secretary of Commerce would submit the appropriate block level maps and list of housing units to local governments for their review. The local authorities would then be given 45 days to review the census data and submit any challenges to that data. The Secretary would then investigate, correct any miscounts and notify local governments of any action or correction that was taken.

This is a commonsense piece of legislation that works. The results are not debatable. In 1990, post census review made for more accurate census counts.

Local groups across the political spectrum, including the National League of Cities, the National Association of Towns and Townships and the National Association of Developmental Organizations have endorsed this legislation because it works. It is a part of a process to count every single person in our country.

Mr. Speaker, I urge my colleagues to support this rule and the underlying legislation.

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

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

Mr. Speaker, appearances can be deceiving. At first blush H.R. 472, the Local Census Quality Check Act, appears to be a bill that will ensure a more accurate census count by enhancing local government participation in the 2000 census. But, Mr. Speaker, H.R. 472 is really a Trojan horse because it will, in fact, do nothing to enhance or ensure a more accurate count of Americans next year.

Let me tell our colleagues what it will do, Mr. Speaker. H.R. 472 will impose an operational field plan on the Census Bureau that will actually, according to the Director of the Census, decrease accuracy levels in the count. H.R. 472 will extend an already lengthy process by requiring a post census local review program very similar to the one conducted after the 1990 census. H.R. 472 would extend the period of the head count by nine weeks, which would effectively prevent the Census Bureau from scientifically determining how many people had been missed in the head count. If H.R. 472 were to be enacted, it would ensure that the Census Bureau would not have enough time to correct errors in the census to ensure that each and every American has been counted.

Mr. Speaker, such an outcome is totally unacceptable. H.R. 472 is unacceptable to Democrats because its real purpose is to prevent the Census Bureau from using the modern statistical methods that experts agree are the only way of conducting a census that

does not miss millions of Americans, particularly children, minorities and the urban and rural poor.

This is not a new fight, Mr. Speaker, but it is one that sets out quite clearly the differences between the Republican majority in Congress and the Democratic party. It is our unified and solid position that every single American counts and every single American should be counted.

It is as simple as that, Mr. Speaker. Yet my Republican colleagues have erected roadblocks, gone to court and drafted legislative impediments all designed to keep the Census Bureau from conducting the most accurate and complete census as possible.

The Republican National Committee and other Republican leaders fear that counting every American will damage their hold on political power, but let me close by offering my friends on the other side of the aisle some advice:

In the face of opposition from the experts, from a unified Democratic party and from local governments and civil rights groups around the country poorly disguised attempts to influence the outcome of the census do not reflect well on the Republican party. As I have said many times, ensuring that all Americans are counted in the census is not and should not be a partisan issue. I sincerely hope that my Republican colleagues will put away their partisan fears and join us in working to ensure that the 2000 Census counts every single American.

Mr. Speaker, I obviously oppose the bill, but I also oppose this rule. The Republican majority has seen fit to only make in order the amendment to be offered by the subcommittee ranking member, the gentlewoman from New York (Mrs. MALONEY), and then to only allow 1 hour of debate on this serious and substantive alternative to the Republican bill.

□ 1345

Given the magnitude of the issue, Mr. Speaker, this is a wholly inadequate rule. Therefore, it is my intention to oppose the previous question in order that the House might have the opportunity to consider an open rule with 2 hours of general debate. The time restrictions imposed by this rule do not give Members enough time to thoroughly debate this most important issue.

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

Mr. SESSIONS. Mr. Speaker, I yield 7 minutes to the gentleman from Florida (Mr. MILLER), who is the chairman of the Subcommittee on Census.

Mr. MILLER of Florida. Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS) for yielding me the time and I thank the Committee on Rules for bringing forth this rule which allows us to have a full debate on post-census local review and allows for the amendment by the ranking member.

Mr. Speaker, I am in support of the rule. I will be supporting the bill and opposing the amendment.

In less than 12 months we will be conducting the 2000 decennial census. We all share a common goal, everybody in this room and everybody in America should, that we want the most accurate census possible. It has to be a legal census and it should not be a political census.

The census is so fundamental to our Democratic system I call it the DNA of our democracy, because most elected officials in America are dependent upon the census. It affects the number of congressional seats each State receives. It affects the size and shape of our districts. It affects State representatives and State senators, their districts. It affects school boards, county commissions, city council members.

Essentially, most elected officials are going to be impacted by this because this is how we make sure there is equal and fair distribution of the political process in this country.

Unfortunately, the political process has been brought to bear on this census and that is too bad that the President has chosen to introduce politics into the census because we do not need a political census.

Since Thomas Jefferson conducted the first census, we have gone out and counted everybody. It is hard work and we as Republicans have been putting forth the ideas but also the money and resources to make sure we do get the best possible census.

The President has proposed originally a census where only 90 percent of the population is counted and uses sampling or polling techniques to come up with the balance. That was a very political process. The Census Bureau wasted a billion dollars and 6 or 7 years planning for this. We told the Census Bureau, we told the President, this is illegal and yet they continued in effect to spend this money, waste this money and prepare for an illegal census.

Finally, the Supreme Court ruled in January of this year that it was illegal. Six Federal judges had already ruled last year it was illegal, and now the Census Bureau is behind because they have been so concentrating on this 90 percent plan that unfortunately they are not as prepared as they should be today.

We all need to work toward getting that best, most accurate census possible. So now they have come up with a new plan, even though all the details have not been forthcoming yet, and the new plan is a two-number census. We will have one number that is approved by the Supreme Court and that will be a full enumeration as required by our Constitution, and then the President wants to adjust all those numbers, I mean all those numbers. There are census block numbers for all five or six million census blocks in this country. The President wants to adjust that and have an adjusted census.

So we will have the Supreme Court-approved census and we will have the Clinton-approved census. Wow. What a public policy disaster we are heading for with a two-number census.

The Census Bureau was right in arguing against it for the past several years. Now they flip-flopped and think the two-number census is a good idea. It is unfortunate because they want to use the second adjusted set of numbers for redistricting.

Well, I say today that it is going to be declared illegal again. It is going to go back to the courts, and the courts will say we are going to have to use the same number for apportionment that we use for redistricting. We cannot use two numbers for redistricting and apportionment. It will not work.

So now what do we do? We need to do the best job we can on a full enumeration. That is what is required by the Supreme Court. So we have proposed some ideas on how to improve on getting the most accurate and legal census possible.

The Census Bureau has come up with some good ideas on this census and I have to commend the Census Bureau for the innovations and ideas they have put forth for the 2000 census. They are doing things. For example, the address list was a major problem in 1990 and they are making a major effort getting the addresses as correct as possible. That is a good program.

We are going to go to paid advertising. I think that is important rather than relying just on the donated advertising by television. There will be census in the schools trying to get young people involved because young people are some of the ones that are most undercounted. There are a lot of ideas that are good. We have come up with some ideas too, and today we are going to debate one and that is post-census local review.

Now this is not a new idea. This was used in 1990 and it is simply to give local communities one last chance to look at the numbers before they become official because once they become official they are stuck with them for 10 years. It is hard for me to understand why someone would object to this. Again, it is not a new idea. It was used in 1990 and added about 125,000 people. Secretary Daley says that is not very many people. I say if it is a small community, every thousand people makes a difference. One hundred twenty-five thousand may not be a big deal in New York City or another city, but it is important that we allow communities to add people if they were mistakenly missed.

That is all this is about, giving one last chance to add people if they were missed and not included.

To assume that the Census Bureau does not make any mistakes is that trust-me attitude; trust me, I am from the Federal Government and I never make mistakes.

Well, there are mistakes made; not intentional mistakes. There are computer errors, and so all we want to do is give that opportunity. This is widely supported by elected officials. The National League of Cities is supporting it. The National Association of Towns and

Townships are supporting it. Planning organizations are supporting it, and we have heard from dozens and dozens of local officials that say we need this program because it gives us that one last chance to make sure there are no mistakes. That is all it is.

It improves accuracy and it improves trust in our census, and trust is something we need on this census because it has been politicized too much.

Mr. FROST. Mr. Speaker, I yield 6 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding me the time.

Mr. Speaker, I am deeply disturbed that the Committee on Rules did not issue an open rule on H.R. 472. Many of my colleagues have asked to speak on this bill and the limited time allowed by the committee will not allow for a full and open hearing on this bill.

As the majority has reported, there is not much business scheduled for the House this week. So far this week we have put in less than a day's work. The only reason to limit debate on this bill is to silence the opposition.

Mr. Speaker, this bill has not been carefully considered by either the Subcommittee on Census or the Committee on Government Reform. The only hearing on this legislation was held in conjunction with the markup on the bill. The administration was not invited to that hearing and I was out of the country as part of an official U.S. delegation to the International Conference on Population and Development.

An open rule would give all Members a better chance to evaluate the bill. Just yesterday, I met with the League of Cities and they still did not understand the full implications of H.R. 472. For example, they were not aware that the bill adds over 9 weeks to the census process.

I will offer an amendment to H.R. 472. I am committed to a fair and accurate census. As everyone should know, the errors in the 1990 census, according to a GAO report, misallocated billions of dollars to localities. If H.R. 472 passes and degrades the overall accuracy of the census 2000, as it will, then we will have an injustice as well as bad public policy for the next decade.

H.R. 472 calls for a post-census local review. The question is not whether or not we should have local review, of course we should, but whether we should do it in a way that improves overall accuracy.

What H.R. 472 does is make taking the census, the task of taking it, more difficult. It delays the time for correcting the census for persons missed and persons counted twice.

H.R. 472 requires the Census Bureau to repeat work that has already been done. Following the bipartisan direction from Congress, written in the Address List Correction Act of 1994, the Census Bureau has developed a pro-

gram to work with local governments to make sure they agree on the number of addresses within the Government's jurisdiction. If they cannot come to an agreement, there is an appeals process through the Office of Management and Budget.

So far, this program has covered 86 percent of the addresses in the United States. What H.R. 472 does is require that this work be done again. Those who are not familiar with the census believe that this post-census check will catch errors made in the census. In fact, it will not.

There is no reason for a second check on something that has not changed unless there is an ulterior motive.

There are two areas of concern raised by local governments that could legitimately be addressed by this bill. One is new construction and boundary checks. Between the time the census address list is finalized and census day, there will be some boundary changes and some new houses under construction will be finished.

My amendment calls on the Census Bureau to develop a program to address these legitimate concerns. It further calls for any new program to be coordinated with all the other activities that must go on for the census to be successful.

H.R. 472, as written, does not give the Census Bureau the latitude it needs to address these issues. In 1995, long before the 2000 census became a do or die issue for the Republican Party, the National Academy of Sciences issued a report called Modernizing the U.S. Census. This report was written in response to a bipartisan request from Congress.

The central conclusion of this report was, and I quote, "It is fruitless to continue trying to count every last person with traditional census methods of physical enumeration. Simply providing additional funds to enable the Census Bureau to carry out the 2000 census using traditional methods, as it has in previous censuses, will not lead to improved coverage or data quality."

The facts that led to that conclusion have not changed. H.R. 472 is seriously flawed and will ultimately make the census less accurate and make it impossible for the Census Bureau to meet the statutory deadlines of delivering apportionment counts on December 31, 2000, and final population counts on April 1, 2001.

I urge my colleagues to vote against this rule and the underlying bill.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. BLUNT), the assistant majority whip.

Mr. BLUNT. Mr. Speaker, I rise in support of the rule and of the legislation. This really is largely about whether we are going to have a one-number census or a two-number census and all of the things that surround that. How many Members of this body would want us to have a two-number election result and then decide after

the election what would have happened if somebody's speculation of what was going on on election day somehow could have been fulfilled?

□ 1400

How would we want to serve if we had not just the number that was certified as the actual count of the election, but if we had the number that was certified as somebody's idea of what might have happened if the election had been done in some scientific laboratory?

This is about counting people. This bill is about counting people in a way that involves local governments. It is about counting people in a way that involves the Census Bureau with local governments, because so much of what happens at the local level for a decade is determined by their numbers; not just how they are represented in this body, but how they are represented on their county council, how they are represented in their city council, how they are represented in the State legislature.

Missing a block, forgetting a thousand people or even a hundred people, can be a significant factor in all of those determinations. In the past, the Census Bureau has seen this as one of the important principles of coming up with an accurate number that stands the test of time, that local governments rely on for the better part of that decade.

I think this bill has been carefully considered. It is also the way the Census has been conducted. In fact, in 1990 the Census Bureau said that what is most important about this review is that local officials have an opportunity to review the maps and counts while the Census is still in progress. Possible errors identified and reported at this stage, according to the Census Bureau, are relatively easy to check and correct if necessary. Once this stage is passed, once the Census is finalized, once local governments have somehow not had this opportunity, it is awfully hard to come back and solve those problems.

The substitute today, the amendment today, would leave this up to the Secretary of Commerce, who has already said in writing that he is not supportive of this legislation, and it is questionable without his support, a post-Census review.

Of course we want to have a local review. Of course we want a Census that is the best possible. Of course we want to correct this process before it is finalized, not after it is finalized. That is what this bill does. It is what it does, creating the best cooperation between local officials and the Census Bureau. I support the legislation.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA).

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

Mr. Speaker, I rise to ask Members of this House to oppose this rule and oppose H.R. 472. To me it boils down to a

very simple question, do all Americans count. If we believe they count, then listen to some of the statistics from our last Census in 1990. More than 4 million people in this country were not counted. In my State of California, almost 1 million people did not get included in the 1990 Census.

In terms of dollars, that cost my State somewhere close to \$2.3 billion over these last 10 years. My city of Los Angeles, the second largest undercount of any State in the Nation to have occurred was in Los Angeles. Some 140,000 people in my city of Los Angeles did not get counted.

That cost the city of Los Angeles and its residents about \$120 million over the last 10 years: \$120 million of police officers, teachers, firefighters that were not put on the ground because we had an inaccurate Census for the entire Nation.

Mr. Speaker, the director of the Census Bureau, Mr. Ken Prewitt, has said that H.R. 472 will have "consequences for an orderly, timely, and accurate Census in 2000 that are just short of disastrous." He is saying that because we are tinkering with it in ways we do not need to.

If we are all concerned about having every American count, then let them be counted using the best, most modern, and expert methods available. If we believe all Americans count, then vote against the rule and vote against H.R. 472, because we do not need to go through the mistakes of 1990. We have the technical abilities, we have the modern technology to get the most accurate count possible. That would require that we oppose H.R. 472.

I urge all Members to vote against this rule and against H.R. 472.

Mr. SESSIONS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Ohio (Ms. PRYCE), one of my colleagues on the Committee on Rules.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman from Texas. I rise in support of this rule and the Local Census Quality Check Act. Simply, this legislation is designed to improve the accuracy of the Census by giving our local officials, who know their communities best, a chance to review census data before it is finalized.

Local review is not a new idea. It was used in 1990 with the support of Republicans and Democrats, and it succeeded in adding thousands of overlooked households to the Census Bureau's original count.

Local review is especially useful in fast-growing neighborhoods and communities, or ones that are being rebuilt after fires or natural disasters, where it is very possible that the Census Bureau will miss some new homes. In fact, this was the experience in 1990. And who better than the people living in the community to recognize oversights and errors in Census numbers?

I have to say that I find the objections to this bill very curious. My friends on the other side of the aisle claim they need statistical sampling to

make a guess about how many households may exist which the Census might miss. They support this method of estimation in the name of improved accuracy.

Yet, they reject a program that allows local officials to look at Census data and point to actual existing households with addresses where real people with names and faces live which do not appear on the Census Bureau's list. How can my colleagues argue that a system of adding invisible statistical households is preferable to adding real homes and people to the Census count?

Mr. Speaker, I will place in the RECORD a letter that I received from the Ohio Township Association, representing more than 1,300 townships, in support of H.R. 472.

The material referred to is as follows:

OHIO TOWNSHIP ASSOCIATION,
Columbus, OH, April 12, 1999.

Hon. DEBORAH PRYCE,
U.S. Congress,
Washington, DC.

DEAR REPRESENTATIVE PRYCE: On behalf of the Ohio Township Association, I am writing to express our support of H.R. 472. This legislation, as written, would provide a 45 day period of review to local governments of the Census 2000 figures.

Without this legislation, local governments would have no opportunity to review the Bureau of Census' count of their communities before the census data is finalized. Local governments must have a voice in the census process to ensure they are not undercounted. Local governments, especially townships, rely on the census to determine their eligibility for state and federal funding. Local leaders and planners use the census figures to choose the best location for building roads, hospitals, schools, libraries, playgrounds, day-care and senior citizen centers. Businesses use census numbers to determine the location of new housing, shopping centers, offices and factories. Most importantly, in the case of an emergency, census figures aid emergency and safety personnel's rescue efforts by telling them how many people live in a certain area. In light of last week's tornado and storms in Cincinnati, Ohio, this especially true.

Again, on behalf of the 1309 townships in Ohio, I urge you to support HR 472 without amendment. If you have any questions or if I may be of assistance to you and your staff, please do not hesitate to contact me.

Very truly yours,

MICHAEL H. COCHRAN,
Executive Director.

Mr. Speaker, some of my Democratic colleagues regret the fact that the local review process would be time-consuming and delay the Census Bureau's work. I would suggest to my colleagues that they look to the Census Bureau itself if they are concerned about delays. We are less than 12 months away from Census day, and the Bureau has failed to provide Congress with its estimated budget or its plan for conducting a legal count.

Mr. Speaker, any Member who is genuinely concerned about the accuracy of our Census should support this legislation. The Local Census Quality Check Act gives us one more tool to ensure that every American is counted, as the Constitution envisions. I urge a yes vote on both the rule and the underlying legislation.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

(Mr. KENNEDY of Rhode Island asked and was given permission to revise and extend his remarks.)

Mr. KENNEDY of Rhode Island. Mr. Speaker, I find it very curious that my colleagues on the other side of the aisle would make the argument that this is not political, that they say they do not want politics in this. Hello, everybody. This is the most political issue we will probably face in the next 2 years of this session, okay? This goes to who is going to control this House for the next 10 to 20 years.

So I do not want to hear my colleagues disingenuously represent this bill as simply about counting, because that is hogwash. The fact of the matter is the census is about who has got the money and who has got the power.

It should be very curious to the Republicans that the Congressional Black Caucus, that the Congressional Hispanic Caucus, that the Congressional Asian Pacific Caucus, all three of them, every minority caucus in this Congress, are against their sampling proposal and their Census proposal. Why? Because they say that in the effort to get accuracy, they want to delay the Census process. Well, delay equals death for accurate counting.

Mr. Speaker, this is about the heart of government. It is about the distribution of money and power. There is nothing more fundamental to this debate for the next 2 years than this Census. Bridges, roads, education, law enforcement, health care, all of that will be decided by how many people exist in each State and in each city across this country.

If we undercount people, and I have to say, traditionally, there is a reason why the Hispanic Caucus, there is a reason why the Black Caucus, and the minorities are against this, because minority people of color historically get undercounted.

If my colleagues would yield for a question, I would like to ask them to answer why they are delaying this process.

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

In response to my colleague, I would like for it also to be noted on the record that the Republican Black Caucus is 100 percent for this bill that we are supporting on the Floor.

Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, I thank the gentleman for yielding time to me.

When we mention the caucuses, the Hispanic Caucus, the Black Caucus, he is talking about Democratic members of those caucuses.

Mr. KENNEDY of Rhode Island. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Virginia. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I would ask the gentleman,

how many Members are members of the Republican Black Caucus?

Mr. DAVIS of Virginia. We have one.

Mr. KENNEDY of Rhode Island. How many do we have?

Mr. DAVIS of Virginia. They are all Democrats.

I thank the gentleman very much. My friend has made the point, he has tried to place color where politics is. He is the one who has said this is all about politics, not us.

What we are trying to do is assure a fair count for groups that have traditionally been undercounted. That is why this legislation moves from six languages that are included in the Census surveys to 33 languages, including braille, so that we can get at these hard-to-count populations that have traditionally been undercounted. If they can read the forms, if they can read them in their own language, they are much more likely to answer them.

Although it is only 1.3 percent of the population that are included in these additional languages, these are groups who have been traditionally undercounted that we are trying to get at. The 33 languages come from the Census department's own advisory committee, in terms of what these languages are. That is why we are increasing the advertising.

Mr. KENNEDY of Rhode Island. Mr. Speaker, if the gentleman will yield further, I am not arguing about the gentleman's efforts to make sure we count everyone accurately. My argument is with the delay. With their delay, they are effectively delaying the numbers being reported, which in essence means we cannot get an accurate count.

Mr. DAVIS of Virginia. Not at all.

Mr. Speaker, reclaiming my time, I think what is important to note here is we are allowing local governments to come in who feel they have been undercounted, to come in with a post-Census sampling and start adding their input into that process. So if they are being undercounted in their cities, if they are going to be punished if it comes to Federal aid or punished in redistricting, they will have an opportunity at that point to have their say before the final count goes forward.

That is fair to these localities, many of them that are traditionally undercounted. That is why we put more money for the advertising budget increases, that is why this legislation puts more enumerators in hard-to-count areas, that is why we have extended the census in the schools, and we have moved it up from 20 percent, which is what the administration offered, to 100 percent of the classrooms in America. Many times you reach the parents with the best count going through the classrooms and the kids in the schools.

That is why this legislation asks that AmeriCorps volunteers be empowered to help in hard-to-count areas, so we can get to a solid count. That is why the governments and the NGOs are

going to be given additional grants to assist in hard-to-count populations, and that is why this legislation allows Federal retirees, welfare recipients, not to be punished if we empower them and help them to get the most accurate count in history.

All of these are very, very important. It is ironic that people who claim they are being undercounted would oppose these measures.

On January 25 the Supreme Court ruled that sampling could not be used in the 2000 Census for purposes of reapportionment of the House of Representatives. But let me read what the Congressional Research Service report says.

It says, "A closer examination of the other parts of the court's opinion indicates that it did not interpret those other purposes as necessarily including at least interstate redistricting." That is why my friends on the other side of the aisle oppose this. They lost this at the Supreme Court level, and now they want to go for it with an illegal funding mechanism for the census.

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

I would point out to the previous speaker what happened at the Supreme Court level. There have been several misstatements on the other side. I assume those misstatements were not intentional.

What the Supreme Court did was to decide that a statistical adjustment could not be used for apportionment among the States. The Supreme Court specifically said that adjusted figures should be used for redistricting within States and for the allocation of Federal funds.

I have read the Supreme Court decision. The Supreme Court only spoke to the apportionment among the States, and that was a matter of construction of statutory law. They did not decide that on a constitutional basis.

Mr. Speaker, I yield 1½ minutes to the gentleman from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Speaker, a fair and accurate census is in the best interests of our Nation. I therefore rise in opposition to the rule and to H.R. 472. H.R. 472 is nothing more than an unnecessary delaying tactic to prevent the Census Bureau from using modern statistical methods, methods that the National Academy of Sciences and the National Academy of Statisticians have said are necessary to obtain an accurate count of the American people.

We must not let H.R. 472 repeat the mistakes of the past. The stakes are simply too high. In California, for example, as a result of the 1990 undercount, 835,000 Californians essentially became invisible. Half of those missed were Latinos, and tragically, over 40 percent were children.

□ 1415

Due to this undercount, the hard-working people of California lost \$2.2 billion in Federal funds for transpor-

tation, schools, housing, health services, and valuable programs over the past 10 years.

Mr. Speaker, counting every American is an issue of social justice. My Republican colleagues must put the interest of the country first and stop trying to micromanage the census. Let the experts at the Census Bureau do their job to ensure an accurate 2000 census. I ask my colleagues to defeat the rule and H.R. 472.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). The Chair would remind Members on both sides of the aisle who wish to engage in a dialogue with the Member under recognition that they must first gain the yielding of the Member under recognition before engaging in the dialogue.

Mr. SESSIONS. Mr. Speaker, may I inquire about the time remaining.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) has 10½ minutes remaining.

Mr. SESSIONS. Mr. Speaker, I yield 30 seconds to the gentleman from Virginia (Mr. DAVIS) to respond.

Mr. DAVIS of Virginia. Mr. Speaker, let me just say to the gentleman from Texas (Mr. FROST), I would hope that he would put in the RECORD the specific language he claims that would mandate that the intrastate redistricting is mandated to use these other numbers he talks about.

Looking at the nonpartisan Congressional Research Service, CRS-5, and I will ask unanimous consent that this report be put into the CONGRESSIONAL RECORD, they note that for the purpose of intrastate redistricting, "the Court's opinion indicates it did not interpret those other purposes as necessarily including, at least, intrastate redistricting. It refers to these other purposes, noting that the census serves as the 'linchpin of the federal statistical system by collecting data on the characteristic of individuals, households, and housing units'."

The document referred to is as follows:

RAMIFICATIONS AND REACTIONS

SAMPLING IN INTRASTATE REDISTRICTING

Almost immediately after the Supreme Court issued its decision, the opponents of sampling were claiming victory, but at the same time, the supporters of sampling were downplaying the impact of the decision, by emphasizing the narrowness of the holding. The Court held that the census statute prohibited the use of sampling for the apportionment of the House of Representatives, but declined to reach the constitutional question. The Court had even stated that section 195 required the use of sampling for purposes other than apportionment. Slip opinion at 23. The proponents of sampling viewed this as supporting the position that sampling techniques were not only permissible, but were required, in the taking of the census for the purposes of intrastate redistricting and federal funding allocations.⁴ However, a closer examination of other parts of the Court's opinion indicates that it did not interpret those other purposes as necessarily including, at least, intrastate redistricting. It refers to these other purposes,

⁴Footnotes at end of document.

noting that the census serves as the "linchpin of the federal statistical system by collecting data on the characteristics of individuals, households, and housing units throughout the country [cities omitted]." Slip opinion at 24.

As discussed above, Justice O'Connor based her standing analysis, at least in part, on the "expected effects of the use of sampling in the 2000 census on intrastate redistricting." Slip opinion at 14. Her discussion of these expected effects appears to indicate that the Court assumed that the federal decennial census figures for apportionment would be the figures used by the States for congressional redistricting and, in many cases, for state legislative redistricting. The Court seems to think that the references to the federal decennial census data in state legislative redistricting statutes and state constitutional provisions are references to the data for apportionment of the House of Representatives. Otherwise, the threatened injury to the plaintiffs would not be redressed by the Court's decision. Certainly, the position of sampling proponents, if officially adopted and carried out, would mean that the threatened injury to voters in state and local elections had not been eliminated by the Court's decision. The issue of redressability and the possibility of a two-number census was raised during oral argument.⁵ However, the analysis in this part of the Court's decision deals with standing and not with the merits, therefore, technically, the position of sampling proponents, that sampling in intrastate redistricting is required, is not inconsistent with the Court's holdings on the merits, but is arguably inconsistent with the apparent assumptions and larger scheme underlying the holdings.

FOOTNOTES

⁴Since the required taking of a traditional headcount for apportionment of the House of Representatives would make the non-response follow-up sampling moot, presumably any contemplated sampling for intrastate redistricting and funding allocation data would be similar in concept to the ICM for the undercount or the Post Enumeration Survey conducted after the 1990 Census.

⁵Oral Argument Transcript, found at 1998 WL 827383 on Westlaw (oral argument of Michael A. Carvin on behalf of the appellees in No. 98-564).

The SPEAKER pro tempore. The gentleman from Texas (Mr. FROST) has 13½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Speaker, I rise in opposition to this rule. I do that because I support achieving the most accurate census count, and H.R. 472, as written, will delay and destroy our chance to achieve the most accurate census count possible.

Mr. Speaker, an accurate census does matter. It affects our communities, our families, and our children. In fact, inaccurate figures cost the State of California \$2.2 billion in Federal aid during the 1990s.

It cost my district \$29 million in Federal aid by missing over 10,000 people in the 6th Congressional District of California. Ten thousand people were not counted. I happen to believe that every one of those 10,000, and 100 percent of the people nationwide, deserve to be counted and included in our census.

An inaccurate count costs all of our communities literally millions of dol-

lars for Federal highways, for child care, for foster care, for education, for aid to women and infants and children.

We cannot make the same mistakes with the 2000 census that we made with the 1990 census. Our democratic system demands fair representation for all constituents and all constituent groups. This can only be achieved through the most accurate census possible.

Fear is what really is stopping the opponents of an accurate census, fear that an accurate census will affect the political makeup of the House of Representatives. We should not play politics by blocking an accurate census. Vote "yes" on the Maloney substitute, "no" on the rule, and "no" on H.R. 472.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me this time, and I congratulate him on his superb management of this rule.

I rise in strong support of the rule. We have a very simple and basic goal here. It is to subscribe to those two words in the U.S. Constitution, "actual enumeration." In so doing, we want to make sure that every single American is counted.

I thought we had started to win this war on the issue of local control. We in a bipartisan way passed the Education Flexibility Act. What did it say? It said decisions would be made at the local level. What is it that H.R. 472 says? Basically the same thing it did back when the 1990 census was conducted. It said that there should be post-census local review. There should be some kind of local input for this process. Frankly, I believe that it is the most responsible thing to do. It is by far and away the most balanced thing.

I think organizations have recognized that. We have heard that we have got the National League of Cities, the National Association of Towns and Townships, the National Association of Developmental Organizations, I mean, they are supportive of this measure because it is fair and it is the right thing to do.

I know that some of my friends on the other side of the aisle have raised questions about this rule. I will tell my colleagues, I am looking at the gentlewoman from New York (Mrs. MALONEY), who reminded me yesterday that I had said to her last month when we had this hearing in the Committee on Rules that we wanted to make her amendment in order. In fact, that is exactly what we have done.

On March 18, I announced right here that we were in fact going to have preprinting. We have made with this rule every single amendment that has been submitted to the Committee on Rules over the last month in order. That basically consists of an amendment from our side by the gentleman from Florida (Mr. MILLER) and the amendment by the gentlewoman from

New York (Mrs. MALONEY). We had an interesting hearing on this issue upstairs. So we have in fact done exactly what it is that they requested.

We will have, if there is a recom-mittal motion, a grand total of 3 hours and 10 minutes of debate, including this debate which is taking place right here. So I think that we have moved ahead with this, with what is a very, very balanced, fair rule on this question. At the same time, we have given more than an adequate amount of time for debate and again have made every Democratic amendment in order that they requested.

So I urge my colleagues to, in light of that, support this rule.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wish I could believe in the sincerity of my colleagues on the other side of the aisle on this issue because, in fact, census should be a collaborative and bipartisan issue and response.

But when they cite H.R. 472, the same process that was used in 1990, let me tell my colleagues why I have a problem. That is because Texas lost \$1.87 billion in Federal funds, likely to lose \$2.8 billion in Federal funds with the same use of H.R. 472 now.

In 1990, it was estimated that 28,000 children in my district were missed, almost 5 percent of all African Americans and Hispanics were not counted in 1990. So for me it is a life and death matter in terms of ensuring that all of the people are counted but that the resources go back to the State.

The Census Bureau Director Kenneth Prewitt says that the H.R. 472 proposal that we are now discussing will disrupt the census and put it at risk.

This rule does not allow us to discuss fully at length how to resolve this problem. The National Academy of Sciences said we should have a Martin statistical method.

I am dealing with some of the largest cities in Texas who are opposed to H.R. 472, the City of Houston, the City of San Antonio, the City of Austin, the City of Laredo.

Local officials do not understand what we are doing to them. What we are doing to them is we are forcing them to have to take the time with meager resources and one's tax dollars to take in a long period of time to count numbers after we have counted it.

I do not believe those organizations who are supporting H.R. 472 know the financial burden that they are putting on local government. I served in local government. I served as a member of the city council. I can tell my colleagues right now, I would much rather provide for health services and sanitation services and environmental services than to sit around putting staff on

counting people that the Federal government can do.

Martin statistical sampling is what we need. We also need to follow H.R. 472, as amended by the amendment of the gentlewoman from New York (Mrs. MALONEY). It needs to be changed because what we have here is a burdening of local officials and a bad census and the denial of the count of the United States people, people in the United States.

I come today to oppose the modified closed rule for H.R. 471, the Local Census Quality Check Act of 1999. This modified closed rule impedes the amendment process that could improve this legislation.

The Census is one of the most significant civil rights issues, especially as we approach the 21st Century. For the year 2000 the Census must be accurate to ensure equal representation of all Americans.

This bill in its present form would not improve the accuracy of the census count. Instead it would repeat the method used in 1990 that increased the involvement of local governments by allowing them to review census housing units numbers.

The process used in the Census missed 8.4 million people, 4.4 million people were counted twice and 13 million people were counted in the wrong place.

Because of the undercount in 1990, Texas lost almost \$1.87 billion in federal funds. A recent article in The Houston Chronicle estimated that Texas could lose \$2.8 billion if a similar undercount takes place.

Children, people of color, and the rural and urban poor were most likely to have been missed. In my district in Houston, close to 500,000 people were missed.

It is estimated that 28,554 children in my district were missed. Almost 5 percent of all African-Americans and Hispanics were not counted in 1990, and these groups constitute almost half of the population of the city!

Although H.R. 472 purports to increase the involvement of local government in the census, it really acts to slow down and delay an accurate count. This bill repeats the ineffective program that was used in 1990, and it would delay the census by an additional nine weeks.

The Census Bureau plan already provides for review as the count occurs instead of after the fact. This is more efficient and it is a better use of resources.

The modified closed rule does not allow us to offer amendments that would actually make improvements in the counting methods.

Census undercounts translate into communities losing out on federal and state funding for schools, crime prevention, health care and transportation.

I urge my colleagues vote against this modified closed rule to support an open rule so that we may prevent an unnecessary delay in the census. The method advocated in this bill did not prevent an undercount in 1990, and we must not make the same mistake for the year 2000.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Speaker, I rise in support of the rule. I want to talk about some other communities, Litchfield, Illinois; Salem, Illinois; and Carlyle, Illinois, small rural America

who support H.R. 472 and the Local Census Quality Check Act.

I would like to share with the House some feedback I received from these communities and my constituents about the 2000 census. I am finding that the localities in my district are supporting our efforts to provide them about post-census review mechanism.

In fact, the Mayor of Litchfield, William Cornman, wrote me on March 24, 1999, and stated, "We feel that in order to have an accurate Census, we must reinstate the post-Census Local Review program. If a mistake is made with the oversight of subdivisions and newly annexed areas, the Census count is not accurate."

He continues, "We feel that we cannot properly evaluate the Bureau's Partnership Program as it relates to our community. Thus far, all that they have provided us is a bulging packet of information and very little direction."

I believe Mayor Cornman has made two critical points: one, that the local authorities cannot challenge and review the final census numbers, even if they are incorrect, and, two, the current Local Update of Census Addresses, the LUCA program, which my colleagues on the other side of the aisle praise, and the Census Bureau claims is working efficiently, appears in the eyes of my constituents as just a bulging packet of information and very little direction. Clearly, this is not a sign that we are on the road to an accurate census.

The City of Salem in my district felt so strongly about this issue that they passed a resolution which states, among other things, the following: "Whereas, one of the most vital parts of the American Counts Today is reinstatement of the Post-Census Local Review Program, that provides a procedure for local public officials to review and challenge the Census Bureau determinations before counting is final; and Whereas, a Post-Census Local Review is based upon the premise that local officials know their own communities better than statisticians and pollsters in Washington, D.C."

I think the City of Salem hits the nail on the head with this resolution. They say exactly what Republicans in Congress have been saying about the census and Federal Government in general; local officials know how to run programs the best, not bureaucracies in Washington.

Additionally, the City of Salem points out that post-census local review provides a procedure for local officials to challenge Census Bureau findings before they are final. I do not see the harm in allowing the Census Bureau's conclusions from being challenged. I suspect the challenge is what the Census Bureau fears. It would be an easier job for the Census Bureau if nobody was able to question their conclusions. The foundations of democracy rely on the voice of the people. It seems to me, Mr. Speaker, that the Census Bureau is muzzling our localities.

Finally, Mr. Speaker, I would like to bring up the correspondence which I have received from the City of Carlyle. Mayor Schmidt wrote me in support of the post-census review and included a memorandum from one of his staff Ms. Jean Parson which discusses this issue in detail.

Mr. Speaker, I include for the RECORD letters from the mayor of Carlyle, and from the cities of Salem and Litchfield.

CITY OF CARLYLE,
Carlyle, IL, March 29, 1999.

Congressman JOHN SHIMKUS,
Springfield, IL.

DEAR CONGRESSMAN SHIMKUS: I have shared your letter concerning the post-census review process with my office manager. She has been the most active member of my staff in regard to the Census 2000 project. As you will note in her enclosed memo, she feels very strongly that the post-review process remain in place. I feel her concerns are legitimate and encourage you to pursue this matter further.

Please phone 618-594-2468 if you have any questions, or would like to discuss this matter further with either Ms. Parson or myself.

Sincerely,

DON W. SCHMITZ,
Mayor.

Enclosure.

MARCH 17, 1999.

MAYOR: I agree with Representative Shimkus on the importance of the post-census local review program. This is something I have been concerned about all along.

In the old program, they conducted the census and then we had the opportunity to review the count and challenge anything that didn't look quite correct to us. Under this program, as I understand it, our only input is in the formulation of the address list. I have spent many, many hours reviewing their list. I spent time with the post master comparing our lists, and then made corrections to the census list. The entire process was extremely confusing and I have had my doubts if my changes will even be made. I also am sure that I didn't pick up every problem in the list. It is just too complicated and time consuming.

They have given us time schedules as far as different reports and mailings are concerned and I don't believe they have been completely accurate. I am still waiting for a report where we can be sure all "special places" are included in their count. These include the nursing home, group homes, the jail, etc. I don't believe I have seen this report.

I guess I'm getting old, but the old way seemed to work. If we have no opportunity to review the final count, there is basically no one watching to see that the census takers actually do their job and that the information submitted is processed correctly.

I strongly feel that he should continue his efforts and get this process changed. It is a very critical part of our financial future to have the ability to challenge their counts. We are basically stuck with these counts for ten years. It could mean thousands and thousands of dollars to us if the counts are incorrect.

The other thing that should be noted is that there appears to be little involvement from most communities. We have been participating with our best efforts, but I don't believe that is the case with most communities. Communities were not well represented at the meetings I attended, and I have spoken to many community leaders who were not even aware of the changes. I'm sure this is because of mailings not reaching

the appropriate people. Anyway, this process could be very damaging to those communities who did not participate in the address review process. It is possible that they will have changes in administration and interest could increase between now and census time, and it will be too late for them to have any input.

Let me know when you want to call him, and I will be happy to help.

JEAN PARSON.

CITY OF LITCHFIELD,
Litchfield, IL, March 24, 1999.

Hon. JOHN M. SHIMKUS,
House of Representatives,
Springfield, IL.

DEAR REPRESENTATIVE SHIMKUS: The City of Litchfield is very much interested in the 2000 decennial Census that is fast approaching. We realize that not only does the Census count benefit the City of Litchfield with local planning of schools, transportation and business but also the State of Illinois for Congressional representation.

We feel that in order to have an accurate census count, we must reinstate the post-Census Local Review program. If a mistake is made with the oversight of subdivisions and newly annexed areas, the Census count is not accurate.

We feel that we cannot properly evaluate the Bureau's Partnership Program as it relates to our community. Thus far all that they have provided us with is a bulging packet of information and very little direction. We sought out the availability of workshops after discussing our lack of knowledge about the process with neighboring communities.

The City of Litchfield thanks you for your participation with ACT in making sure that this historical event proceed as it always did and not be changed. If we can be of any other assistance, please call me at 217-324-5253.

Sincerely,

WILLIAM CORNMAN,
Mayor.

THE CITY OF SALEM, ILLINOIS
RESOLUTION NO. 99-8

Whereas, the 2000 decennial Census is the method upon which state and federal authorities rely when apportioning funding and representation among local communities throughout the United States; and

Whereas, the Bureau of the Census is charged by Congress with developing procedures to efficiently and effectively take this national population count each decade; and

Whereas, the Honorable Congressman John M. Shimkus, 20th District, Illinois, has notified City of Salem Officials that the Bureau of the Census intends to make certain rule changes in its census program that among other things, eliminates the Local Review Process; and

Whereas, Congress has decided that it is now time to act in order to assure that the 2000 Census will be a successful count, and will consequently be considering a package of bills to improve the accuracy of the 2000 Census collectively known as ACT—America Counts Today, said bills being intended to improve the accuracy of the 2000 Census; and

Whereas, one of the most vital parts of ACT, is reinstatement of the Post-Census Local Review program, that provides a procedure for local public officials to review and challenge Census Bureau determinations before counting is final; and

Whereas, the Post-Census Local Review is based upon the premise that local officials know their own communities better than statisticians and pollsters in Washington, DC, and;

Now, therefore be it resolved by the Mayor and City Council of the City of Salem, Illi-

nois that it supports and endorses the efforts of Congressman John M. Shimkus and his colleagues in the United States Congress in enacting into law the package of bills collectively known as ACT—America Counts Today, and be it further resolved that this Resolution be filed with the appropriate congressional offices so that this Council's official stance will be made a part of the official record relating to the 2000 decennial Census.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Salem, Illinois, to be affixed this 5th day of April, 1999.

BY: LEONARD E. FERGUSON,
Mayor.

ATTEST: JANE MARSHALL,
City Clerk.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. Mr. Speaker, I rise today in strong opposition to the rule and H.R. 472. This is a bill that hurts the communities. It pretends to help. It represents another attempt by the majority party to railroad the census and keep minority populations in this country hidden and powerless.

The 1990 census missed 5 percent of Hispanics, 4.4 percent of blacks, 2.3 of Asians, and 4.5 of American Indians. To any American who understands the meaning of democracy and fairness, these facts represent an injustice, an injustice that should be made right.

But Republicans know that giving voice to the voiceless will spell trouble for them. So their response is to create the illusion of fairness while carrying out a program of injustice.

It is not only Democrats in Congress who feel this way. Local officials are already worried that this bill will make the problem of undercounting worse. Republicans, who frequently talk about smaller government, want to micromanage the census. They want to force the Census Bureau to jump through bureaucratic hoops. This will not serve the people, and this will not ensure fairness. This plan will make the census a logistical nightmare and cause even greater undercounting among minorities.

Mr. Speaker, this is a bad bill that is motivated by Republican fear. They know that the 1990 undercount was unfair, and they are frightened that an accurate count will give voice to those who might speak against them. Perhaps they are right. But this is America, and all voices should be heard.

□ 1430

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER), who sits on the Subcommittee on the Census of the Committee on Government Reform.

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

Mr. SOUDER. Mr. Speaker, first off, this is not a question of an accurate count, it is a question of an accurate count versus a possibly inaccurate

guess or, more likely, a probable inaccurate guess.

We hear all this talk about wanting to count people. The difference here is we would like to count people; the other side would like to estimate. They would like to guess where the people are, guess which city they are, take samples here and there from past experience and guess.

The Constitution says we have to count. And that is really what this debate is about. Are we going to count real people, make every effort, spend whatever is necessary to count real people, or are we going to have imaginary people?

There is not a lot of confidence right now in this country that either side would not attempt to cheat if they could do the estimating, because estimating depends on our assumptions. If it is not a real count, and we keep hearing there was an undercount last time, well, where they really counted, and they fixed the undercount, they can fix it. But if we are guessing what the undercount is, we will not really know because we are estimating.

Mr. Speaker, I have a business degree and a Master's degree, and I know my friend, the gentleman from Ohio (Mr. SAWYER), is a big supporter of estimating and the mathematical science of estimating, as is the gentleman from Florida (Mr. MILLER), the chairman of the Subcommittee on the Census, but the fact is it is still a guess and it is not accurate at the local level.

I want to illustrate one point that the gentleman from Illinois (Mr. SHIMKUS) was also making. Councilwoman Rebecca Revine, in Fort Wayne, has signed on a letter of Republican mayors and local officials supporting this bill because they are worried that without post-census local review they will not be counted accurately. Here is why:

In Fort Wayne, Indiana, my hometown, the census liaison sent this fax to his superiors in Washington:

"As of today, Groundhog Day 1999, despite being promised the address list in November 1998, over a dozen calls to the Bureau, the involvement of the Chicago Bureau supervisor, finger pointing by the Bureau among Chicago, Jeffersonville and Suitland, Maryland, and the involvement of our U.S. congressional office, me, we still do not have a printed address list and instructions for completing the process.

"The maps already provided are seriously out of date. No annexation and boundary study for 1999, combined with Fort Wayne's aggressive annexation policy, will mean the geography used by the Bureau will be inaccurate and incomplete.

"No local review of information provided or aggregate results from the Bureau prior to release will mean no external check of accuracy or 'completeness'."

Is it any wonder that Fort Wayne, Indiana, is worried and why they want to have post-census review? What mayor,

what city council, what county council in America would not want to look to see if the maps were accurate, to see if the information the government based it on is accurate?

That is all this bill does. We will debate sampling plenty, but this bill says the people in Fort Wayne ought to be able to see the maps, the assumptions, and whether they got the boundaries right. How can anyone be against that? No mayor that does not want to do it has to do it, no county council that does not want to do it has to do it, no city council that does not want to do it has to do it. Why in the world would anybody be against giving Fort Wayne or other cities the right to look at the results?

Mr. FROST. Mr. Speaker, I ask the time remaining on our side.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Texas (Mr. FROST) has 7½ minutes remaining, and the gentleman from Texas (Mr. SESSIONS) has 1½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Speaker, I would like to thank the gentleman from Texas (Mr. FROST) for yielding me this time.

I come before my colleagues today as the Vice Chair of the Women's Caucus to speak out against H.R. 472 and to oppose this rule, which is no more than another roadblock by the majority to prevent a fair and accurate census count in the year 2000. Having talked with women leaders across this country about the need for an accurate count, I know just how critical an inclusive census will be for women and their children in 2000.

In 1990, half of the 4 million people that were missed were children, our most vulnerable constituency. The majority of those children that were undercounted and missed were minorities. In fact, 7 percent of black children were missed, 5 percent of Hispanic children were missed, and more than 6 percent of Native American children were missed.

In my district alone, Mr. Speaker, more than 30,000 people were not counted.

As a former mayor, I certainly understand the critical need for local involvement in the census, but there is a right way and a wrong way to do it. H.R. 472 is the wrong way. Local involvement cannot be conducted at the expense of accuracy. H.R. 472, a wolf in sheep's clothing, actually jeopardizes the count under the auspices of accuracy.

Local involvement must come before the census, when the Bureau is compiling address lists, as my colleague the gentlewoman from New York (Mrs. MALONEY) has suggested. Her amendment wisely focuses on the few situations where post-census local review would be useful, such as an account for boundary changes and new construction.

Post-census local review, as defined by the bill offered by the gentleman from Florida (Mr. MILLER), however, would waste critical time and money in the census count. In fact, the plan offered by the gentleman from Florida may prevent the census numbers from being compiled and completed on time.

We simply cannot, Mr. Speaker, jeopardize a fair and accurate count. It is too important to America's families and children.

Mr. Speaker, not only do I stand here today to oppose this bill on behalf of the 37th Congressional District of California, but I also oppose this bill on behalf of the women of America who know full well how important the need for a truly fair and accurate count is.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, here we go again. Sometimes we believe that we have reached a point where people can put politics aside and just do the right thing. But we find ourselves confronted with a bill here today that would simply complicate the count and mess up the census. We find ourselves with a bill being proposed, H.R. 472, that would force a delay in the census of an additional 9 weeks, a disruption which will undermine an accurate count.

The 1990 census was the first in this Nation's history to be less accurate than the preceding census. In my own State of California we lost \$2.2 billion in funding because of an inaccurate census in 1990. In 1990 about 4.5 million people were counted twice and 8.5 million were never counted. The undercount, of course, fell hardest on the poor, children and minorities. Monies allocated for schools, school lunches, Head Start, senior citizens, all never reached the communities where people were not counted.

A recent GAO study concluded that had an accurate counting method been employed in the 1990 census, the State of California could have received \$2.2 billion in Federal funds. We have missed out on the sampling, but we can do a better count if we are allowed to just get about the business of doing it and not put on an extra layer of work by local municipalities who do not have the resources and who do not want to do it.

Take the politics out of it. Let us all be the Americans that we say we are. Let us count the people, let us show that we respect our citizens enough to simply do the right thing and make sure we do the best job that we can do.

I am out recruiting, holding town hall meetings, getting people signed up, getting welfare recipients to work so that they can be out there doing this count. Do not mess it up. Let us do what we can to count all of the people.

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. ROTHMAN).

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

Mr. ROTHMAN. Mr. Speaker, the 2000 Census, like all the ones preceding it, will have an impact on the lives of real people.

Federal money is dispersed amongst the States on the basis of population. Population is determined in the census. Funding for so many important Federal programs that so many Americans and New Jerseyans care about will be in jeopardy. The Federal dollars for housing assistance for seniors, small business loans, Head Start programs, Pell Grants, school lunches, and so many more are determined by the census count.

In the 1990 Census, 34,000 children in New Jersey were not counted. In the 1990 Census, 2 million children across the country were not counted. So how can my friends on the Republican side of the aisle want us to continue an ineffective, inaccurate census program? I do not know how they can do it, but what we can do in the Congress is to vote against the rule and vote against H.R. 472. Otherwise, Americans all over this country will be shortchanged for all of these programs and others if we do not use accurate methods.

Mr. Speaker, I urge my colleagues to reject the rule on H.R. 472 and, if the rule is passed, to adopt the Maloney amendment which will maintain local government involvement without hampering the Census Bureau's ability to carry out an accurate census.

Everyone counts in America. Let us make sure the census counts them. Let us approve the Democratic alternative.

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

Mr. Speaker, I urge Members to vote against the previous question. If the previous question is defeated, I will offer an amendment to the rule that will make in order an open rule for H.R. 472 and will increase general debate to 2 hours.

The rule that is currently before us severely limits amendments as well as the time that they may be considered. The time restrictions in this rule will not provide Members with enough time to thoroughly debate this most important issue.

Vote "no" on the previous question so we can amend this rule and make it completely open without limiting debate on important amendments. Make sure no Member of this House is shut out of the debate.

Mr. Speaker, I wish to insert for the RECORD at this point a list of local governments, local officials and organizations opposed to H.R. 472, and the text of the amendment and extraneous materials related to this debate.

LOCAL GOVERNMENTS OPPOSED TO H.R. 472

State of Hawaii, State of South Carolina, State of North Carolina, Commonwealth of Puerto Rico, City of Detroit, Michigan, City of San Francisco, California, City of New York, New York, Miami-Dade County, Florida, City of Houston, Texas, City of Los Angeles, California, Cook County, Illinois, City of Denver, Colorado, City of Hialeah Gardens, Florida, City of West Hollywood, California, City of San Antonio, Texas, City of

Austin, Texas, City of Hartford, Connecticut, City of San Juan, Texas, City of Jersey City, New Jersey, City of Laredo, Texas, City of Cudahy, California, and City of San Fernando, California.

LOCAL OFFICIALS OPPOSED TO H.R. 472

County Commissioner Katy Sorenson (FL), County Commissioner Barbara Carey-Shuler (FL), State Senator Gwen Margolis (FL), State Senator Miguel del Valle (IL), State Representative Rebecca Rios (AZ), Chicago Alderman Ricardo Munoz (IL), County Supervisor Gloria Molina, Los Angeles (CA), Council Member John Castillo, Houston (TX), Othello City Councilman Samuel Garza (WA), County Commissioner Javier Gonzales, Santa Fe (NM), Councilman John Bueno, Pontiac (MI), Council Member Bobby Duran, Taos (NM), Councilwoman Debra Guerrero, San Antonio (TX), State Assemblyman Peter Rivera (NY), State Representative Sally Ann Gonzales (AZ), and Councilmember Martin Samaniego (AZ).

ORGANIZATIONS OPPOSED TO H.R. 472

United States Conference of Mayors, National Association for the Advancement of Colored People, NAACP, National Asian and Pacific Legal Foundation, National Congress of American Indians, National Black Caucus of State Legislators, National Association of Latino Elected and Appointed Officials, NALEO, National Education Association, NEA, American Federation of State, County and Municipal Employees, AFSCME, Consortium of Social Science Associations, Laredo Chamber of Commerce, and American Association of University Women, AAUW.

United Automobile Workers, UAW, Leadership Conference on Civil Rights, LCCR, American Federation of Labor and Congress of Industrial Organizations, AFL-CIO, American Federation of Teachers, AFT, Mexican American Legal Defense and Education Fund, MALDEF, Coalition of Black Trade Unionists, National Council of Negro Women, Black Leadership Forum, Blacks in Government, National Urban League, Religious Action Center of Reform Judaism, and American Federation of Government Employees, AFGE.

TEXT OF PREVIOUS QUESTION FOR H. RES. 138 H.R. 472—LOCAL CENSUS QUALITY CHECK ACT

Strike all after the resolving clause and insert in lieu thereof the following:

"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. 472), to amend title 13, United States Code, to require the use of postcensus local review as part of each decennial census. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed two hours 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. 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. 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 VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and has no substantive legislative or policy implications whatsoever]." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

The vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

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

Mr. SESSIONS. Mr. Speaker, I yield 1¼ minutes to the gentleman from Florida (Mr. MILLER), the chairman of the Subcommittee on the Census.

Mr. MILLER of Florida. Mr. Speaker, I am amazed that there is so much opposition to this proposal. It was used in

1990, and it is about getting the most accurate, trusted and legal census possible.

In 1990 it addressed 400,000 mistakes. It corrected 400,000 mistakes. Everybody wants to say we are undercounted. Well, this is one way to help correct the undercount problem.

It is a voluntary program. No one is mandated to do it. It is the smaller communities and towns that feel the greatest interest in even doing this, because big cities have full-time people working on the census.

Now, let me make sure we understand what the Supreme Court did say. The Supreme Court said that we must have a full enumeration for apportionment, and they also indicate, in my opinion, though it is going to have to go back to the court, that it is going to apply to redistricting.

In fact, CRS issued a report in February of this year, and let me read the sentence: "However, a closer examination of all other parts of the Court's opinion indicates that it did not interpret those other purposes as necessarily including at least intrastate redistricting."

This is a good commonsense idea. It helps address the undercount, and that is what we want to do is address the undercount, get everybody counted. It makes a better census.

Mr. SESSIONS. Mr. Speaker, I yield myself the balance of my time, and I urge support of the previous question, a vote of "yes".

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

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. 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.

Pursuant to clause 9 of rule XX, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 220, nays 207, not voting 6, as follows:

[Roll No. 86]
YEAS—220

Aderholt	Bereuter	Burr
Archer	Biggart	Burton
Armey	Bilbray	Buyer
Bachus	Bilirakis	Callahan
Baker	Bileley	Calvert
Ballenger	Blunt	Camp
Barr	Boehert	Campbell
Barrett (NE)	Boehner	Canady
Bartlett	Bonilla	Cannon
Barton	Bono	Castle
Bass	Brady (TX)	Chabot
Bateman	Bryant	Chambliss

Houghton	Ramstad	Lipinski	Obey	Slaughter	Gallegly	Leach	Ryan (WI)
Coble	Hulshof	Lofgren	Olver	Smith (WA)	Ganske	Lewis (CA)	Salmon
Coburn	Hunter	Lowey	Ortiz	Snyder	Gekas	Lewis (KY)	Sanford
Collins	Hutchinson	Riley	Owens	Spratt	Gibbons	Linder	Saxton
Combest	Hyde	Rogan	Pallone	Stabenow	Gilchrest	LoBiondo	Scarborough
Cook	Isakson	Rogers	Maloney (CT)	Pascrell	Gillmor	Lucas (OK)	Schaffer
Cooksey	Istook	Rohrabacher	Maloney (NY)	Pastor	Gilman	Manzullo	Sensenbrenner
Cox	Jenkins	Ros-Lehtinen	Markey	Payne	Goode	McCollum	Sessions
Crane	Johnson (CT)	Roukema	Martinez	Pelosi	Goodlatte	McCrery	Shadegg
Cubin	Johnson, Sam	Royce	Mascara	Peterson (MN)	Goodling	McHugh	Shaw
Cunningham	Jones (NC)	Ryan (WI)	Matsui	Phelps	Goss	McInnis	Shays
Davis (VA)	Kasich	Ryun (KS)	McCarthy (MO)	Pickett	Graham	McIntosh	Sherwood
Deal	Kelly	Salmon	McCarthy (NY)	Pomeroy	Granger	McKeon	Shimkus
DeLay	King (NY)	Sanford	McDermott	Price (NC)	Green (WI)	Metcalf	Shuster
DeMint	Kingston	Saxton	McGovern	Rahall	Greenwood	Mica	Simpson
Diaz-Balart	Knollenberg	Scarborough	McIntyre	Rangel	Gutknecht	Miller (FL)	Skeen
Dickey	Kolbe	Schaffer	McKinney	Reyes	Hansen	Miller, Gary	Smith (MI)
Doolittle	Kuykendall	Sensenbrenner	McNulty	Rivers	Hastings (WA)	Moran (KS)	Smith (NJ)
Dreier	Largent	Sessions	Meehan	Rodriguez	Hayes	Morella	Smith (TX)
Duncan	Latham	Shadegg	Meek (FL)	Roemer	Udall (CO)	Myrick	Souder
Dunn	LaTourette	Shaw	Meeks (NY)	Rothman	Udall (NM)	Nethercutt	Spence
Ehlers	Lazio	Shays	Menendez	Roybal-Allard	Hefley	Ney	Stearns
Ehrlich	Leach	Sherwood	Millender-	Rush	Herger	Northup	Stump
Emerson	Lewis (CA)	Shimkus	McDonald	Sabo	Hill (MT)	Norwood	Sununu
English	Lewis (KY)	Shuster	Miller, George	Sanchez	Hilleary	Nussle	Sweeney
Everett	Linder	Simpson	Minge	Sanders	Hobson	Ose	Talent
Ewing	LoBiondo	Skeen	Mink	Sandlin	Hoekstra	Oxley	Tancredo
Fletcher	Lucas (OK)	Smith (MI)	Moakley	Sawyer	Horn	Packard	Tauzin
Foley	Manzullo	Smith (NJ)	Mollohan	Schakowsky	Hostettler	Paul	Taylor (NC)
Forbes	McCollum	Smith (TX)	Moore	Scott	Hostettler	Pease	Terry
Fossella	McCrery	Souder	Moran (VA)	Serrano	Hulshof	Peterson (PA)	Thomas
Fowler	McHugh	Spence	Murtha	Sherman	Hutchinson	Petri	Thornberry
Franks (NJ)	McInnis	Stearns	Nadler	Shows	Hyde	Pickering	Thune
Frelinghuysen	McIntosh	Stump	Neal	Sisisky	Isakson	Pitts	Tiahrt
Gallegly	McKeon	Sununu	Oberstar	Skelton	Istook	Pombo	Toomey
Ganske	Metcalf	Sweeney	NOT VOTING—6		Jenkins	Porter	Trafficant
Gekas	Mica	Talent	Brown (CA)	LaHood	Johnson (CT)	Portman	Upton
Gibbons	Miller (FL)	Tancredo			Johnson, Sam	Pryce (OH)	Walden
Gilchrest	Miller, Gary	Tauzin	Hastings (FL)	Lantos	Jones (NC)	Quinn	Walsh
Gillmor	Moran (KS)	Taylor (NC)	□ 1502		Kasich	Radanovich	Wamp
Gilman	Morella	Terry	Mr. KLECZKA changed his vote from		Kelly	Ramstad	Watts (OK)
Goode	Myrick	Thomas	“yea” to “nay.”		King (NY)	Regula	Weldon (FL)
Goodlatte	Nethercutt	Thornberry	So the previous question was ordered.		Kingston	Reynolds	Weldon (PA)
Goodling	Ney	Thune	The result of the vote was announced		Knollenberg	Riley	Weller
Goss	Northup	Tiahrt	as above recorded.		Kolbe	Rogan	Whitfield
Graham	Norwood	Toomey	Stated against:		Kuykendall	Rogers	Wicker
Granger	Nussle	Upton	Mrs. NAPOLITANO. Mr. Speaker, on rollcall		Largent	Rohrabacher	Wilson
Green (WI)	Ose	Walden	No. 86, I was unavoidably detained. Had I		Latham	Ros-Lehtinen	Wolf
Greenwood	Oxley	Walsh	been present, I would have voted “no.”		LaTourette	Roukema	Young (AK)
Gutknecht	Packard	Wamp	The SPEAKER pro tempore (Mr.		Lazio	Royce	Young (FL)
Hansen	Paul	Watkins	LATOURETTE). The question is on the		NOES—205		
Hastings (WA)	Pease	Watts (OK)	resolution.		Abercrombie	Dicks	Kind (WI)
Hayes	Peterson (PA)	Weldon (FL)	The question was taken; and the		Ackerman	Dingell	Kleczka
Hayworth	Petri	Weldon (PA)	Speaker pro tempore announced that		Allen	Dixon	Klink
Hefley	Pickering	Whitfield	the ayes appeared to have it.		Andrews	Doggett	Kucinich
Herger	Pitts	Wicker	RECORDED VOTE		Baird	Dooley	LaFalce
Hill (MT)	Pombo	Wilson	Mr. FROST. Mr. Speaker, I demand a		Baldacci	Doyle	Lampson
Hilleary	Porter	Wolf	recorded vote.		Baldwin	Edwards	Larson

Ortiz	Sanchez	Taylor (MS)
Owens	Sanders	Thompson (CA)
Pallone	Sandlin	Thompson (MS)
Pascrell	Sawyer	Thurman
Pastor	Schakowsky	Tierney
Payne	Scott	Towns
Pelosi	Serrano	Turner
Peterson (MN)	Sherman	Udall (CO)
Phelps	Shows	Udall (NM)
Pickett	Sisisky	Velazquez
Pomeroy	Skelton	Vento
Price (NC)	Slaughter	Visclosky
Rahall	Smith (WA)	Waters
Rangel	Snyder	Watt (NC)
Reyes	Spratt	Waxman
Rivers	Stabenow	Weiner
Rodriguez	Stark	Wexler
Roemer	Stenholm	Weygand
Rothman	Strickland	Wise
Roybal-Allard	Stupak	Woolsey
Rush	Tanner	Wu
Sabo	Tauscher	Wynn

NOT VOTING—9

Brown (CA)	Hastings (FL)	Meek (FL)
Clayton	LaHood	Ryun (KS)
Ewing	Lantos	Watkins

□ 1512

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. MILLER of Florida. Mr. Speaker, pursuant to House Resolution 138, I call up the bill (H.R. 472) to amend title 13, United States Code, to require the use of postcensus local review as part of each decennial census, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BASS). Pursuant to House Resolution 138, the bill is considered as having been read for amendment.

The text of H.R. 472 is as follows:

H.R. 472

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 "Local Census Quality Check Act".

SEC. 2. POSTCENSUS LOCAL REVIEW.

(a) IN GENERAL.—Subchapter II of chapter 5 of title 13, United States Code, is amended by adding after section 142 the following:

"§ 143. Postcensus local review

"(a) Each decennial census taken after the date of enactment of this section shall include an opportunity for postcensus local review, similar to that afforded as part of the 1990 decennial census, so that local governmental units may review household counts, jurisdictional boundaries, and such other data as the Secretary considers appropriate for the purpose of identifying discrepancies or other potential problems before the tabulation of total population by States (as required for the apportionment of Representatives in Congress among the several States) is completed.

"(b) Any postcensus local review afforded under this section in connection with a decennial census shall be conducted in conformance with the following:

"(1) Not later than February 1st of the year in which such census is taken, the Secretary shall notify local governmental units as to the guidelines for, and shall furnish them with any other information pertinent to, their participating in the upcoming postcensus local review.

"(2)(A) Not later than 30 days before submitting to a local governmental unit the

data subject to its review under this section, the Secretary shall furnish to such unit the appropriate block level maps and lists of housing units.

"(B) Not later than August 1st of the year in which such census is taken or, if earlier, the 30th day after the date on which the non-response followup process for such census is completed, the Secretary shall submit to each local governmental unit the data which is subject to review by such governmental unit under this section.

"(C) For purposes of subparagraph (B), the date on which the nonresponse followup process for a census is completed shall be as determined by the Secretary.

"(3) A local governmental unit shall have 45 days (excluding Saturdays, Sundays, and legal public holidays) to review the data submitted to it under paragraph (2)(B), and to submit any challenges relating to such data.

"(4) The Secretary shall investigate all challenges timely submitted under paragraph (3), recanvass such blocks or other units as the Secretary considers appropriate in connection with any such challenge, and correct any miscounts identified pursuant to any such challenge.

"(5) Not later than November 1st of the year in which such census is taken, the Secretary shall, with respect to each challenge timely submitted under paragraph (3)—

"(A) complete the measures required under paragraph (4) with respect to such challenge; and

"(B) notify the local governmental unit that submitted such challenge as to the measures taken in response thereto.

"(c) As used in this section—

"(1) the term 'decennial census' means a decennial census of population conducted under section 141(a); and

"(2) the term 'local governmental unit' means a local unit of general purpose government as defined by section 184, or its designee."

(b) CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 13, United States Code, is amended by inserting after the item relating to section 142 the following:

"143. Postcensus local review."

The SPEAKER pro tempore. The amendment printed in House Report 106-93 is adopted.

The text of H.R. 472, as amended pursuant to House Resolution 138, is as follows:

H.R. 472

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 "Local Census Quality Check Act".

SEC. 2. POSTCENSUS LOCAL REVIEW.

(a) IN GENERAL.—Subchapter II of chapter 5 of title 13, United States Code, is amended by adding after section 141 the following:

"§ 142. Postcensus local review

"(a) Each decennial census taken after the date of enactment of this section shall include an opportunity for postcensus local review, similar to that afforded as part of the 1990 decennial census, so that local governmental units may review household counts, jurisdictional boundaries, and such other data as the Secretary considers appropriate for the purpose of identifying discrepancies or other potential problems before the tabulation of total population by States (as required for the apportionment of Representatives in Congress among the several States) is completed.

"(b) Any postcensus local review afforded under this section in connection with a de-

cennial census shall be conducted in conformance with the following:

"(1) Not later than February 1st of the year in which such census is taken, the Secretary shall notify local governmental units as to the guidelines for, and shall furnish them with any other information pertinent to, their participating in the upcoming postcensus local review.

"(2)(A) Not later than 30 days before submitting to a local governmental unit the data subject to its review under this section, the Secretary shall furnish to such unit the appropriate block level maps and lists of housing units.

"(B) Not later than August 1st of the year in which such census is taken or, if earlier, the 30th day after the date on which the non-response followup process for such census is completed, the Secretary shall submit to each local governmental unit the data which is subject to review by such governmental unit under this section.

"(C) For purposes of subparagraph (B), the date on which the nonresponse followup process for a census is completed shall be as determined by the Secretary.

"(3) A local governmental unit shall have 45 days (excluding Saturdays, Sundays, and legal public holidays) to review the data submitted to it under paragraph (2)(B), and to submit any challenges relating to such data.

"(4) The Secretary shall investigate all challenges timely submitted under paragraph (3), recanvass such blocks or other units as the Secretary considers appropriate in connection with any such challenge, and correct any miscounts identified pursuant to any such challenge.

"(5) Not later than November 1st of the year in which such census is taken, the Secretary shall, with respect to each challenge timely submitted under paragraph (3)—

"(A) complete the measures required under paragraph (4) with respect to such challenge; and

"(B) notify the local governmental unit that submitted such challenge as to the measures taken in response thereto.

"(c) As used in this section—

"(1) the term 'decennial census' means a decennial census of population conducted under section 141(a); and

"(2) the term 'local governmental unit' means a local unit of general purpose government as defined by section 184, or its designee."

(b) CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 13, United States Code, is amended by inserting after the item relating to section 141 the following:

"142. Postcensus local review."

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in the CONGRESSIONAL RECORD numbered 1, which shall be considered read and debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from Florida (Mr. MILLER) and the gentlewoman from New York (Mrs. MALONEY) each will control 30 minutes of debate on the bill.

The Chair recognizes the gentleman from Florida (Mr. MILLER).

□ 1515

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, post-census local review is a very straightforward, common-sense idea used by the Census Bureau in 1990. It is a voluntary program that allows local governments to check for mistakes by the Census Bureau that may have left households in their communities uncounted. If a local government does not want to participate in the program, nothing in the legislation would make them.

Make no mistake, Mr. Speaker. Post-census local review is in no way designed to criticize the Census Bureau. Rather, Mr. Speaker, H.R. 472 is designed to recognize an indisputable fact. As the Census Bureau attempts to enumerate 275 million people residing in America on Census Day, which is April 1, 2000, it is going to make some mistakes. Post-census local review is designed to find and then correct these errors.

Mr. Speaker, in 1990 post-census local review corrected close to 400,000 errors. Eighty thousand households were added to the count, and another almost 200,000 were moved to their correct block. Another 100,000 households were removed from the census count because they did not belong.

Mr. Speaker, this program is designed to make the census more accurate, and that is exactly what it does. Who here can argue that catching 400,000 errors before they become final is not a worthwhile goal?

My colleagues on the other side will argue that post-census local review is not needed. They argue that the Census Bureau's pre-census programs are doing an adequate job. Well, first of all, there are some 21,000 local governments that are not participating in the pre-census programs. Do these local governments not matter? Many have limited resources, and, given a choice, would understandably want to dedicate these resources towards a final check at the end of the process.

Mr. Speaker, I know that there are two words that local government officials hate to hear from the Federal Government and they are:

"Trust us."

That is what this administration is telling the local government:

Trust us. The Federal Government does not make mistakes. We can count 275 million people without a mistake in the lot. After all, we are the Federal Government, and we do not make mistakes.

Mr. Speaker, if there is one thing I have learned during my time in this fine institution, it is that the government does make mistakes, lots of them; some of them honest mistakes, and some of them not so honest. There were almost 400,000 errors in 1990 during the 1990 census, and the post-census local review, H.R. 472, is designed to catch these mistakes.

The ironic thing, Mr. Speaker, is that the Census Bureau has made much acclaim about their efforts to reach out to local governments and to build a trusting relationship, but do they real-

ly trust local governments? Well, I will let my colleagues be the judge.

Mr. Speaker, in a recent New York Times article Census Bureau Director Ken Prewitt said the following quote. This is referring to post-census local review:

It invites 39,000 independent jurisdictions to tell us that they have more people than we found. It is an incentive for anyone to try and boost their numbers for either economic or political gain.

Mr. Speaker, it goes without saying that this is a terrible thing to say about our local government partners, partners that Census Bureau needs to work with in order to ensure that we have an accurate count in the 2000 census.

Mr. Speaker, this is a far cry from what the Census Bureau said about post-census local review and local governments during the 1990 census. In 1990 the Census Bureau said, quote:

A considerable amount of goodwill and understanding of one another can develop between governmental units, the State agencies assisting the governmental units and Census Bureau personnel as a result of the interaction during the local review process.

Sadly, Mr. Speaker, we have moved from a time of building goodwill and understanding to one of distrust and alienation.

Mr. Speaker, the strongest supporters of post-census local review are those groups who are most intimately involved in the Census Bureau's pre-census programs and understand their deficiencies. Listen to what the National League of Cities, which represents 135,000 mayors and council members in 17,000 cities said about H.R. 472. Quote:

The National League of Cities enthusiastically supports the Local Census Quality Act, H.R. 472. This bill will provide our Nation's cities and towns with the much needed post-census local review process.

Listen to what the National Association of Towns and Townships which represents 11,000 towns and townships nationwide, has to say. Quote:

The 45-day post-census review, as proposed in H.R. 472, is one way to help assure that our smaller communities are more accurately accounted for.

And the National Association of Developmental Organizations supports this legislation. I quote:

We strongly urge you to support H.R. 472 which reinstates the post-census review program for local governments. There are too many consequences from inaccurate counts whether in urban or rural areas for local governments to be prohibited from double-checking their count.

Mr. Speaker, even the Commerce Secretary's own census advisory committee has recommended that he reinstate post-census local review, and they have been studying this issue for most of this decade. Quote:

The Commerce Secretary should direct the Census Bureau to develop a post-census local review operation for Census 2000. This review would be of housing units only, not population, and also would identify special places

which have been enumerated. Participating governments can work in partnership with the Census Bureau to assure that the entire population of the community has been contacted and received the opportunity to participate in the census.

Mr. Speaker, this is good legislation. This legislation will help reduce the minority undercount.

Mr. Speaker, we worked very closely in the development of this legislation with a number of different local government groups. I would like to thank the National League of Cities, the National Association of Towns and Townships, the National Association of Developmental Organizations and others for their support in crafting this important legislation. It represents their desire to have a successful and accurate census in 2000 and ours as well.

I urge passage of H.R. 472 without the Maloney amendment.

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

Mrs. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to 472. This bill, should it pass, will seriously damage the quality of the 2000 census. It may create so much disruption that the Census Bureau will miss the statutory deadlines for delivering apportionment counts to the President.

To make matters worse, this bill will do absolutely no good. It will not increase the accuracy of the census. It will not reduce the high undercounts for minorities and children.

The 1990 census was fundamentally unfair. That census missed 8.4 million people who were mostly minorities and the poor in urban and rural areas. It also counted twice 4.4 million people, mostly white suburbanites. Over all, the total error rate was over 10 percent. The 1990 census missed 1 in 10 African American males, 1 in 20 Hispanics, 1 in 8 American Indians on reservations, 1 in 16 white rural renters.

During the decade, as a result of these errors, millions of people went unrepresented. The supporters of 472 want to repeat the errors of 1990. In fact, they went so far as to put in the legislation that all] future censuses would have to repeat the procedures that brought us this seriously flawed 1990 census, the first census in our history to be less accurate than the one before it.

Post-census local review is a review of the housing counts, the counts of housing units. It does very little to reduce the undercount of people, the big problem that the Census Bureau is trying to correct in the present census. In 1990, 70 percent of the people missed and 80 percent of the African Americans missed lived in households that were counted. The Census Bureau counted the households but missed the people in them. For 2000 the Census Bureau moved local review to the front end of the census.

Mr. Speaker, let us get it right the first time, not fix it later, and that is what the Census Bureau is doing.

In 1990, post-census local review was a failure. Eighty-four percent of the local governments did not participate. For the last year, the Census Bureau has been working with local governments to make sure that there is an agreement with the local governments on the number of housing units before the census begins. So far that program has covered 86 percent of the addresses in the United States, and they are still working. That is far, far better than 1990.

Why then does the majority want to repeat the 1990 census? In fact, it is not just local review they want to repeat from 1990. The majority has repeatedly said, in fact it has been said on the Floor today, that the 1990 census was not all that bad. They want to repeat as much of 1990 as possible.

Why? Why does the majority want to repeat 1990 with all those undisputed errors? Because they believe that the errors in the census are to their political advantage.

Just recently one Republican operative was quoted as saying in the paper that this was a, quote, do or die issue for the Republican party.

The former Speaker said in his book that winning the census fight was about preserving the Republican majority in Congress. It was not about getting an accurate count. He said it was about preserving the Republican majority in Congress.

The head of the RNC sent out a memo soliciting contributions to fight the census in the courts, and the majority here made sure that those lawsuits would be paid for with taxpayer dollars.

The litany goes on and on, but the tune is the same. The supporters of this bill, the opponents of a fair and accurate census, are willing to do anything to make sure that the next census repeats the mistakes of the past. H.R. 472 is just one more salvo in that continued assault on a honest and accurate census.

Let us remember what happened in the last Congress. The Republican majority attached to the disaster relief bill, the flood relief bill, language that would have prevented the use of a modern scientific count. They thought the President would not veto it because so many Americans were suffering. The President vetoed it and received editorial support across this Nation for standing up for what was right. Twice they held up the budget over it. And now, they complain that the Census Bureau is partisan and trying to rig the census for the Democrats.

The Census Bureau has no political agenda. In fact, the Director, when he testified before us, implored the Congress to keep the Census Bureau out of the line of fire. The response by the majority has been to put the Census Bureau between the cross hairs.

The Census Bureau put forward the best plan it could develop for the 2000 census, one that has been supported by many professionals in the scientific

community, Republican and Democrat alike. It is time to stop trying to destroy the census and let the professionals do their work.

□ 1530

We should not be trying to micro-manage the Census Bureau. We should let the professionals go out and conduct an accurate count.

The partisan agenda is not at the Census Bureau; it is here on Capitol Hill. It is being managed out of the Speaker's office and the RNC down the street.

H.R. 472 is just one more item in that agenda and it must be defeated. I urge a no vote.

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

Mr. MILLER of Florida. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, what we are talking about doing is the most accurate census possible and we need to put all the resources into it. We have to follow what the Court says, what the law says. The Supreme Court ruled.

If they want to have a constitutional amendment and change things, that is another route to go, but it is not going to happen. Follow the law. Let us get the best count we can.

Mr. Speaker, I yield 2 minutes to the distinguished majority leader, the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Florida (Mr. MILLER) for yielding me this time.

Mr. Speaker, the previous speaker from the Democrat side of the aisle was most unsettling. The rules of discourse that we follow in this House, the protocols that we try to honor for one another in this House, are commonly understood that we do not assail one another's motives.

I have just listened to what is as malicious a diatribe regarding the motives of the majority in this matter as I have ever heard on the floor of this House, and it is not necessary.

Should I try to refute point by point the allegations about our motives, political motives? No, of course not.

Let me say, Mr. Speaker, suffice it to say that it is commonplace among the Democrats for them to accuse us of what they themselves are doing. What we are asking is not to repeat the census of 1990. What we are asking is for Congress to listen to the Constitution and to the chief institutional defense of the Constitution, the Supreme Court, and count the American people, enumerate.

The Constitution says and the Supreme Court says, count. Every American deserves to be counted. We are prepared to make whatever obligation of funds and efforts is necessary to count every person. I deserve to be counted. My son and daughter deserve to be counted. If you live in Bemidji, Minnesota, you deserve to be counted, not estimated, not guessed at and not eliminated because you did not fit in somebody's statistical model.

Now, we are making that commitment. The Census Bureau needs to make a plan to count the American people, a plan that conforms with the directives of the Supreme Court of the United States as they have lent interpretation to the Constitution of the United States. When they make that plan to count the American people, wholly, totally, completely, we will fund it; we will support it. We will provide the resources to count the American people.

We do not believe that the census of the United States should be done by polling. We do not believe that you, Mr. and Mrs. America, should be found in your place within a standard deviation. You should be counted in your home. You should not be estimated.

Finally, we have already seen at the local level that local review reveals where the count was not complete and accurate. Every community wants that. It is a simple matter. It is a simple matter. If we make our best effort to go out and have a decent, honest count of every single person as, in fact, the Constitution and the Supreme Court directs us, and we then want to check that, should we relegate our checking of that to a bunch of guesstimators holed up in Washington, D.C. with some abstract mathematical model, replete with its standard deviations? Or should we go to the local community and say to the mayor, were we inclusive, did we count everybody?

Who knows better, the mayor and the community government in Bemidji, Minnesota, or somebody holed up behind some statistical model in Washington, D.C.?

Now, I am sure before this debate is over I am going to hear more diatribes about our motives here, but I am content to let the American people listen to this debate and judge for yourselves.

Mr. and Mrs. America, read the Constitution. Remember what you have been through in the census decade after decade in America. Did we count you, or did we estimate you, in accordance with a model that was defined by the Clinton administration that has politicized every other thing they have ever touched in this government?

Mrs. MALONEY of New York. Mr. Speaker, may I inquire how much time is remaining on our side?

The SPEAKER pro tempore (Mr. BASS). The gentlewoman from New York (Mrs. MALONEY) has 22½ minutes remaining. The gentleman from Florida (Mr. MILLER) has 20¾ minutes remaining.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. WAXMAN), the distinguished ranking member of the Committee on Government Reform.

Mr. WAXMAN. Mr. Speaker, the purpose of this bill is for one purpose only. It would delay the Bureau of the Census from getting the report to the States in time for them to redistrict using the most accurate statistically

approved methods to get the count that will be the one that should be achieved in a census.

Now we are really looking at an Alice in Wonderland situation. I have a chart. Maybe we can get this chart up. This chart shows those groups that believe using modern statistical methods will give us the most accurate census: The National Academy of Sciences, the American Statistical Association, even President Bush's Census Bureau director, all the experts.

Let me have the chart of those who think that statistical methods are unconstitutional, inappropriate: The gentleman from Florida (Mr. MILLER) and the Republican leadership.

Are we supposed to believe that all of these people from the Academy of Sciences are doing something for partisan purposes but the Republican Party is out to get us the most accurate census? Well, I think if we want to look at their motives we ought to look at the statements of some of their leaders.

In a refreshing moment of candor, one Republican strategist said that this is a do or die issue for the Republican majority in the House, because what the Republicans really fear is that a more accurate count will include more African Americans, more Hispanics and that they will in turn elect more Democrats to Congress.

Alice in Wonderland told us that up is down, down means up, and here what we have is when the Republicans say they are nonpartisan, they are accusing everybody else of being partisan.

The fact of the matter is that there will be local participation in making the census as accurate as possible. That is really not the issue involved. The issue involved is that this legislation would make it impossible for the Bureau of the Census to do their job in a professional way, as has been recommended by every nonpartisan organization.

I urge a defeat of this proposal and an adoption of an amendment that will be offered by the gentleman from New York (Mrs. MALONEY).

Mr. MILLER of Florida. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, the thing missing on that list besides Dan Miller are two Federal courts, six Federal judges and the United States Supreme Court. They all oppose sampling.

Mr. Speaker, I yield 6½ minutes to the gentleman from Wisconsin (Mr. RYAN), and ask unanimous consent that he be permitted to control that time.

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

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1½ minutes to the gentleman from Idaho (Mrs. CHENOWETH).

(Mrs. CHENOWETH asked and was given permission to revise and extend her remarks.)

Mrs. CHENOWETH. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. RYAN) for yielding me this time.

Mr. Speaker, I rise in opposition to the Maloney substitute which would allow the Secretary of the Census to decide in what manner local governments may participate in the census count.

By requiring post-census local review, H.R. 472 is at the heart of the differences between many of us in Congress. The issue is very simple. Who knows better how to minister to the people, the small local governments familiar with their communities or an overburdened Federal bureaucracy that takes its marching orders from Washington, D.C.?

Post-census local review makes good common sense. How can this heavily centralized Federal Government possibly justify its assertion that it is better equipped to verify a local census count than the locals themselves?

In Idaho, where I am from, there are a great deal of rural areas, pocket communities, tucked in the mountains away from cities and towns. These areas must be counted, and no one is better equipped to ensure that they are counted than the people of Idaho themselves. The local government interacts with these citizens on a daily basis. They deliver the mail. They provide utilities. They help children get to school. They establish voting packages and provide emergency and rescue assistance.

To expect the Federal Government to have the same level of familiarity, the same ability to account for each family and community, is ludicrous. Why is the government attempting to reinvent the wheel at taxpayers' expense?

We already have the resources in place to make this census an accurate count and yet the administration does not want to make use of these resources. The government wants to hire so-called experts in Washington to determine whether or not the census is accurate for a community they have never seen.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have heard a lot of partisanship here on the floor tonight but that is not necessary. This is not about Republicans or Democrats. It is at getting the best possible count we can achieve.

We know the Supreme Court has caused this ruling. We know we have to engage in enumeration. That is what we are here talking about. This has nothing to do with sampling, to be quite honest. This has everything to do to make sure we get the best enumeration possible.

Rather than quoting Republicans, rather than engaging in a partisan, vitriolic speech, I would like to quote some Members of Congress. I would like to quote the dean of Congress, the gentleman from Michigan (Mr. DINGELL), and I quote, "The local government officials have labored tirelessly for 2 years that ensure that each home and every person is included in the

final census tally. They understand the importance to themselves, the communities they serve and the people."

Actually, we have been hearing from the Commerce Department that Secretary Daley will be encouraging the President to veto this legislation, but I would like to ask the Secretary of the Commerce to talk to his own brother, the mayor of Chicago, a Democrat mayor of Chicago, Mayor Richard Daley, who said, "They, the Census Bureau, should come with the inclination to work closely with the mayors. We are the ones who are in the trenches. We are there. We know our cities. There should be an effort of cooperation and partnership." That is a Democratic mayor of Chicago.

I would like to quote from the distinguished chairman of the Subcommittee on Census in 1990, the gentleman from Ohio (Mr. SAWYER), a Democrat. "Local review presents the last chance for local officials to have an effect on the completeness of the census counts. In some ways, it is the final opportunity to share observations gathered throughout the entire census operation this year."

Lastly, I would like to talk about one of our fantastically successful mayors, a mayor of Detroit, Michigan, Dennis Archer, who said just this year at the U.S. Conference of Mayors, this is Dennis Archer, mayor of Detroit, Michigan, a Democrat, "We, as cities, need to have the opportunity, before the census count is in cement, given to the President, for the President's review by the end of the year 2000, so we can evaluate and say, 'Here is where you are wrong, and here are the changes we would like for you to consider.' I think that we ought to be given that." That is the Democratic mayor of Detroit.

In my district, I actually did a survey of all of the elected officials, town board chairmen, mayors, county executives.

□ 1545

I have here all of the petitions, all of the surveys from those locally-elected officials in the first Congressional District of Wisconsin, Independents, Democrats, Republicans. Here is what they said.

This is the Mayor of Racine, Jim Smith: "We would anticipate it would be very beneficial to both the Census Bureau and the city of Racine to have an opportunity to review maps and addresses after the count has been completed and prior to the Census Bureau submitting its final account."

Sheila Siegler, from the town of Wheatland in Wisconsin: "I believe the very best attempt should be made to get an accurate account, and local review would aid that process."

Mr. Speaker, our efforts are to get a better number, are to improve the Census. This should not be about Republicans or Democrats. We are going to engage in enumeration, we know that, the Supreme Court has said just that. So let us work together and get the best count we can possibly get.

These gentlemen, the Independents, the Democrats, the Republicans from Wisconsin at local units of government, the Democrats in Congress, in the cities across our Nation, they know the benefits of local government involvement. This is not and should not be about politics.

We are not advocating a method that will cause a manipulation of the numbers, we are advocating a method to improve the count. Local governments, combined with Federal governments and State governments, can do just that.

Lastly, I would like to talk about one issue that has been mentioned by some of the minority today, that this is a delaying tactic, a tactic to try and frustrate the efforts of statistical adjustment. That is simply not the case. They had a statistical adjustment in 1990, and they had a post Census local review. It can be done. It was done in 1990. They did a post Census local review. They did engage in a sampling adjustment. They did not use it, but they did engage in it.

This is not a delaying tactic, this is simply embodying the principle that governments can work together at all levels of government, the Federal Government, local government, State government. The mayor of Detroit, the mayor of Chicago, Congressmen and Senators from both sides of the aisle, the Democrats, the Republicans, have over the last 10 years advocated postcensus local review.

This is not about politics, it is about doing what the Constitution has asked us to do.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, the gentleman who just spoke quoted Mayor Archer of Detroit. Let us hear the rest of the story. Mayor Archer said, and I quote, "This bill prevents Census counts from being tracked for the undercount by April 1, 2001, which is critical for distribution of Federal funds. I cannot support H.R. 472 in its current form."

Going on, we have all agreed that the last Census was inundated with millions of errors. It is our duty to fix this problem. I am dismayed that H.R. 472, the Post Census Local Review Act, is still being considered as a solution to the miscount. The bill will continue a thoughtless practice of requiring the Census Bureau to set aside 9 unnecessary weeks after the field work is done to review the count of local addresses a second time.

Most mayors who participated in this program in 1990 thought it was a disaster. Why are Republicans pushing to repeat the same mistakes? As a lawmaker, I have a responsibility to focus my energy on the impact this legislation will have on the people whom I am accountable to.

As a result of the 1990 Census, 21,000 of my constituents were excluded from Federal funds for health care, education, transportation, economic development, and even child care. This must not happen again.

Mr. MILLER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, the State of California has almost 1 in 9 of all American citizens that live in it. An accurate census count is very, very important. We are a donor State in transportation. We are a donor State in education. The formulas that devise the amount of dollars that come out of the Federal Government to California is very important. That is why I want to a good, accurate count of every person that comes in.

Take the case of the Title I education program, for example. In 1991 when I came here, its state allocation was based on the previous Census in 1980. Most of the immigration that came into California was during that time between 1980 and 1991. We were getting cheated. The gentleman from Massachusetts in the other body did not want the money coming from out of Massachusetts, so he actually added money to the program when the Democrats were in the majority. So an accurate count is important for education. The Census should not be a guess. An accurate statistical system of guessing, as my friend, the gentleman from California, said, is an oxymoron. It is not possible. We cannot do that.

Let me give a little statistic. California has more illegals than all the population in Kosovo. If I had my way, only people that are in the United States of America legally would be counted in the Census—not illegal aliens. We cannot do that, but I think it would be the right thing to do.

The mayor of San Diego, Mayor Susan Golding whose city has a population that is bigger than many of the States, supports this issue of local post-Census review very strongly.

My question is this: If we talk about the 1990 Census being so poor, why did they mess it up so bad? The liberal Democrats had control of the House and Senate in 1989. Why did they mess it up so bad? I would say they messed it up so bad maybe because they were following the Constitution of the United States that says actual enumeration which, in modern times, is very difficult to do well—but very important to do well. We must count everyone. We must not guess in our Census. What we are trying to do is add local adjustment to solving that problem.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. BLAGOJEVICH).

Mr. BLAGOJEVICH. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, in 1990 the Census was the first Census that we had that was

less accurate than the one before it. We have been conducting the Census since 1790, and only one time in our history has it been less accurate than the one before it.

Because of the 1990 Census, 10 million Americans were undercounted. In the city of Chicago, my hometown, 68,000 Chicagoans were not counted. That is enough Chicagoans to fill Soldier's Field completely at a football game where the Bears were playing. I know the Bears have a bad record, and they may not always sell out, but 68,000 people is a lot of people to not be counted.

Federal resources are predicated upon the counts. All the statisticians, the National Academy of Scientists and others, indicate that statistical methodology in the 21st century is the way to go, not the 1990 version, where we undercounted people by 10 million.

Mr. MILLER of Florida. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CALVERT).

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

Mr. Speaker, I rise today in support of H.R. 472, the Local Census Quality Check Act. My hometown of Corona, California, has been voluntarily working with the Census Bureau to review and compare maps provided by the Census Bureau to ensure accuracy in the 2000 Census count.

Growth in Riverside County, California, has soared in the last decade. From 1991 to 1998 the city of Corona added 36,000 new residents, more than any other community in California's inland empire. An accurate Census count is absolutely vital.

During this review, the city found that additions are not always incorporated in a timely manner by the Census Bureau. Local governments are the best source to verify where residential addresses are located within their boundaries. Therefore, it is critical that cities have the opportunity to review the final addresses.

Mr. Speaker, H.R. 472 is a sound piece of legislation which restores and improves upon a program begun by the Census Bureau. As we work toward enumeration of the 2000 Census, we will continue the implementation of improved methods and ensure all persons are counted.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself 15 seconds for a point of clarification.

Mr. Speaker, in the 1990 Census it was the Secretary of Commerce in the Bush administration that refused to allow the use of modern scientific methods to correct the undercount that caused the 1990 Census to be less accurate than the one before it, not the House and Senate.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. FORD), an outstanding member of the subcommittee on the Census.

Mr. FORD. Mr. Speaker, I thank the gentlewoman for yielding time to me,

soon to be chairwoman of the subcommittee, no disrespect to our current chairman, the gentleman from Florida (Mr. MILLER).

Mr. Speaker, I rise in opposition to H.R. 472, and would take the liberty to ask all of my colleagues to support the Maloney amendment. I have heard nothing, Mr. Chairman, since being a member of the committee, but lip service paid to this notion of an accurate count.

While many of the independent experts, including those mentioned by the committee ranking member, the gentleman from California (Mr. WAXMAN), tell us that the key to an accurate Census is the use of modern statistical methods, whether the majority leader likes it or not.

We have not been able to count all the folks in this great Nation. There were 8 million missed in 1990; in my district alone 20,000, and in my State of Tennessee, 8,000. Had we counted all of them, that would have been the fifth largest city in the State. The 20,000 missed in my district, 10,000 of them were children; 17 new schools, 530 new teachers, according to children's organizations who have done some of the numbers.

Census data, Census data, is used to determine the amount of funding, Federal funding for education, for health care, for transportation projects, as my good friend, the gentleman from California (Mr. DUKE CUNNINGHAM) just talked about.

But the bill that the gentleman from Florida (Mr. MILLER) and my friends and others are putting up would not accomplish the goals they seek to accomplish. If we allow local governments to work with the Census Bureau, if we follow them, the Maloney model, that is consistent with what these guys want to do.

Do the right thing, allow the money to get to Members districts, my district, all of our districts.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Like many grandmothers, my granddaughter Isabel and I read books together, and some of them are counting books. There is one where there are these hidden butterflies. The trick is to find the hidden butterflies.

The children in our country are those hidden butterflies. It is not as simple as one, two, three. In fact, in the Census we found that 52 percent of those 8 million that were not counted were children. This H.R. 472 is simply not intended to count the children. It is aimed at identifying not people but housing units.

The fact is that 70 percent of the undercounted people, most of them children, were in housing units that had already been identified. What we need to be about is counting children.

I want to say to my colleague on the other side of the aisle, there is no way that the mayor of my city, Mayor Daley, is supportive of H.R. 472. He, like the New York Times, feels that House Republicans are up to their usual mischief on the Census. One of their worst proposals is H.R. 472. Let us get about counting the children.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL), a former mayor and outstanding member of our Task Force on the Census.

Mr. PASCRELL. Mr. Speaker, I want to thank the gentlewoman for yielding time to me.

Mr. Speaker, I have a great deal of respect for the legislation that has been put on the agenda today. I happen to disagree with it. If I listen to those people who have been in support of this legislation, we could have worked out a compromise on this. That is the sad part about it.

To imply that Democrats are against local review is simply untruthful. What we are saying is that this local review must be done at a specific time so that there is time for the Census under the law, under the law, and under the Constitution of the United States to do scientific methodology. That is what this debate is all about.

My city in 1995 was one of three in the entire Nation that dealt with the scientific foundation of what we are debating today. It worked. Each one of those towns had their populations increased because of the state of the art of scientific sampling. It was not polling and it was not guessing, and it was accurate.

Mr. MILLER of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. GRANGER), the former mayor of Fort Worth.

Ms. GRANGER. Mr. Speaker, I rise today in support of H.R. 472, the Local Census Quality Check Act of 1999. This important legislation will reinstitute the highly successful Post Census Local Review Program used by the Census Bureau in 1990.

Post Census local review is a program both parties have supported in the past. I hope both parties will support it in the future. In short, it is a commonsense way to ensure that our Census is accurate, fair, and constitutional.

Let me say at the onset that as a former mayor of a major city, I appreciate and I support the need for an accurate count of all of our citizens. That is why I believe the post census local review is the way to go. Post Census local review is not a new idea, it is a proven product that works. In fact, post Census local review is a Census Bureau program. That is right, the Census Bureau formulated this plan. They used it in the 1990 Census.

Here is how it works. Post Census local review gives local and tribal governments a review of housing counts in their area prior to finalization of Cen-

sus numbers. After all, who knows these areas better, government officials in Washington, or local officials in these jurisdictions?

□ 1600

Post-census local review in the 1990 census was highly successful. But do not take it from me. Just look at these facts. A 1990 post-census local review added 80,929 housing units to the census count.

It also relocated 198,347 housing units to the right block and removed 101,887 housing units counted in error. This all equates to around 400,000 mistakes corrected as a direct result of post-census local review.

Over 124,000 people were added to the census count. For example, in the City of Detroit, they added over 47,000 people, mostly inner-city residents, to its total. Cleveland added more than 10,000 people.

Mr. Speaker, these are real people in real cities who are added to the census, not hypotheticals, not guesses. Mr. Speaker, the census is too important to mess around with. Let us do this right.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland (Mr. HOYER).

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

Mr. HOYER. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time.

I want to join the mayor who spoke in saying that this is not about local involvement, it is about the timing of local involvement. Why is it about the timing of local involvement? Because I suggest to my colleagues, if they involve the local governments late in the process, they deny the opportunity for sampling to be used.

Speaker Gingrich, the former Speaker of the House, in 1991 said that sampling ought to be used, because if it was not used minorities in Georgia would be undercounted. That was Speaker Gingrich in a letter of 1991.

The fact of the matter is, if we delay, as H.R. 472 will inevitably require, the involvement as opposed to having it early, as the mayor and the gentlewoman from New York (Mrs. MALONEY) suggest, then we will preclude what I suggest the gentleman from Florida (Mr. MILLER) said in a statement would be, not only allowed, but the sense that I took from his statement was might be preferable.

Furthermore, Dr. Bryant, George Bush's census director, says that we ought to utilize sampling. If that is the case, we ought not to adopt legislation which will delay it.

In a report of the panel on census requirements in the year 2000, the National Academy of Sciences said we ought to use sampling because it more accurately counts.

The gentlewoman from Texas (Ms. GRANGER), former mayor, said that we counted some 124,000 people in a post-census review. Yes, we did. But guess

what, we did not count 8 million people. In other words, while we got 124,000, we left out 7,896,000 people. That does not seem to me to be a good trade-off if we really care about counting every person for the purposes of making an accurate census.

I refer to the distinguished gentleman from Florida (Mr. MILLER), my friend who serves with me on the Committee on Appropriations. In quoting him, he says "I have chosen these words carefully. The issue of sampling is an issue of apportionment of representatives, not, I repeat, the distribution of Federal aid."

Now, if it is all right to use sampling for the purposes of distributing over \$187 billion of taxpayers' money, presumably because we think that is more accurate and will more accurately target where the funds are supposed to be, then I would suggest to the gentleman it is equally applicable to making sure that people who are getting money are represented accurately as well.

The SPEAKER pro tempore (Mr. NEY). The Chair notes that the gentleman from New York (Mrs. MALONEY) has 12½ minutes remaining, and the gentleman from Florida (Mr. MILLER) has 9 minutes remaining.

Mr. MILLER of Florida. Mr. Speaker, I yield myself 15 seconds.

It is amazing that we keep talking about sampling. The Supreme Court settled the issue. The issue of distribution of funds is not a constitutional question. We are talking about apportionment and redistricting. That is the constitutional question. That is what the Constitution mandates us to do in Article I of our Constitution, to do a full enumeration. That is what they are doing.

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

Mrs. MALONEY of New York. Mr. Speaker, I yield myself 15 seconds.

I really want to underscore what the gentleman said. They ruled on a statutory issue, not the Constitution. It referred only to apportionment and specifically said that one could use modern scientific counts and should use it for all other purposes, redistricting and distribution of Federal funds.

Mr. Speaker, I yield 1 minute to the gentleman from Guam (Mr. UNDERWOOD), my dear friend and colleague.

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

Mr. UNDERWOOD. Mr. Speaker, H.R. 472 has a goal. But that goal is not to achieve a fair and accurate census count, and it is not to use the best scientific methods available. It is to derail the Census Bureau's plans of using statistical sampling, the only method which would remedy the undercount of minorities, children, and the rural and urban poor. By instituting a post-census check, not only will the Census Bureau's work be set back for more than a month, the Bureau would miss its apportionment deadline set by December 31, 2000, and deplete funds necessary for

statistical sampling. I do not know whether this is the intent, but this is clearly the effect.

Both Democrats and Republicans in the past have acknowledged that a post-census local review such as H.R. 472 mandates will not work. It was clearly demonstrated in the 1990 census, and that is why the Bush administration's director of the Census Bureau stated that the post-census local review in 1990 was a well-intentioned but ineffective operation.

We support local government participation, but not as a mechanism to delay and divert the basic intent of the census.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, H.R. 472, the Local Census Quality Check Act, calls for a post-census local review by local governments of the census population numbers before they become official.

We already have done that. We found out, though, that it does not work. We still lose over 8 million people. So this bill is not the solution that we need to do. The 1990 census was the least accurate of all our censuses. It missed or double counted over 8 million people.

We have used the post-census reviews in 1990, and the gentleman from Guam (Mr. UNDERWOOD) mentioned the quote from Dr. Barbara Bryant about how this post-census review in 1990 was well-intentioned but ineffective.

Rather than repeat the post-census local review with its disappointing and miniscule results, the Census Bureau determined to find a better way for local governments to fully participate. They are doing that now.

In 1990, Texas was undercounted substantially. Houston alone was undercounted by thousands. So by doing this in 1990, it was broken, but we need to fix it. This bill will not fix it, Mr. Speaker, unless we attach the Maloney amendment to it.

I urge my colleagues to support the Maloney amendment. The Census Bureau estimates the post-census review will add an additional 9 weeks to the count which will also increase our costs.

H.R. 472, the Local Census Quality Check Act, calls for a Post Census Local Review by local governments of the census population numbers before they become official.

The 1990 census was the least accurate of all of our censuses and it missed or double counted over 8 million persons. We used a Post Census Local Review during the 1990 Census. However, Dr. Barbara Bryant, Director of the Census Bureau during the Bush Administration, has testified before the Census Subcommittee that

Post Census Local Review in 1990 was a well intentioned, but ineffective, operation. . . . Rather than repeat postcensus local review, with its disappointing and minuscule results, the Census Bureau determined to

find a way for local governments to more fully participate in the census.

Texas was undercounted in 1990 in Houston alone by thousands.

The Census Bureau has done just that. They have established The Census 2000 Local Update of Census Addresses (LUCA) which vastly expands both the interaction between local governmental units and the Bureau, and it extends the time local governments are given to verify and correct addresses and boundaries. To date, twice as many local governments are participating in Local Update of Census Addresses compared to the Post Census Local Review in 1990. Notably, these governments cover 85 percent of all addresses in the country.

The Census Bureau estimates that a post census review will add an additional nine weeks to the count which would increase cost, increase delays, and effectively hinder the operations of the Census Bureau. Instead of wasting time, we should be using the most modern and scientifically accurate methods of counting in order to take the 2000 census. Without it the miscounting of minority populations will persist.

H.R. 472 is a bad attempt at correcting the miscounting of over 8 million persons in our country during the 1990 census. We should not be wasting our time and taxpayer dollars on an operation that has proven to be at best ineffective.

Again, I urge my colleagues to oppose H.R. 472, unless the Maloney amendment is adopted.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mrs. MEEK), who has been an outstanding participant in this census task force.

Mrs. MEEK of Florida. Mr. Speaker, I thank my colleagues on the Committee on Government Reform and Oversight. I have worked with both of them. They are both able and capable leaders.

I happen to have a difference of opinion on the bill than the gentleman from Florida (Mr. MILLER) has, and that time is the thing in this entire thing. Time is very, very important.

The whole concept philosophically may be good, but what will happen in the end is this post-census review will not be done in a timely manner. There is too much at stake, Mr. Speaker, too much at stake.

The people I represent have been undercounted for the last two censuses. Data will show that the post-census review and the pre-census, none of them did the job of giving us the count that we need.

All I am saying is people want to be counted. I cannot go back to Miami and say to the minorities I represent, the Hispanics, the African Americans, all of this people who make up this beautiful pattern of color we have in this country and say to them we are not doing everything that we can do to be sure that each one of them is talented.

So today I want to say to this particular House, we cannot go with the bill of the gentleman from Florida (Mr. MILLER), with all of his good intentions, because the time is too short. He

is extending the time of the bill's implementation.

Mr. Speaker, There are some in Congress who are intent on making sure that we do not have a fair and accurate census count in 2000. H.R. 472, introduced by Representative MILLER, requires the Census Bureau to provide local governments with an opportunity to review the housing counts from the 2000 census.

There is little difference between Mr. MILLER's proposal and the post-census local review conducted as part of the 1990 census. This procedure didn't work in 1990 or 1980, consequently, Congress replaced it with a precensus local review that is more simple and easier for communities to handle.

Rather than adding another program, we should be working to make the precensus local review work.

H.R. 472 has as its purpose to keep the Census Bureau from doing its job. This will not do anything to improve the accuracy of the 2000 Census. This bill could even cripple the Census Bureau's efforts to conduct the most accurate census possible. Micromanagement of the 2000 Census, at this late date, is absolutely the wrong thing to do. We need to get out of the way and let the Census Bureau do its job.

It is interesting to note that Mayor Penelas, the mayor of Miami, FL, as well as several local Commissioners, forwarded letters to my office outlining their opposition to H.R. 472.

Additionally, Dr. Barbara Bryant, the former Director of the Census Bureau, testified before Congress that the 1990 local review was a logistical nightmare and a public relations disaster. Most of the communities that participated were displeased with the process, and less than 20 percent of the governmental units participated.

The program as laid out in the Miller bill essentially duplicates activities in the precensus local review. Although the desire on the part of local government officials to get one last chance to increase their counts is understandable, any such program should complement rather than duplicate other census activities.

The Census 2000 is one of the most divisive and partisan issues that we will face in this session of Congress. At stake are billions in federal funds, as well as control of state legislatures throughout our country. The main effect this bill would have would be to delay, past the statutory deadline established in P.L. 101-174 (April 1, 2001), the release of corrected totals at the geographic level suitable for redistricting. I urge my colleagues to vote against H.R. 472.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I thank the gentlewoman from New York (Mrs. MALONEY) for the time and also for her hard work to make sure that all people in this country are counted.

I rise today to strongly oppose H.R. 472. There are 352 days until April 1, 2000, census day. Preparation for this constitutionally mandated national head count has been in the works for years. Now, in the eleventh hour, our colleagues on the other side of the aisle are proposing legislation that seeks to change procedures, add costs, and most importantly a timetable to an already tight time schedule.

Mr. Speaker, I come to the floor today to consider how best to correct the undercount of low income people, minority groups, and children. The undercount has been the practice of the Census Bureau in recent decades. If you are not counted in, you are counted out. That is fundamentally undemocratic. It is wrong.

H.R. 472 appears to be harmless. But the post-census local review strategy used in 1990 failed miserably. We must not dismiss the views of the Census Bureau Director, who calls this bill just short of disastrous. Let us not repeat these mistakes. I ask for a "no" vote on H.R. 472.

Mr. MILLER of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. CRANE).

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

Mr. CRANE. Mr. Speaker, I thank the gentleman from Florida for yielding me the time.

Mr. Speaker, I will take just a moment, and it is just to reinforce the importance of preserving the process for a post-census local review on the part of local governments.

I have a community in my district that sent a letter out. It was actually to all of the Congressional Members from our Illinois delegation, but it is a village in my district, Elk Grove.

Back in 1990, Elk Grove village reviewed the Census Bureau's preliminary count, they say, and village staff found that a newly constructed subdivision had failed to be counted which included 349 residents.

Furthermore, based on the per capita revenue dispensed by the State of Illinois, Elk Grove village would have lost over 35,000 in annual revenue, almost 250,000 in total, had the review process not existed. To be sure, that sounds nickel, dime in this town and in this body, but it is vitally important to local communities.

For that reason, I urge that we follow the process of continuing that but simultaneously expanding to 45 days the consideration for review.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON).

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise against House Resolution 472 unless we adopt the Maloney amendment. This amendment is a logical and effective means to include local governments, produce an accurate count in the 2000 census, and it gives the Census Bureau ability to use statistical sampling to validate traditional census data without unnecessary interference.

We need to do everything we can to make sure that everyone is counted in this census by using all the technology and tactics that we have available to us.

Undercounting in the 1990 census cost the State of Texas a total of \$1 billion from a variety of Federal programs for which we would otherwise have qualified. According to the Census Bureau, nearly half a million Texans were missed in the last census, most of whom were inner city minorities and most especially children. So we are not talking about voters here.

While this country is using science and technology to find a cure for many diseases, to expand opportunities in education and employment, and even to build better buildings and bridges, the Republican majority refuses to allow the use of science and technology to help us count the people.

Why should not our government be allowed to use this technology. Why must we retreat back a century rather than forward.

I rise in support of the Maloney amendment to H.R. 472. This amendment is a logical and effective means to include local governments to produce an accurate count in the 2000 census.

Further, it gives the Census Bureau the ability to use statistical sampling to validate traditional census data without unnecessary interference. We need to do everything we can to make sure that everyone is counted in this census by using all the technology and tactics we have at our disposal.

Undercounting in the 1990 census cost the State of Texas a total of \$1 billion from a variety of federal programs for which we would otherwise have qualified. According to the Census Bureau, nearly half a million Texans were missed in the last census, most of whom were inner-city minorities and most especially children.

While this country is using science and technology to find a cure for many diseases, to expand opportunities in education and employment and even to build better buildings and bridges, the Republican majority refuses to allow the use of science and technology to help us count those who need to be counted the most.

Why shouldn't our government be allowed to use this technology? Why must we retreat in the 20th century on this important issue?

Unfortunately, the antiquated and inaccurate means we use to count our citizens will continue to be used.

Not only will our constituents lose out on federal funds they deserve, but we are quietly eroding the principle of one person—one vote. The recent Supreme Court decision on statistical sampling ties the hands of state legislatures who depend on census data to draw fair and competitive congressional districts.

This decision and the Republican majority's embrace of its effects on voting rights will greatly reduce the electoral opportunity for minority and women candidates to win office and represent their concerned constituents.

Further, this decision acts to disenfranchise poor and minority citizens, those who are traditionally missed using traditional census data.

It is time to stop ignoring the facts! Traditional headcounts do not work. How many times does it need to be proven? Mayors know this. So many are in support of using statistical sampling.

Congress knows this. Otherwise, how can you explain the utter fear of the Republican

majority to the use of sampling? Let me give it a try. Sampling will work. It will work well. It will work too well for them. Undercounts in the nation's inner cities consistently help Republicans stay in and gain new entry to elected office.

Be fair to the citizens of the United States and let the Census Bureau do their jobs the best way they can—through traditional methods supported by statistical sampling.

Vote "yes" to the Maloney amendment.

MAY 20, 1997.

IMPORTANT NOTICE TO ALL STATE CHAIRMEN

From: Jim Nicholson, Chairman, Republican National Committee.

Re: The Clinton Census.

I am contacting you to recruit your assistance in addressing an issue of unusual importance to the future of Republican Party. At the heart of the matter is one of the federal government's most fundamental Constitutional functions: the United States census. At stake is our GOP majority in the House of Representatives, as well as partisan control of state legislatures nationwide.

The Clinton Administration is implementing a radical new way of taking the next census that effectively will add nearly four and one-half million Democrats to the nation's population. This is the political outcome of a controversial Executive decision to use a complex mathematical formula to estimate and "adjust" the 2000 census. Using this process Democrats gain a critical advantage in the next redistricting that will undermine GOP efforts to elect Republicans to both federal and state offices.

A reliable analysis done for the RNC by Polidata Political Analysis reveals that a statistically altered census will have a sweeping political impact that clearly imperils the Party's present congressional majority. The GOP would suffer a negative effect in the partisan makeup of 24 Congressional seats, 113 State Senate seats and 297 State House seats nationwide (a state-by-state summary is attached for your reference). Many of these legislative districts are in states where majorities are held by only the narrowest of margins. An adjusted census could provide Democrats the crucial edge needed to prevail in close contests to control several state legislative chambers.

The census does have problems and improvements are needed to insure a successful effort, but an adjusted census ignores the Constitution's call for an "actual enumeration". Republican leaders are committed to providing the needed resources for a complete count as directed by the founders. Census adjustment raises many legal, ethical, and technical concerns, yet Democrats faithfully promote it as the solution. Don't be fooled. An adjusted census is part of a long-term Democrat strategy to regain control of Congress and elect more candidates at all levels.

I regard it my duty as Party Chairman to alert you to the consequences on this front, and to request your assistance in stopping a census adjustment. Congress has the ultimate Constitutional authority to decide how the census is conducted, and federal appropriators have moved to halt funding for an adjusted census. Conference review of this issue is scheduled to begin today as part of a Supplemental Appropriations bill (H.R. 1469 fiscal year 1997 Supplemental Appropriations Act). We anticipate an attempt to strip this legislation of language that prevents the use of estimates and sampling in taking the census. Despite the concerns outlined here, adjustment proponents have been successful in exploiting Members' local concerns related to federal funding and legislative representation. A census adjustment could shift some

federal funding levels, but it should be stressed that the language coming out of conference is planned to be specific for apportionment, and not funding distribution purposes.

It is vital that Republicans be united in opposing an adjusted census. Therefore, I am calling on each state chairman to urge your congressional delegation to support legislative restrictions, and to vote against any amendment that removes such language from the Supplemental Appropriations bill.

Thank you, and please do not hesitate to contact me should you need further information regarding this matter.

Mrs. MALONEY of New York. Mr. Speaker, may I inquire of the time?

The SPEAKER pro tempore. The gentlewoman from New York (Mrs. MALONEY) has 7¼ minutes remaining, and the gentleman from Florida (Mr. MILLER) has 7¼ minutes remaining.

Mrs. MALONEY of New York. Mr. Speaker, I yield 3½ minutes to the gentleman from Ohio (Mr. SAWYER), former chairman of the Subcommittee on Census and an outstanding leader on this issue.

Mr. SAWYER. Mr. Speaker, I thank the gentlewoman from New York for those kind comments.

I, too, rise in opposition to H.R. 472 based on that kind of experience that I have from 1990. The 1990 post-census local review was a well-intentioned but ultimately flawed program to tap the knowledge of local officials in the final stages of the census.

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Now, that knowledge ought to be a key element in any orderly count, but in reality in 1990 it became a frantic attempt to make up for deficiencies in traditional counting methods. Unfortunately, the shortcomings of those methods were widespread and systemic. Trying to find missing housing units and determine who lived there 6 months earlier was like looking for a lot of needles already long gone from a very large haystack.

Dr. Bryant has been widely quoted on this floor. On this specific subject she said that the post-census local review was a logistical nightmare and a public relations disaster. The depth and the breadth of the undercount was an obstacle that desperation in the guise of persistence could not overcome.

Recognizing that its counting efforts were falling short, the Census Bureau that year initiated a canvass of a selected 20 percent of all blocks in the country. That combined effort, put together with the post-census local review, increased the final census count by one-tenth of 1 percent. PCLR was less than one-twentieth of 1 percent.

The decision not to conduct this style of post census local review in 2000 was neither arbitrary nor isolated. It simply was not a cost effective activity. The GAO concluded that extended reliance on field follow-up activities represents a losing trade-off between augmenting the count and simply adding more errors.

An accurate address list is clearly a critical part of an accurate census. We

were amazed in our census review, the gentleman from Wisconsin (Mr. TOM PETRI) and I, to find that every 10 years the Census Bureau starts from scratch to build a new address list. So involving local governments in the development of an address list was critical. It was an equally clear fact that involving them at the end of the process in a frantic effort to close out the census was a failure for both the Bureau and for local officials.

Involving local governments early in the process of developing the lists was better for both the Bureau and for local officials. So we developed the Address List Improvement Act to address those legal constraints, and in 1994 we enacted permission allowing the Bureau for the first time to share address information with the U.S. Postal Service and with local governments ahead of time.

Using this new authority, the Bureau's redesigned census relies on the knowledge of local governments to compile and verify ahead of time a master list file of all housing units before the census starts, when it can do the most good.

We also have to face a difficult fact. Some local governments, not all but some, are not well positioned to provide reliable data on their housing stock. They may lack fiscal resources or technical expertise. The GAO observed that, on balance, local address lists add more error than they correct. There simply comes a time when too many cooks stirring the pot spoil the porridge.

I have discussed this with Director Prewitt at some length, and we agree that a more constructive approach would be for the bureau to provide local governments with frequent reports and up-front involvement in the progress of the address list development and in the count itself as it unfolds.

The legislation of the gentleman from Florida (Mr. MILLER) is a well-intentioned effort to bring the knowledge of local officials to the census process, but I must strongly counsel against tying the Bureau's hands with specific operational requirements, particularly ones that run against the professional judgment of the Bureau's staff, and is clearly not wise in the light of past experience.

The 1990 Post Census Local Review (PCLR) was a well-intentioned, but ultimately flawed, program to tap the knowledge of local officials in the final stages of the census. The Bureau hoped that mayors, county supervisors, and other local officials could help identify obvious gaps in the census counts and direct enumerators to specific neighborhoods where housing units may have been missed.

In reality, as time wore on, PCLR became a frantic attempt to make-up for deficiencies in traditional counting methods. Unfortunately, the shortcomings of these methods (later documented by independent evaluators such as the General Accounting Office and National Academy of Sciences, as well as the Bureau

itself) were widespread and systemic. Trying to find missed housing units and determine who lived there six months earlier (on Census Day) was like looking for a lot of needles already long gone from a very big haystack.

Dr. Barbara Everitt Bryant, Census Bureau director during the 1990 count, told a congressional oversight panel in 1998 that PCLR was "a logistical nightmare and a public relations disaster." As summer faded, local officials in the hardest-to-count areas saw the writing on the wall as traditional methods failed to reach large numbers of households. They viewed PCLR as a final chance to make-up for disappointingly low mail response and painstakingly difficult follow-up efforts that would doom their communities to inaccurate counts. But the depth and breadth of the undercount (more than 8 million people were missed in 1990, according to Census Bureau evaluations) was an obstacle that desperation in the guise of persistence couldn't overcome.

The hard facts about PCLR tell the story. At a cost of \$9.6 million, PCLR added about 125,000 people living in 81,000 housing units. Subsequent evaluations estimated that 11.7 percent of the households added should not have been included. Of all local governments invited to participate in PCLR, only 25 percent (about 9,800 of 39,000) did so. Recognizing that its counting efforts were falling short, the Census Bureau also initiated a recanvass of selected neighborhoods in late summer and early fall of 1990. In all, the Bureau revisited 20 percent of all blocks in the country. The combined effort increased the final census count by one tenth of one percent.

The decision not to conduct a 1990-style Post Census Local Review in 2000 was neither arbitrary nor isolated. The Bureau's own evaluations clearly showed that PCLR was not a cost-effective activity. In its comprehensive assessment of the 1990 census, the General Accounting Office concluded:

During the final stages of data collection the Bureau expends considerable effort to increase the population count, with limited success. The coverage improvement programs provide a vivid illustration of this problem. . . . The results from 1990 also demonstrated that spending more time on fieldwork has questionable value. Extended reliance on field follow-up activities represents a losing trade-off between augmenting the count and adding more errors.

Altogether, the coverage improvement programs accounted for only one percent of the 1990 census count (or 2.4 million persons). Clearly, any redesign of the census process had to consider alternatives to lengthy and costly field operations that did little to reduce the chronic undercounting that plagued poor rural and urban communities and people of color overall.

As Tom Petri and I conducted our evaluation of the 1990 census we quickly came to the conclusion that building an accurate address list was an essential element to an accurate census. Frankly, we were amazed that each 10 years the Census Bureau starts from scratch to build a new address list. It was clear from the two hearings we held on post-census local review that involving local governments in the development of the address list was critical. It was equally clear that involving them at the end of the process in the frantic efforts to close out the census was a failure for both the Census Bureau and local officials.

Working with the Census Bureau, we came to the conclusion that involving local govern-

ments early in the process of developing the address list was better for both the Census Bureau and local officials, but that the confidentiality provisions of Title 13 U.S.C. made that very difficult. In addition, the Postal Service told us that the statutes governing their operations complicated providing addresses to the Census Bureau. At the request of the Census Bureau and the Postal Service we developed the Address List Improvement Act to address these legal constraints.

At the request of Congress and the Bureau itself, the National Academy of Sciences convened two expert panels to conduct a comprehensive review of the census process. Legislation mandating one of those reviews asked the panel to study ways to improve direct enumeration methods, alternative methods for collecting the basic population data, and the appropriateness of using sampling methods in combination with direct counting techniques. In relevant part, the Panel on Census Requirements in the Year 2000 and Beyond concluded that: "It is fruitless to continue trying to count every last person with traditional census methods of physical enumeration. Simply providing additional funds to enable the Census Bureau to carry out the 2000 census using traditional methods . . . will not lead to improved coverage or data quality. . . . [P]hysical enumeration or pure 'counting' has been pushed well beyond the point at which it adds to the overall accuracy of the census. Moreover, such traditional census methods still result in a substantial undercount of minority populations."

With guidance from the Academy panels, the GAO, the Commerce Department's Office of Inspector General, and congressional oversight and funding committees, the Census Bureau re-engineered the census process to meet the overarching goals of increased accuracy and cost containment. The Census 2000 plan it unveiled in February 1996 incorporates new approaches for developing a complete file of the nation's residential addresses and as I mentioned earlier, legislation enacted in 1994 allowed the Bureau, for the first time, to share address information with the U.S. Postal Service and local governments. Using this new authority, the Bureau's redesigned census relies on the knowledge of local governments to compile and verify a Master Address File of all housing units before the census starts. Unquestionably, an accurate address list will substantially increase the likelihood that all households will receive a census form and that enumerators will visit all households that fail to respond by mail. Equally important, shifting a thorough review of address lists to the front of the process will promote a higher quality census, since information collected late in the census is unquestionably less reliable. As the GAO and other evaluators discovered, as the information-gathering moves further away in time from Census Day, more and more mistakes are made, and the quality of the data greatly diminished.

We also have to face a difficult fact. Some local governments are not well-positioned to provide reliable data on their housing stock. They may lack fiscal resources, technical expertise, or accurate administrative records. As recently as March 1998, the Commerce Department's Acting Inspector General observed that "on balance, local [address] lists add more error than they correct." There simply comes a point when too many cooks are stir-

ring the pot, and the Census Bureau must be able to exercise its professional judgment in deciding how best to compile a comprehensive address file that follows consistent definitions of what constitutes a housing unit.

For jurisdictions that have the capacity to review and confirm a large set of address information, the pre-census activities offer the best opportunity to get it right. Once they do, a 1990-style review after non-response follow-up is completed will do little to address the problem of undercounting that experience tells us is inevitable. If the Bureau starts with an address file that incorporates as much knowledge as local governments can offer, there is no reason to believe that these same governments can improve the search for housing units six months after Census Day. A more constructive approach in my opinion, would be for the Bureau to provide local governments with frequent reports and upfront involvement progress of address list development the count itself as the census unfolds. That way, working together, the Bureau and local officials can pinpoint neighborhoods where response is low and develop targeted efforts to reach those unresponsive households.

I understand that Chairman Miller's legislation to require a 1990-style post-census local review in every census is a well-intentioned effort to bring the knowledge of local officials to bear on the census process. That is an admirable goal and one that should run through all stages of census planning, preparation, and implementation.

But I must strongly counsel against tying the Bureau's hands with specific operational requirements, particularly ones that run against the professional judgment of Bureau staff and is clearly not wise in light of past experience. In 1990, post census local review held out great promise for local governments to improve the accuracy of a census that more and more Americans shunned. In the end, the program didn't meet expectations. But even if it had, we cannot automatically assume that a repeat ten years later is justified.

This country is changing, more profoundly and rapidly than we are able to measure. We will not be the same country in 2000 that we were in 1990, and we must be able to adapt our tools of measurement to accommodate that change. That is why the Census Act (title 13, United States Code) gives the Secretary of Commerce wide latitude in determining how best to conduct the census.

Congress still bears the constitutional responsibility for taking the census, and I do not mean to suggest that we should look the other way while the Census Bureau plans each decennial count. Perhaps the most constructive role for Congress is ensuring that the Bureau is guided by sound scientific and operational knowledge, generated both from within the agency and from outside experts and stakeholders.

Following the 1990 census, the Secretary of Commerce established an advisory committee comprised of a wide range of stakeholder organizations. Local and state elected officials, civil rights advocates, scientific disciplines and data users, community service providers, veterans and senior citizens, educators, and the business community and all represented on the committee. These stakeholders have worked tirelessly over the course of this decade to master the intricacies of census-taking and recommend ways to improve the process

based on their own unique perspectives of the diverse nation we are trying to measure.

The 2000 Census Advisory Committee has prepared a final report that includes recommendations for improving the accuracy of the address file before the census and housing unit coverage during the census. The committee unanimously endorsed a focused local review program that gives local governments an opportunity to review housing unit counts at various levels of aggregation, depending on their ability to participate in the pre-census address compilation program. The committee also endorsed a large post-enumeration survey that can serve as the basis for correcting overcounts and undercounts in the census. Clearly, this diverse group of stakeholders recognized both the potential contribution of local governments in improving the coverage of households, and the limitations of this effort with respect to addressing the persistent problem of differential undercounting.

This committee and other advisory panels focusing on populations of color and relevant scientific disciplines have provided a valuable and necessary check on the Census Bureau's work. Their continual oversight and guidance ensures that the 2000 census plan represents the collective knowledge of the broad community of stakeholders. Congress should encourage the Bureau to incorporate as many recommendations from these key stakeholders as is operationally and technically possible. But we should not second-guess the advice this broad group has issued, nor should we render their substantial effort meaningless by negating or modifying key elements of their proposals.

The subcommittee can make a further contribution to the process, I believe, by encouraging the Bureau to consider the feasibility of these stakeholder recommendations quickly and to implement those proposals that are likely to improve the accuracy of the census. Tying the Bureau's hands with specific statutory requirements for a housing unit check may irreversibly damage a process that by its very nature must be as pliable as it is intricate, and as forward-thinking as it is grounded in experience and history.

Mr. MILLER of Florida. Mr. Speaker, may we have a time status?

The SPEAKER pro tempore (Mr. NEY). The gentleman from Florida (Mr. MILLER) has 7¾ minutes remaining, and the gentlewoman from New York (Mrs. MALONEY) has 3¾ minutes remaining.

Mr. MILLER of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. DOOLITTLE), the vice chairman of the Subcommittee on Census.

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

Mr. DOOLITTLE. Mr. Speaker, I am not a supporter of the disastrous proposal by the Clinton administration and the minority party in this House to do statistical sampling, for a number of reasons.

I think it is clearly unconstitutional. I think we have a recent Supreme Court decision handed down at the beginning of this year, a fair reading of which would be to conclude that it prohibits both sampling for apportionment

of representatives as well as for redistricting purposes within the States.

I think, in the effort to make a more accurate count, in fact it introduces a high degree of subjectivity into the process, and in fact would be less accurate. And even if we accepted the fact that somehow this might be valid, we would have to have it with an administration that we could trust, and this administration is the most partisan one in history.

This is an administration that we cannot trust on the issue, for example, as they have proven with the manipulation of campaign finance laws or of the immigration procedures, all designed to affect the outcome of an election. So the trust threshold is low here.

But let me just say to those that do support sampling that I do not believe this bill, H.R. 472, deters them from their goal. Let me just quote from the committee hearing here that the gentleman from Florida (Mr. MILLER) conducted.

A question was posed by the chairman to Dr. Prewitt, the census director. "Does post-census local review impact sampling, because I have heard that one of the reasons you are opposing it is that it will make it harder to do the sampling adjustment?" And Dr. Prewitt answered: "No, sir. I do not know on what basis that would have been suggested to you." And then the gentleman from Florida (Mr. MILLER) replied, "So the post-census local review has no impact, to your knowledge, on the 300,000 sampling process; right?" Dr. Prewitt responded: "No."

So I think it is clear that the Clinton administration's census director does not believe that this is going to threaten sampling, which we oppose, but which I submit this bill does not impact.

I would, though, like to draw my colleagues' attention to the fact that there is strong support for the post-census local review. Now, we can all understand that, can we not? Yes, the U.S. Government, through the Census Bureau, is charged with doing the census every 10 years. But we also have a principle in this country that we all know called federalism, and post-census local review is perfectly consistent with this principle.

Even from Thomas Jefferson forward we have known that the government which governs least governs best, and that government should occur at the most local level. Now, my Democratic colleagues claim Thomas Jefferson. I claim him, too. I have never understood why we did not have him in the Republican Party. In fact, I think he was a member of the Democratic/Republican Party, so we could have a Jefferson Day Celebration, too.

But look at this. This is the testimony of Alex G. Feteke, who is the mayor of Pembroke Pines, Florida. This was testimony for the National League of Cities before the Subcommittee on Census given earlier this year. Here is what he had to say: "The

National League of Cities enthusiastically supports the Local Census Quality Control Act, H.R. 472. This bill will provide our Nation's cities and towns with the much-needed post-census local review process."

And then we have here the testimony of Lanier Boatwright, President of the National Association of Developmental Associations, representing 77 million Americans: "The precensus activities, such as local update of census addresses program, are not adequate substitutes for post-census local review. Local governments should have an opportunity to ensure the accuracy of the census numbers before they are final."

And I would like just to conclude with this thought, Mr. Speaker. In 1990, there were 400,000 errors that were corrected as a result of this, and they only had 15 days to check it over. This bill gives them 45 days. We believe there will be an exponential increase.

In 1990, we added 80,000 housing units, 198,000-some housing units to the right block, and 101,000 housing units were counted in error and were removed. A correction in either direction assures accuracy and fairness, and that is what we seek: accuracy and fairness, consistent with the Constitution of the United States.

I strongly urge an "aye" vote for H.R. 472.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself 15 seconds.

The gentleman quoted Dr. Prewitt from the Census Bureau. I request to put in the RECORD a letter of April 12 to me, and I would like to quote and put in the RECORD directly his response. He said, "The operation proposed in H.R. 472 will harm the ability of the Census Bureau to carry out its basic mission of providing the most accurate census counts for all purposes." And to end his quote, he says, "It would put the census at risk".

Mr. Speaker, I provide for the RECORD the letter I just referred to.

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS
Washington, DC, April 12, 1999.

Hon. CAROLYN B. MALONEY,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MALONEY: I apologize if my responses to the question(s) regarding H.R. 472 have left any uncertainties about its impact on the overall accuracy of the census. I welcome this opportunity to make the record clear, especially because the amount of time available during the hearings to address H.R. 472 was limited by the need to respond to the full agenda of issues of interest to the Subcommittees.

In assembling the plan for a census, the U.S. Census Bureau reviews the strengths of a large number of operations, first considering each on its own merits. We then assess the relative effectiveness of each operation, for the final design is of course an integrated set of operations. It is this integrated set that constitutes the design that in the professional judgment of the Census Bureau will provide the best census results within the available time.

In assembling the final design, the Census Bureau did not exclude the Post Census

Local Review in order to include the Accuracy and Coverage Evaluation procedure. Decisions on the desirability of these operations were mutually exclusive. In 1990, the Post Census Local Review process proved to be so cumbersome that 75 percent of all local governments did not participate in the exercise, resulting in the addition of only one-twentieth of one percent to the overall count, or about 125,000 persons. Census Bureau professionals, relying on a decade of experience, analysis and testing, designed a new and better way to involve local governments in the effort to count everyone. This new operation, called Local Update of Census Addresses, or LUCA, enables local governments to verify the addresses in their communities before the census is conducted.

Similarly, the Census Bureau included the Accuracy and Coverage Evaluation on its merits. It is the only effective procedure that will inform the Census Bureau and the country about the accuracy of the original count based on the mailback, telephone/interview operations, and nonresponse follow up. The accuracy measurement represented by the Accuracy and Coverage Evaluation will provide the greatest level of accuracy for census data for uses other than reapportionment, such as redistricting, federal funds allocation, and population estimates. It is designed specifically to address the differential undercount experienced in prior censuses and anticipated in 2000.

In making these determinations, there was no trade-off between the two programs, just as there was no specific trade-off between any of dozens of other operations excluded and included. Census 2000 represents an integrated set of operations that was selected over many alternative sets.

At this late stag in the decennial cycle, any new operation of the magnitude of the Post Census Local Review would adversely affect the timing and quality of census operations, including the Accuracy and Coverage Evaluation. I have testified, and here reemphasize, that an integrated operation of the complexity of the census—correctly described as the largest civilian mobilization in the country's history—cannot now be redesigned without degrading accuracy and placing timely completion at risk.

In conclusion, to directly address your question, the operation proposed in H.R. 472 will harm the ability of the Census Bureau to carry out its basic mission of providing the most accurate census counts for all purposes. More specifically, H.R. 472 as proposed would obligate the Census Bureau to send to all cooperating jurisdictions an incomplete household file; or, if we delayed sending it until we had completed that work our ability to produce apportionment counts by December 31, 2000, as required by law, would be put at risk.

Sincerely,

KENNETH PREWITT,
Director.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. RUSH).

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

Mr. RUSH. Mr. Speaker, I want to thank the gentlewoman for yielding me this time, and I want to commend her on the outstanding work she has done on this issue.

Mr. Speaker, I rise today to speak on behalf of every U.S. citizen, black and white, old or young, rich or poor, city dweller and rural resident. Every U.S. citizen is important to the very fabric

of our Nation and deserves to be counted, not ignored. Unfortunately, this is the overall effect of H.R. 472, the bill that my Republican colleagues want to pass.

I live in a city that still suffers from the 1990 census undercount. Chicago's undercount is the third highest among America's cities, with an estimated 68,000 people missed. A disproportionate number of those undercounted citizens were minorities. This is wrong and must be corrected.

In a bipartisan manner we must include every American, we must vote in opposition to 472. Any other vote is wrong, wrong, wrong.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I rise in strong opposition to H.R. 472.

Mr. Speaker, this is not the way we ought to go in terms of doing the most important job we have, which is counting the American public. Obviously, the census determines the allocation of resources across our country.

What do we know? We know the last time we tried to do this we had numerous mistakes. We missed 8 million people. We double counted 4 million people. We are trying to correct this, and the scientific community says that the most accurate method for counting Americans is through statistical sampling.

Why is that relevant today? Because this bill, sometimes described as a Trojan horse, will say that we will give local communities opportunity for participation. The effect of this bill is to deny the Census Bureau the opportunity to conduct statistical sampling. What happens is the resources needed in time for sampling are drained away by local participation. But because local participation always sounds like a good idea, they think they can get away with it.

Under current law we can have local participation, and we should have it. Enhanced participation is provided for under current law. In addition, the Democrats are supporting the Maloney amendment which would provide enhanced local participation.

We can have local participation, we should have statistical sampling, we should not have this bill.

Mr. MILLER of Florida. Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentleman from Florida (Mr. MILLER) has 2¾ minutes remaining, and the gentlewoman from New York (Mrs. MALONEY) has 1½ minutes remaining.

Mr. MILLER of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Speaker, I would like to bring up correspondence which I received from the City of Carlyle. Mayor Schmitz wrote to me in support of the post-census review and included a memorandum from one of his staff,

Ms. Jean Parson, which discusses this issue in detail.

Ms. Parson, in her memo to Mayor Schmitz writes: "In the old program, the Census Bureau conducted the census and then we had an opportunity to review the count and challenge anything that didn't quite look correct to us. Under this program, as I understand it, our only input is in the formulation of an address list."

She goes on, "I have spent many hours reviewing their list. I spent time with the postmaster comparing our lists, and then made corrections to the census list. This entire process was extremely confusing and I have had my doubts if my changes will even be made. I also am sure that I didn't pick up every problem in the list. It is just too complicated and time-consuming."

"I guess I'm just getting old, but the old way seemed to work. If we have no opportunity to review the final list, we will not have an accurate count."

One final quote from Ms. Parson: "Communities are not well represented at the meetings I attended, and I have spoken to many community leaders who were not even aware of the changes."

"I'm sure this is because of mailings not reaching the appropriate people. Anyway, this process could be very damaging to those communities who did not participate in the address review process. It is possible that they will have changes. . . . and interest could increase between now and census time, and it will be too late for them to have any input."

Mr. Speaker, the localities in my district are confused. It appears that many have not even heard about LUCA and by the time they do they aren't even sure that their changes are being recorded.

Let's listen to our local governments and give them the right to challenge the census bureau.

I plan on supporting H.R. 472 today and I urge my colleagues to support this common sense legislation.

Mr. Speaker, I ask my colleagues to support this. Our small communities are begging for the ability to be involved in this process.

□ 1630

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. FARR).

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, there is no rocket science in this. The Federal Government since history has been required to do a census every 10 years. We do not need to pass any law to do that. We created the Census Bureau to do it. So if we are going to pass a law at this stage, we really are going to pass a law to restrict how we do the census, and that is what this bill does and that is why it should be rejected.

Essentially, no bill is necessary. So this bill comes along and it only addresses post-census review, which is

letting local governments review it. But then if we read the bill, throughout the bill, on page 2, line 23; page 3, line 3; page 3, line 19; page 4, line 5, all those times and dates restrict the ability of local government to have a review of the process. And, essentially, if we restrict local governments, we restrict local voices to comment on what is going to affect the revenues that they are going to receive because of the undercount that occurs.

Basically, we know there is a partisan battle going on here. The more people that are counted in this country, the more people that are probably Democrats, the less people that are Republicans. So let us quit this partisan fight and have no bill at all.

The SPEAKER pro tempore (Mr. NEY). The gentlewoman from New York (Mrs. MALONEY) has 30 seconds remaining.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the record is clear. We need to defeat this bill. The U.S. Conference of Mayors in a letter this week said, "A lengthy 1990 style post-census local review will do very little to address the persistent undercount problem. We urge you to oppose any legislation that places at risk the Census Bureau's ability to conduct a timely, post-enumeration survey."

We should let the professionals at the Census Bureau do their job. We should stop trying to micromanage the census. We should support an accurate census and defeat H.R. 472.

Mr. MILLER of Florida. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, during the debate the other side kept referring to sampling, sampling, sampling, and I keep saying the Supreme Court ruled it illegal. So we just need to do the best job we can and address the undercount.

Yes, there was an undercount. We need to do everything we can to eliminate that undercount, and post-census local review is one way to help eliminate the undercount. It solved 400,000 mistakes back in 1990. They added 125,000 people. Those people count. So why can we not use it? Why would we even be opposed to it?

Now, the two criticisms I have heard today was, one, it was going to delay the process by 45 days, by 9 weeks. This takes place parallel at the same time as the sampling plan or the Census Bureau is proposing to use a sample of 300,000. So it should not delay it. It was used in 1990. It did not delay the census in 1990. And so it should not delay it this way around.

The other argument is that we have this LUCA program that we allow people to get involved in before the process. That is good. We want people to be involved. But every community is not involved in that. So the idea is that is a before, this is an after. It is kind of like an audit of the books.

What is there to be afraid of? It is just a chance to check it. I know it is

a pain, and maybe it is a lot of trouble for the Census Bureau. It is not like it is a huge sum of money. It was \$7 million in 1990. So it is not the money issue, when we are spending billions of dollars on this issue. What it is is it is an issue of trust and accuracy, accuracy because we can add people.

Because mistakes are made. As the gentleman from Illinois (Mr. CRANE) said, in Elk Grove village in Illinois they missed a whole subdivision they were able to catch before it was too late. That is getting accuracy. And then we get back to the issue of trust. Let the local officials have one final shot to say, were there any mistakes? Were there any subdivisions missing? That is all we are talking about. It is a good piece of legislation.

Mr. KOLBE. Mr. Speaker, I rise in strong support of H.R. 472, the Post Census Local Review Program. This program which was dropped by the Clinton administration has strong support from my local government officials and needs to be reinstated.

In Arizona, we have experienced unprecedented growth during the 1990's. Small towns like Oro Valley have quadrupled in size between 1990 and 1999.

The following is from a letter written by Mayor Paul Loomis of Oro Valley.

Because of this rate of growth and our changing community we feel the Post Census Local Review program is very important in order for Oro Valley to receive our fair share of State and Federal funds. The town of Oro Valley does want the opportunity to correct mistakes before the Bureau of the Census finalizes the year 2000 count.

Pima County wants the opportunity to make sure the families in houses occupied in the last few months before the census are included in the count and to verify that areas containing concentrations of "hard to count" populations are counted. In some areas we have 6,000 residential building permits outstanding and many of these "addresses" will become valid after the local update of census addresses is completed.

In Cochise County, we are finishing a decade long addressing project during which we named or renamed 3,000 road and addressed more than 85,000 parcels. In Bisbee, the city is worried that due to the unique and difficult topography, many small neighborhoods and small enclaves of homes in side canyons and hidden basins will be missed.

Mr. Speaker, the Supreme Court has ruled that we must have an actual count; that is not the issue here. The Post Census Local Review Program is merely an opportunity for the local officials who know their communities to look at the census results and verify their accuracy. Calling such a program "unfair" stretches the credibility of any thinking person.

Mr. HOEFFEL. Mr. Speaker, I rise in support of the Maloney amendment to H.R. 472, the Local Census Quality Control Act.

The Maloney amendment would allow local governments to get involved in reviewing census plans in their area in a fashion which will allow the Census Bureau to execute its plan on schedule. The Census Bureau studied its 1990 procedures and have proposed updated methods which will be more accurate and more efficient. The Maloney amendment is compatible with these recommendations, and

will allow the Census Bureau to produce the most accurate count possible of American citizens.

An accurate count is critical to every state, district, and town in this country—including my own district in Pennsylvania. As my constituents know, an inaccurate count has real effect on real people.

In the Norristown Area School District, inaccurate procedures employed during the 1990 census undercounted the number of poor children by 60 percent, dropping the count of impoverished students from 1,375 in 1980 to 541 in 1990.

But Norristown administrators experienced a different reality: not 541, but 3,348 kids received free and reduced lunches each day—that's 1 out of every 2 students.

This undercount resulted in real budget cuts for Norristown schools: Federal assistance to Norristown dropped each year from \$1.4 million in 1992–93 to \$652 thousand in 97–98. That's only 47 percent of the original budget—less than half.

These cuts have resulted in actual reductions of Title I services to students. The Norristown school district was forced to reduce its number of Title I teachers, and the number of students they served. Title I programs provide special instruction in reading and math to the kids most in need of help, so they have a chance not to fall behind, but to excel.

So the end result of the 1990 census' undercount: If we cut out disadvantaged children from the census, we cut out their opportunity to get a solid education and a promising future. Congress should not allow this to happen.

H.R. 472 ignores the expert advice of the Census Bureau and keeps the same 1990 procedures, which unfairly excluded these impoverished children in my District. I cannot support the underlying measure.

What should our criteria be for a good census?

The census should be accurate: Congress allow the Census Bureau to use the methods that produce the most accurate results: statistical sampling. The Bureau is following the recommendations of the scientific community and other experts.

The census should be efficient: The 2000 census will cost \$4 billion with modern statistical methods, and \$7.2 billion without them. H.R. 472 would also add at least nine weeks to the counting process. That doesn't make sense.

Most importantly, the census should be fair: In our democracy, to be uncouncted is to be voiceless, and to be voiceless is to be powerless. We should not overlook children, minorities, and the poor. In 1990, the undercount of African-Americans, Hispanics, and Native Americans was three times that of the general population. Congress can and should correct this.

I urge my colleagues to vote for the Maloney Amendment to H.R. 472.

Ms. KILPATRICK. Mr. Speaker, today I rise in strong and stringent opposition to H.R. 472, the so called Local Census Quality Check Act. The bill is more properly titled the Local Census Quality Destruction Act. This bill which Republicans argue allows local governments to participate in the results of the Census is a deceptive trick by the Republican Majority intended to delay the Census results solely—let me repeat—solely for political gain. The enactment of this legislation could add up to 9

weeks to a complex process that must be completed in the short span of a year. H.R. 472, will extend the completion of the Census so that there will not be enough time to make statistical corrections. Local government participation is extremely important, however, the Bureau has already recognized this fact. The 2000 Local Update of Census Addresses (LUCA) already gives local governments an important and expanded role in enumerating their populations by assisting the Census Bureau to accurately verify local addresses prior to the mailing of census questionnaires. In fact, twice as many local governments have taken advantage of this aspect of the 2000 census as compared to the Post Local Census Review of the 1990 Census.

Today you will hear the majority argue extensively that modern scientific methods are unconstitutional, or that modern statistical methods are inaccurate or wasteful. Do not be fooled. Most Republicans who oppose this bill could care less about the accuracy of the Census. They take comfort in knowing that the Census will be conducted in a manner similar to the way it has always been conducted because it serves their political ends.

In 1990, the traditional head count missed 8.4 million Americans—4.4 million Americans were counted twice for a net undercount of 4.0 million people—52 percent of this undercount, 52 percent were children. In my home state of Michigan, almost 1 percent of all minorities were undercounted. Most of those not counted were the poor and underserved. In 1990, the undercount averaged 1.6 percent of the population. The under count of minorities was far worse—4.4 percent of African-Americans were not counted; 5.0 percent of the Hispanic community was not counted and 4.5 percent of our nation's Native Americans were not counted.

Republicans in Congress who oppose this measure do so for very specific reasons. It is rumored that the Republican leadership believes that they could lose between 12 to 24 seats in the House of Representatives if modern scientific methods are allowed. In light of this possibility they have amassed an all out offensive to redirect or derail the use of modern statistical methods in the Decennial Census. In addition to bills like this one here today, keep your eyes peeled for the massive media campaign that the leadership is planning to use to obstruct the benefits of modern statistical methods.

If I still have not convinced you of the misguided intent behind this bill, let me point you to the opinions of others. Dr. Kenneth Prewitt, the Director of the Census Bureau, who was appointed by the Republican Bush administration, supports the use of modern scientific methods. He has also stated that the enactment of H.R. 472 is neither timely, effective, nor cost efficient. The American Statistical Association, the Population Association of America, the National Academy of Sciences, the Cities of Los Angeles, Houston and my home city, the city of Detroit all support the use of modern scientific methods for the census. There are even a few Republican members here in the Congress who recognize the importance of using modern scientific methods to enumerate our population.

There is too much riding on the accuracy of the Census. The accuracy of the count is fundamental to the very concept of a government for, of and by the people envisioned by our Constitution's Framers. More than \$100 million

in federal grants is distributed based upon census numbers. This money goes to state and local governments for the programs that benefit roads, schools, job training, medicaid, and other important social services. It is only right that all Americans be accounted for in our Decennial census process. Delaying the Census, as H.R. 472 does will only ensure that this is not the case.

Mr. BURTON of Indiana. Mr. Speaker, I am pleased to be here today to support H.R. 472, The Local Census Quality Check Act. This bill was one of seven pertaining to the Census that were recently reported out of the Government Reform Committee. This series of commonsense Census bills will help to ensure the most accurate count for the year 2000 Census.

I want to congratulate the Census Subcommittee Chairman, Mr. MILLER, for putting together this very positive legislative package. Chairman MILLER is the author of H.R. 472. He has done an excellent job under very difficult circumstances and is to be commended for his efforts.

Some of my Democratic friends have accused us of micro-managing the Census. Well, there are some real problems over at the Census Bureau, and we need to take a hard look at them. That's not micro-managing, that's responsible oversight, which is our job. The voters didn't send us here to sit around and twiddle our thumbs. When there are problems, they expect us to solve them.

One of the problems that we have is that it doesn't look like the Census Bureau is doing everything they can to count every American. The Supreme Court has ordered them to do a full enumeration for reapportioning congressional seats. They may very well order them to do only a full enumeration. That remains to be seen. They do not appear to be taking the steps they need to count the hard to count populations, which is why this bill should be passed.

H.R. 472, The Local Census Quality Check Act is designed to get more people to participate in the Census. It will help to get a more accurate count and reduce the undercount. Local and tribal governments are the ones who need accurate Census data the most, and it is important that they are able to trust the Census counts. Post Census Local Review provides the opportunity for local governments or their designees to review official Census household counts in their jurisdictions before the Census numbers are final. Under this bill, local governments would be given 45 days after the completion of the nonresponse followup stage of the Census to review the official housing counts noting discrepancies for possible challenges. Post Census Local Review added 124,000 people to the final count of the 1990 Census.

I just can't understand why anyone would be opposed to consulting with local governments to make sure that the numbers are right. This just makes common sense. The Census Bureau used this Post Census Local Review program in both 1980 and 1990 Censuses. For the 2000 Census, the Census Bureau has decided not to provide local governments with this opportunity, which is wrong.

This bill shows that we're committed to counting every single American, whether they're a minority or not, whether they live in the inner city or the suburbs. I believe this bill will pass on its merits. We want everyone to

be counted, and I wish the Clinton administration would join us in that commitment.

Mr. STARK. Mr. Speaker, I rise today to call for the use of modern statistical methods in order to assure an accurate census in the year 2000. Without this, the undercount of the urban and rural poor and minorities will persist.

H.R. 472, the Local Census Quality Check Act, would prevent the use of statistical methods by requiring the use of a postcensus local review as part of each decennial census.

Representative DAN MILLER's bill would require the Census Bureau to review the count of local addresses a second time—nine weeks after the census field work is done. This new requirement will consume so much time that the Census Bureau will be unable to carry out its plans to use modern statistical methods. The 2000 census will suffer from the same flaws as the 1990 census—millions of people missed and millions of others counted twice.

Mr. Speaker, an accurate count is essential to California. The population in the 13th district of California was undercounted by 11,857 for the years 1991–1999. This translated into nearly \$32 million in lost federal funds. In addition to formula funds, hospitals and community clinics which provide vital services in our communities use census data to determine where to build and whom to serve. Without an accurate count, our citizens will again be denied essential services.

This legislation is opposed by the National Association for the Advancement of Colored People, the National Asian and Pacific Legal Foundation, and the National Association of Latino Elected and Appointed Officials, and for good reason. The 1990 Census missed 8.4 million people, miscounting children, the poor, and people of color. The requirements in H.R. 472 would further undermine the accuracy of the next census, and would compromise our constitutional assurance of "one American, one vote."

It is critical that we put partisan policies aside and work to ensure an accurate census in 2000—for poor and minority Americans in California and throughout the nation.

The SPEAKER pro tempore. All time for general debate has expired.

It is now in order to consider an amendment in the nature of a substitute.

AMENDMENT NO. 1 IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. MALONEY OF NEW YORK

Mrs. MALONEY of New York. Mr. Speaker, I offer an amendment in the nature of a substitute.

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

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

Amendment No. 1 in the nature of a substitute offered by Mrs. MALONEY of New York:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Local Participation in the Census Act".

SEC. 2. CENSUS LOCAL PARTICIPATION.

(a) IN GENERAL.—Subchapter II of chapter 5 of title 13, United States Code, is amended by adding at the end the following:

"§ 142. Census local participation.

"(a)(1) The 2000 decennial census shall include the opportunity for local governmental

units to review housing unit counts, jurisdictional boundaries, and such other data as the Secretary considers appropriate for the purpose of identifying discrepancies or other potential problems before the tabulation of total population by States (as required for the apportionment of Representatives in Congress among the several States) is completed.

"(2) Any opportunity for local participation under this section shall be provided in such time, form, and manner as the Secretary shall (consistent with paragraph (1)) prescribe, except that nothing in this section shall affect any right of local participation in the 2000 decennial census otherwise provided for by law, whether under Public Law 103-430 or otherwise.

"(b) Any opportunity for local participation under this section in connection with the 2000 decennial census should be designed with a view toward affording local governmental units adequate opportunity—

"(1) to assure that new construction, particularly any subsequent to April 30, 1999, and before April 1, 2000, is appropriately reflected in the master address file used in conducting such census;

"(2) to verify the accuracy of those units or other addresses which the United States Postal Service has identified as being vacant or having vacancies; and

"(3) to assure that the Secretary has properly identified the jurisdictional boundaries of local governmental units, consistent with any measures taken under Public Law 103-430 and any other applicable provisions of law.

"(c) Any opportunity for local participation under this section shall be afforded in a manner that allows the Secretary to derive quality-control corrected population counts (as recommended by the National Academy of Sciences in its final report under Public Law 102-135 and as proposed in the census 2000 operational plan as part of the Accuracy Coverage Evaluation program) on a timely basis, but in no event later than the date by which all tabulations of population under section 141(c) (in connection with the 2000 decennial census) must be completed, reported, and transmitted to the respective States.

"(d) As used in this section—

"(1) the term 'decennial census' means a decennial census of population conducted under section 141(a); and

"(2) the term 'local governmental unit' means a local unit of general purpose government as defined by section 184, or its designee."

(b) CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 13, United States Code, is amended by inserting after the item relating to section 141 the following:

"142. Census local participation."

Amend the title so as to read: "A bill to amend title 13, United States Code, to require that the opportunity for meaningful local participation in the 2000 decennial census be provided."

The SPEAKER pro tempore. Pursuant to House Resolution 138, the gentleman from New York (Mrs. MALONEY) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

My amendment will fix some of the underlying problems of the bill that is before us. But, in the final analysis,

this is a very bad bill and should be defeated.

There are three things wrong with H.R. 472. First, it calls for a repeat of a failed program in the past. Second, it does not address the fundamental failure of the 1990 census, the large undercount for minorities. Third, this bill will prevent the Census Bureau from being able to correct the final population counts for the millions of errors that are inevitable.

The supporters of this bill have proudly claimed that it makes permanent the local review program from the 1990 census. Why would we want to make permanent a program that failed miserably in 1990?

Let us look at the record on post-census local review. Only 16 percent of local governments participated. The additions to the address list amounted to less than one-tenth of 1 percent. That means that more than 99.9 percent of the address lists went unchanged. Local review had a nearly 20 percent error rate. That means that one out of every five addresses added to the census was wrong, thus making the census less accurate.

In simple language, local review, as it was done in 1990, did not work for the census and it did not work for the local governments. The good thing about the Census Bureau is that they work very hard at trying to fix the things that do not work in the census, and that is just what they are doing now with local review.

For 2000, the Census Bureau, spurred on by Congress, decided that it would be better to work with local governments before the census rather than to try to fix it afterwards, and that is exactly what they are doing.

The 1990 local review covered less than one-tenth of 1 percent of all addresses. The 2000 local review has already covered 86 percent of all addresses, and they are still working. This is an improvement of over 1,000 percent.

Why do my colleagues on the other side of the aisle want to go back to a system that is 1,000 times less effective? The Republicans claim they are trying to help local governments, but a large number of mayors and other local officials oppose H.R. 472.

The mayor of Dade County, Florida, said, "I urge you to oppose H.R. 472." The mayor of Detroit, the mayor of San Francisco, the City Council of New York and Los Angeles all are opposed to this bill. And let me share with my colleagues just a few of the editorials around the country.

The Sacramento Bee says, and I am quoting from an editorial since my colleagues on the other side of the aisle are saying that I am partisan, let us go to a nonpartisan, independent opinion molder. The Sacramento Bee says, "At the eleventh hour, Republicans in Congress are proposing legislation that seeks to significantly change census methodology and procedures, adding costs, confusion and, most critically, time to an already tight schedule.

Post-census local review was tried in 1990 and 1980 and, according to a Republican former Census Bureau director, turned out to be a logistical and public relations nightmare. The real Republican goal here seems obvious, delay."

According to the Houston Chronicle, "One side is so clearly wrong. Republicans fear the more accurate numbers will give Democrats an advantage. But Texas GOP lawmakers ought to put their constituents above narrow partisan interests."

The Miami Herald says, "Republicans will prevent an accurate census at any cost. The House Government Reform Committee voted to throw as many monkey wrenches as needed into next year's count with bills that will delay a true count, delay it until all those initially overlooked, black, brown and other minority faces, no longer count. When these bills get to the House, common sense should trump partisan politics."

And I could put in many, many more. But, Mr. Speaker, what is most disturbing about this bill is that it will prevent the Census Bureau from being able to correct the census for the millions of people missed or the millions of people counted twice. It is those errors that make the census blatantly unfair. It is those errors that will leave millions of people unrepresented in Congress and left out when Federal funds are distributed.

My colleagues across the aisle want to make sure that these millions are permanently left out of the census and to make sure that the millions counted twice are forever left in. Why?

This bill will do nothing to make the census more accurate. My colleagues want the errors left in the census because they believe that these errors create for them a political advantage. Remember the Republican spokesperson who was quoted in the paper who said that this is a "do or die" for the Republican Party? Not "do or die" for the American people. Not "do or die" for democracy. Not "do or die" for our country. Not "do or die" for accuracy. But the quote from the Republican spokesperson was, "do or die" for the Republican Party.

The supporters of H.R. 472 cannot hide from the fact that their entire census agenda is aimed at making sure that millions of minorities are not counted in the next census.

Mr. Chairman, my amendment in the form of a substitute is specifically drafted at two areas that were of concern that was raised by local governments; and these concerns can legitimately be addressed, and they are new construction and boundary problems.

In addition, my amendment calls for any program on new construction or boundaries to be coordinated with all of the other parts of the census to assure that we get the most accurate count possible.

I urge my colleagues to vote for my amendment and save us from the disaster awaiting if H.R. 472 is passed without change.

The Conference of Mayors agrees. The overwhelming majority of the editorial boards across this country agree. Defeat 472 and vote for my amendment.

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

Mr. MILLER of Florida. Mr. Speaker, I rise in opposition to the Maloney amendment. It is, basically, a gutting amendment. It just guts the whole idea of post-census local review.

We know in 1990 there were 400,000 errors that were determined. We added 125,000 people. I think those are important people. We need to count people. We need to get the most accurate census, and this helps make it more accurate and builds trust. That is what this is all about.

What, basically, the Maloney amendment does is it defeats the very nature of H.R. 472 by requiring that all local review take place prior to census day. This is called post-census local review. It prevents the possibility of doing it afterwards.

The amendment affords the Secretary of Commerce the ability to exclude any post-census local review. Well, he has already stated he is opposed to it, so we are basically doing away with it by giving him the power to say, "well, we do not want it."

This is really getting politics more involved in it. We need to trust our local communities to know the right way to do it, be part of the process. It worked in 1980. I am amazed that somebody said it was a failure in 1990. If we added 125,000 people, are they not real people? Is that not really important? And we corrected these other mistakes.

So I urge opposition, that we have a "no" vote on the Maloney amendment.

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

Mrs. MALONEY of New York. Mr. Speaker, I yield 3½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

□ 1645

Ms. NORTON. Mr. Speaker, never have the Republicans looked worse than they look today in their support of H.R. 472. Because for the first time in American history, the Republicans are trying to force an inaccurate census on the American people. Bad enough that H.R. 472 is the opposite of what all the census professionals, all the statistical experts, what the National Academy of Sciences say gets you accuracy. But what is worse is who H.R. 472 would keep from being counted. I am going to call the roll for you. Because they are first and foremost children, then they are people of color, then they are immigrants, and they are people from big cities, and they are people from rural areas. I am going to call their names out because that is who they are. Undercounting at the Federal level means higher taxes at the local level, because somebody is going to pay for the services for these people.

The way in which this bill makes the Republicans look, even if that is not

your motive, it makes you look as if there are some people you want to be counted and some people you want to be discounted. Let us look at who gets counted twice and who does not get counted at all. 4.4 million people got counted twice in 1990. Do you know who they were? They were affluent people who had two homes, or whose children were away at colleges. They mostly live in suburbs, God bless them. Let us look at who did not get counted. Almost twice as many people did not count at all. There were 8.4 million of them. And let us see who they were. They were kids. They were black people. They were Hispanic people. They were Asians. They were hard-to-reach people in big cities and in rural hovels. That is who they were. This time they demand to be counted.

We know what to do this time. Two things: Involve local communities early, rather than post-census when it is too late to do anything about it. Two, use modern scientific methods that all the experts say are the only way to get a more accurate census. Why do the Republicans, instead of doing what the experts say, hinting at closing down the government, why do the Republicans want to spend \$7.2 million on a census the way they would do it while the Census wants to spend only \$4 million? Do you want this result or do you want this result? Because this is the result the census would get us, five times as many people were uncanceled in 1990.

All three minority group caucuses, the Black Caucus, the Hispanic Caucus and the Asian Caucus, we rarely get together on one press conference, we work on the same issues often but we do not usually get together at the same time. We are working as one on this because we have the most to lose. This, my friends, this issue, H.R. 472, is the most important civil rights issue that will come to the floor of the House in the 106th Congress.

So all three caucuses have come forward to put you on notice, we cannot give this one up, because to do so is to give up our entire community. We have the most to lose. That is why we want local import. H.R. 472 makes a mockery of local import. Give us a color-blind census by counting people of every color. Count everybody. Support the Maloney amendment.

Mr. MILLER of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from Nebraska (Mr. TERRY), a former Omaha City Council President.

Mr. TERRY. Mr. Speaker, I rise in support of H.R. 472 and against the Maloney amendment. I feel particularly strongly about keeping this initiative in place because of my background as an 8-year member of the Omaha City Council. Post-census local review is a highly successful program which affords local and tribal governments the opportunity to review housing counts in their jurisdiction and challenge those counts before the census numbers are made final.

When local officials in my district and across the country learned of the administration's plan to replace the post-census local review with an estimated second number, they objected, including the mayor of Omaha, Nebraska, Mayor Hal Daub, who submits here today that if the Census Bureau misses a zip code or a housing development, which does happen, we must be provided the opportunity to review and correct that error.

At the city level, we feel very strongly that everyone counts in our community and everyone must be counted. It is the local leaders, the mayors, the city council members, the school boards, who know which neighborhoods have grown and which ones have been left out. These local officials must be empowered.

Doing away with the post-census local review would have serious consequences for the Second District of Nebraska. We have seen explosive growth in our district since 1991 because of the high-tech and information industries as well as the transportation and ag industry. In fact, since about 1991, our Hispanic and Latino population has grown from about 2 to 3 percent to 10 to 12 percent by estimate now. These people deserve to be counted.

Nationally, post-census local review added over 80,000 housing units to the count in 1990. The program relocated nearly 200,000. Total corrections as a direct result of the post-census local review totaled nearly 400,000. We cannot argue with those figures.

We cannot ignore local and tribal officials. These officials know their jurisdictions best and they want post-census local review. If local governments and cities do not want to participate, they are under no obligation to do so. It is a voluntary program.

It is imperative that we allow local officials from smaller cities a voice in how their communities are counted. Communities like the ones I represent fear that without this formal mechanism for local review, only the biggest cities in the Nation with political clout will be heard and those from cities with populations in the thousands instead of the millions will not be heard and our people will not be counted accurately.

Unfortunately, this administration is setting America on a divisive course, pitting small States against large States, small cities against large cities. We depend on an accurate census for our fair share of the representation and our fair share of vital public services. Without giving local communities like ours in Nebraska a voice, the methods the administration plans to use and enabled by this amendment would make cities and counties like those in my district in Nebraska the losers. We cannot allow this to happen.

Mr. Speaker, local governments place their trust in us to assure a fair census, that we in fact count everyone. Post-census local review is a small but vital way to live up to that trust.

I urge all to vote against this amendment and for H.R. 472.

Mr. Speaker, I include the following letter for the RECORD:

REPUBLICAN MAYORS
AND LOCAL OFFICIALS,

Washington, DC, March 18, 1999.

Hon. WILLIAM JEFFERSON CLINTON,
President of the United States of America,
Washington, DC.

DEAR MR. PRESIDENT: It is time to place policy over politics and save the 2000 Census from failure. The recent announcement by Census Bureau Director Ken Prewitt, that the Administration is going to attempt a two-number census causes us great concern.

For the first time in history, Americans will be presented with two numbers measuring the same population: the Supreme Court number as mandated in the January 25th decision and the confusing and admittedly estimated second number supported by your Administration given to the states for purposes of redistricting and other functions. The U.S. Constitution is clear in calling for an "actual enumeration" of individuals residing within our borders.

In addition, cities have been told that your second number will serve to replace worthwhile and legitimate improvement measures such as Post Census Local Review. It won't. The National Academy of Sciences has said your sampling proposal will have "considerable variability." With all due respect Mr. President, "considerable variability" is not good enough. Our communities rely on decennial census for their fair share: fair share in political representation and public monies for vital public services. Post Census Local Review doesn't yield variability—it yields accuracy. If the Census Bureau misses a zip code or housing development, Post Census Local Review will provide local governments with an opportunity to notify the Census Bureau and have the error corrected. Under your sampling proposal, adjustments are distributed throughout a state or across state lines, so cities don't necessarily get the specific adjustments they deserve.

As mayors and local officials, we represent the true stakeholders in the 2000 Census, the American people. We urge you to cleanse the census and drop the second number being proposed by your Administration. We also urge you to reinstate Post Census Local Review so that we can help the Census Bureau count our cities accurately.

Do it for the American people.
Thank you.

Sincerely,

Mayor Hal Daub, City of Omaha, Nebraska, President; Councilwoman Beulah Coughenour, City of Indianapolis, Indiana, Vice President; Vice Mayor Michael Keck, City of Little Rock, Arkansas, Secretary/Treasurer; Mayor Neil Giuliana, City of Tempe, Arizona, Executive Committee; Mayor Rita Mullins, City of Palatine, Illinois, Executive Committee; Mayor Ralph Moore, City of Union City, Georgia, Executive Committee; Councilman Chuck Mosher, City of Bellevue, Washington, Executive Committee; Mayor Lou Ogden, City of Tualatin, Oregon, Executive Committee; Councilwoman Rebecca Ravine, City of Fort Wayne, Indiana, Executive Committee; Councilman Patrick Tuttle, City of Joplin, Missouri, Executive Committee; Alderwoman Lisa Walters, City of Ridgeland, Mississippi, Executive Committee.

Mr. MILLER of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. LINDER).

Mr. LINDER. Mr. Speaker, I rise in support of H.R. 472, the Local Census

Quality Check Act. This legislation is a key element of our commitment to assure that every single American is counted in the year 2000 census.

Post-census local review gives officials in every city, county, township and village the opportunity to review the initial results before they become official. This only makes sense. These officials approved the new subdivision that is not on the map. They know the places that mailed forms or a manual count would not reach. They are the best editors that the Census Bureau could ever ask for. This bill empowers them to speak out for their local citizens and prevent mistakes before they occur.

Some of my colleagues across the aisle have argued that local officials are already being consulted. I support those efforts, too. But today less than half of the Nation's local governments have participated in the precensus programs.

Unfortunately, some are using this important legislation to fight old battles that were resolved by the Supreme Court earlier this year. As much as my colleagues across the aisle may disagree, this debate is not about sampling, it is about getting it right the first time. The National League of Cities, the National Association of Towns and Townships, the National Association of Developmental Organizations have asked Congress for this legislation, to be an opportunity to be a partner with the Census Bureau. I urge us all to support this and make sure that the first check of our census occurs on Main Street, not Pennsylvania Avenue.

I must ask the question, what are we trying to hide? What are we trying to slide by? We do not want them participating? This administration cheated with the INS for political purposes in the last election by registering a million new citizens before they had background checks. I would not put it past them to use this method to statistically sample, to manipulate the numbers. What are you trying to hide?

Mr. MILLER of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today in opposition to the Maloney amendment to the Local Census Quality Check Act. The Maloney amendment has nothing to do with local review and has everything to do with establishing a dictator of the census. Before a local community is allowed to review and comment on census data, they must ask "Mother may I?"

For Members who may not believe me, let me read the amendment itself: "Any opportunity for local participation under this section shall be provided in such time, form and manner as the Secretary shall prescribe."

Let me read further from the Maloney amendment:

"The 2000 decennial census shall include the opportunity for local govern-

ment units to review housing unit counts, jurisdictional boundaries and such other data as the Secretary considers appropriate."

This amendment would be nothing more than a "Mother may I" amendment. Under this amendment, the rights of the local communities would be ceded to the Secretary of Commerce. This might be the norm in Third World dictatorships, but it has been soundly rejected by the United States.

The Maloney amendment guts the very rights of local communities that this bill would protect. The Maloney amendment would force local communities to beg the Secretary of Commerce for permission to comment on census figures. We do not need a sovereign rule over local communities on this census issue. We rejected a sovereign 200 years ago. The Maloney amendment gives the Secretary the authority to dictate whether or not local governments have any meaningful input in the process.

We all know the Secretary of Commerce has publicly opposed post-census local review. How fair a card will he deal to local communities? It is imperative that we have input and oversight from local leaders at every stage of the census. H.R. 472 is designed to improve the accuracy of the census. It helps pinpoint such problems as clusters of missed housing units or incorrectly displayed jurisdictional boundaries. H.R. 472 protects the rights of local governments to review data before the census is final.

The Maloney amendment should be rejected because it denies local communities this right unless the President's political appointee gives his stamp of approval. Local governments know their jurisdictions better than Washington bureaucrats.

It is time for the Democrats to stop putting politics before the truth and to protect the rights of our local communities. Make no mistake about it, the Maloney amendment is a muzzle on local communities, clear and simple.

Reject the dictator of the census amendment. Vote "no" on the Maloney "Mother may I" amendment.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I rise in support of the Maloney amendment and in opposition to H.R. 472, for three basic reasons.

First of all, the director of the Census Bureau testified before the Subcommittee on Census that this bill in its current form, if passed, would put at risk the accuracy of the 2000 census. This bill not only puts at risk the accuracy of the census count but it adds additional time which further delays taking the census.

Secondly, I oppose this bill because I have heard from local governments,

such as the Cook County Board in Illinois and others, who have complained that local census review did not work well in 1990 and will not work well today. Even the U.S. Conference of Mayors has stated that a lengthy 1990 style local review will do little to address the persistent undercount problem.

□ 1700

This bill is a wolf masquerading in sheep's clothing. It looks good, it sounds good and can even make us feel good. But it really is no good and could even bite.

In fact, it is not timely, nor is it cost efficient. It simply serves the goal of tying the hands of professionals at the Census Bureau.

Finally, I oppose this bill because it duplicates what the Census Bureau is already doing. The Census Bureau is already involving local governments in the process on the front end as opposed to the back end through a process known as pre-census review.

I urge that we listen to the wisdom of Dr. Barbara Bryant, who served as Census Bureau Director under the Bush administration in 1990, when she said that post-census local review was a failure. I urge that we listen to the wisdom of Dr. Ken Prewitt, who has said that this bill could derail the accuracy of the census. I urge that we listen to the U.S. Conference of Mayors and others who agree that this bill will do little to address the undercount.

Finally, Mr. Speaker, I urge that we listen to the wisdom of the gentlewoman from New York (Mrs. MALONEY) who has amended this bill so that we can make sure that we get about the business of counting the people.

Mr. MILLER of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for yielding this time to me, and I rise in strong support of H.R. 472, the Local Census Quality Review Act, and in very strong opposition to the amendment offered by the gentlewoman from New York (Mrs. MALONEY). I think indeed the amendment may be well-intended, but I suggest that its author does not understand the problem faced by western States with vast rural areas.

Let me begin by pointing out this is not a debate about sampling. Rather, this is a debate about creating the most accurate census, indeed a census that counts every single American.

I strongly support, everyone on this side strongly supports, a census that counts every single American, and precisely because we want to count every single American, we believe that a post-census review is critically important.

The efforts which have been discussed on the other side to consult with local government before the census are indeed good and worthwhile and supported by this side. But why? Why would anyone say, having consulted

with local government before the census, before Census Day, we will not talk to them afterward? I suggest we cannot possibly get as accurate a count if we only talk with local officials before and not after the census.

And let me point out exactly, and that is what the amendment offered by the gentlewoman from New York (Mrs. MALONEY) does, but let me point out the proponents of the Maloney amendment say, well, it is focused on new construction, and it is focused on addresses which are in dispute. Let me point out that in Arizona we have unique problems. In my State we have tens of thousands of voters who register without an address, who live in such a rural location, many of them Native Americans, that they register by reference to a map like this showing that they live 2, or 3, or 5, or 20 miles north of a given dirt road and 8, or 10, or 12 miles west of a stream, or of a ridge, or of a mountain top. Now that kind of rural situation is not repeated in the State where the author of this amendment comes from. I suggest that when we have those kind of rural conditions as we have on Arizona's Native American reservations and throughout all parts of rural Arizona, it is critically important that we talk with local officials, not just before the census to tell them what they ought to do, to tell them where there are pockets that they ought to go talk to people, but that we talk to them after the census.

Now my colleagues should ask themselves, if the goal here is to produce the most accurate census, why would we want to tie one hand behind our back and say we will not talk to local officials, we will not talk to tribal officials about whether we have found people who register 8 miles north of a dirt road and 20 miles west of a particular stream as their home and identify that is where they live? Why would we not want to talk to them after the census is conducted to see if, in fact, the information we gathered is accurate?

I suggest that the amendment offered by the gentlewoman from New York (Mrs. MALONEY) indeed will not produce a more accurate census. It may produce a more political census, but it will hurt rural voters across America who desperately depend upon local consultation for an accurate census.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Speaker, I rise today in opposition to H.R. 472.

The proponents of H.R. 472 will tell us that post-census local review will produce a more accurate count by receiving local input. What they will not tell us is that post-census local review failed in 1980 and again in 1990 to reduce the undercount of our Nation's minorities. The 1990 census missed 8.4 million people, counted 4.4 million twice and put 13 million people in the wrong place. Minorities were the ma-

ajority of those not counted by the 1990 census which missed 4 percent of all African Americans but only seven-tenths of 1 percent of non-Hispanic whites.

Mr. Speaker, the undercount continues to unfairly deny full representation and equitable services to millions of minorities in America. That is why the professionals at the Census Bureau have already begun a form of pre-census local review called the local update of census addresses. The Bureau is working hand-in-hand with localities to ensure that its address list is as accurate as possible before the census begins, rather than waiting until after it is nearly completed to correct any mistakes.

Mr. Speaker, I urge all of my colleagues to reject H.R. 472 unless the amendment offered by the gentlewoman from New York (Mrs. MALONEY) is adopted.

Mr. MILLER of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. SOUDER), my colleague from the Subcommittee on Census.

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

Mr. SOUDER. Mr. Speaker, I want to thank the gentleman from Florida (Mr. MILLER) for his leadership on this issue. It is a very complicated and difficult issue in the middle of a very partisan atmosphere. Clearly, whether or not we are able to get an accurate count may have an impact on how Congress is distributed, and that is why we see much of the debate here.

I believe we have to have a real count and not an estimate or a guess. Estimating has real problems, and I want to illustrate why local communities, mayors, city councils and county councils are so concerned about having the ability to review this, because our assumptions when we estimate are critical.

Mr. Speaker, let me illustrate by using fantasy baseball. I love to play fantasy baseball. I have a team, and it is based on real daily statistics.

Imagine what baseball would be like if the Census Bureau was in charge of baseball:

Fantasy owners of Mark McGwire would be crushed because he would hit only 36 home runs this year, which is his yearly average. Unless, of course, we use his average for 162 games, in which case he hit 48 home runs. But we could use his 3-year average, which is 60 home runs. But anybody who has Mark McGwire in fantasy baseball is really hoping for more than 60 home runs, so they would not want the Census Bureau statistic.

Then take Sammy Sosa. His Census Bureau number this year would be 27. That is his average yearly number. Who would want Sammy Sosa at 27 home runs if he has got the potential to hit 66 home runs?

Now I have had Andres Galarraga, and I would like the Census Bureau number on Andres Galarraga because

his 3-year average is 44 home runs, and he is out for the year.

But, as my colleagues know, this illustrates the problem with estimating. Estimating for the whole United States is accurate. But the smaller the unit when we do estimating, the less accuracy there is and the more deviation there is because it is more difficult to count.

So when we go down to a census block or the equivalent of an individual player, it is completely unpredictable; over 8 percent, I believe, is the variation, or higher. When we move to the city level or even a city council level to a city, then we become more like a team, and it is also very inaccurate and above the percentage that the estimates of the current census of actual numerical count, if we did it in not the way the Republicans are proposing, because we are proposing to increase the money for local groups to go out and do it, we are proposing to increase any way we need to to get a better real count. But if we just took the traditional problems that they had in 1990 and said this is the way we are going to do a real count, it would still be more accurate at the city level and the block level than estimating. Now when we get to the larger units, estimating starts to work better because we have a larger base to work off of and the people are not moving around.

Now let me illustrate why that is the case, because estimating and the mathematical probabilities are based on very difficult things in this type of situation. The people who are most at risk of being undercounted, and I do not think there is any one of us here who sincerely have worked with the problem who do not believe that counting is very difficult in high-risk populations, which include illegal immigrants; it includes the homeless; it includes anybody who does not want to talk to somebody from the Federal Government.

For example, in Fort Wayne we say we have 120 crack houses, but only 20 or 30 may be operating at a given time because it is really abandoned homes and the people are moving between them. Illegal immigrants may be clustered many in a house, or there may be a couple, or the place may not have them at a given time.

Now what we have proposed to do, and the gentleman from Virginia (Mr. DAVIS) and I, and the gentleman from Illinois (Mr. DAVIS) and I worked on an amendment in committee to make sure that we signed off an amendment that even said groups of color with a marketing background, so we can get people in the community to try to find the people who are hard to count because they do not trust somebody like me walking into a neighborhood. Looks like potentially I am going to count them and they are not going to trust me. We have to find groups in local communities who are trusted, but if we do not get real people, that is why we have estimates in this country, and

some big cities that is there is 20,000 homeless or there is 120,000 homeless. Quite frankly, if we estimate on certain assumption that there is 120,000, and there is only 20,000, we are depriving 100,000 other citizens, if we are wrong, of their civil right to vote. That is more than the cities, for example, of Muncie and Terre Haute in Indiana, plus Huntington combined, would be deprived of their right to vote because somebody made an estimate that was high on the homeless as opposed to low.

It does not work. Many of the people who are hardest to count are moving around, and if they are moving around, unless we have a real name, we could quadruple count them.

It is a difficult thing, and it is not a question of sincerity here. I want to get a real count, I want to do everything I can to get the real count, but I am not going to go in for guessing.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, we all are saying that we want an accurate count. It is what we do when we say that. Indeed, this bill is a fig leaf. This amendment really gives some substance to it. We think we can say anything and say it is local control.

I was a former local county commissioner, and I am from a rural area, and I can tell my colleagues it makes more sense to get more engaged pre-census than post-census, and why would we want to institutionalize a method that only used 10 percent of a local government and call that local involvement?

The amendment offered by the gentlewoman from New York (Mrs. MALONEY) gives some credibility to it. Yes, it does say "if needed." It does not say, "Mama, may I?" It says if it is needed, every local government could be involved. We give that authority to the Census Bureau and allow them to make that determination.

The amendment further gives opportunity for new construction, opportunity for change of address.

Mr. Speaker, I urge the support of the amendment offered by the gentlewoman from New York (Mrs. MALONEY) to make this resolution which is very insufficient a sufficient resolution.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

□ 1715

Ms. DELAURO. Mr. Speaker, the Maloney amendment enhances the role of local government in perfecting the census address list, while leaving the details to Census Bureau professionals. The Census Bureau Director Ken Prewitt has said that without the Maloney amendment, this bill, the Local Census Quality Control Act, will make the census 2000 neither timely, effective or cost efficient.

It disrupts the Bureau's effort to complete a fair and accurate census on

time. It prevents the use of modern statistical methods to count Americans that are missed by the traditional head count.

Statistical methods cut the costs, provide for a more accurate count of all Americans, and we have to keep in mind in this process that in 1990 that census missed 8.4 million people. This cannot happen again.

Why is the census important? Why is statistical sampling important? Because we are talking about the distribution of billions of Federal dollars; road improvements, medicaid, child care, community development block grants, foster care grants. This is not a political issue. The census count should reflect the population of this great country of ours. Let us have an accurate count. Let us have local government involved. Let us support the Maloney amendment.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, I thank the gentlewoman from New York (Mrs. MALONEY) for yielding me this time and I want to congratulate her on her excellent work in this regard.

Mr. Speaker, in our last census the GAO estimates that 26 million Americans were counted twice, counted in the wrong district or not counted at all. Now some in Congress say that kind of census result is acceptable, but I strongly disagree. When we are talking about a constitutional guarantee, we cannot settle for 80 or 90 percent correct. Our standard has to be full and fair participation for all.

The good part is, we know how to get that 100 percent accuracy through modern, scientifically proven statistical methods.

Let me just say as the former mayor of the most densely populated city in America I can say that by using the limited time and resources we have to needlessly repeat a local review process, H.R. 472 actually prevents us from getting an accurate count.

Why would the Republicans not want an accurate count? Maybe it is because African Americans are seven times more likely to be missed than whites or that the difference in the undercount between whites and blacks in the last census was the highest ever. Or maybe it is because 1.5 million Hispanic Americans were not counted at all.

Maybe it is because people of color are denied equal representation at every level of government because of an inaccurate count. Maybe Republicans know that the Democratic agenda has far greater appeal to these Americans and they will not vote for them so let us not count them.

Republicans are in the act of a raw political power play that will disenfranchise millions of Americans who are black, brown, Asian or rural and who, in fact, will not be counted by

their methods. We are not just talking about numbers here. We are talking about people, though, who can least afford not to be counted. These people undercounted may be single mothers who work two shifts to put food on the table and send their children to day care and families just struggling to get by, those barely above the poverty line or new citizens who came to America fleeing oppressive regimes and are fearful of government authorities knocking on their door.

The Maloney amendment gives these people a voice. H.R. 472 strips it a way. Let us count everyone regardless of their color. Let us vote for the Maloney amendment.

Mr. MILLER of Florida. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, we all want to count everyone. We do not want to have an undercount. We need to put all the effort and resources to do the hard work. The Supreme Court has ruled that sampling and polling cannot be used for purposes of apportionment. So let us do the job right. This is what post-census review is, giving the chance to have the most accurate census that can be trusted.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. RYAN), a colleague who is on the Subcommittee on Census.

Mr. RYAN of Wisconsin. Mr. Speaker, as we know from studies from the Census Bureau themselves, populations of under 100,000 are underserved under sampling. So if someone represents a district that has less than 100,000 inhabitants, every city in the district I represent in Wisconsin, we are going to be hurt under sampling. That is very important to note.

I would like to take a look at some of the quotes that we have seen as this census debate has occurred. From a Congressman from New York at that time, Charles Schumer, then Democrat from New York, commenting on post-census local review and I quote, this is a Senator from the other body at this time, "Certainly post-census local review is not a panacea but we urge the Bureau to treat it with the gravity it deserves and to truly try to cooperate with the localities in the endeavor to help secure an accurate count."

Right now, post-census local review is simply aimed at missing households. So in New York or Albany or any other locality, housing units have post-census local review. They could say, well, we missed this House or we missed that block or we missed this apartment building.

This kind of information should be made available to the Census Bureau in post-census local review and they should be able to incorporate it as they go over things, end of quote by Democrat Member of Congress from New York, Charles Schumer.

The point is this: We want to get an accurate count. This is not about Republicans and Democrats. This is about fulfilling the Constitution, carrying

out the Supreme Court ruling and doing the best job we can to count everyone, everyone in every apartment building, in every urban center, and if we do pass the Maloney amendment it is to take away the very rights of local government officials to participate in the census, to catch the glitches that occur after the census is taken. It is not a delaying tactic to stop sampling. We had post-census local review in 1990 and sampling in 1990.

The Census Bureau can engage in this. They simply have to go through the work to do it.

Mr. Speaker, this is a killer amendment. A vote for the Maloney amendment is to dilute the vote in all those cities that are under 200,000 in population.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I rise in support of the Maloney amendment, and in doing so to commend the gentlewoman from New York (Mrs. MALONEY) for her exceptional leadership on this issue.

The gentleman from Florida (Mr. MILLER) knows the high esteem with which I hold him but I disagree completely with his bill and I take great issue with its title, Local Census Quality Control Act.

What kind of quality control is it to exclude minorities in our society from being counted accurately? What kind of quality control is it to deny them their due representation in this governing body? What kind of quality control is it to deny the proper funding to States based on an unenlightened process? This bill should pass only if the Maloney amendment is included.

The Maloney amendment will allow the Census Bureau, an entity known to be able to do this, to be left to do their job and provide the most accurate count of all of America's peoples.

The delay proposed by H.R. 472 undermines the Bureau's efforts to provide an accurate count by derailing the process in an attempt to invalidate the best possible census count.

It denies fairness to people and it denies fairness to communities. As a Californian, I appeal to my colleagues from the State of California to support the Maloney amendment and to defeat H.R. 472 without the Maloney bill.

This will do great harm to California. It certainly does to my City of San Francisco and I will submit that testimony for the record. Our country, as I say in California, the beauty is in the mix. We are blessed with a great and diverse population. That diversity is our strength. We must not undermine it by under counting it in the census and therefore undermining the representation that the beautiful diversity should have in this great legislative and deliberative body.

So I again salute my colleague, the gentlewoman from New York (Mrs. MALONEY) for her outstanding leadership on this and urge my colleagues to vote yes on the Maloney amendment.

Mr. Speaker, the only "quality" in H.R. 472 is poor quality.

What kind of "quality control" is it to exclude minorities in our society from being counted accurately? What kind of "quality control" is it to deny them their due representation in this governing body? What kind of "quality control" is it to also deny the proper funding to states based on an unenlightened process?

H.R. 472 is not about "quality control." H.R. 472 is about delaying the process and denying representation. H.R. 472 is about denying the civil rights of individuals who deserve to be included in an accurate account.

A post-census review was ineffective in the 1990 census; what makes it effective in 1999? H.R. 472 sends us on a retreat to 1990 methods which failed. There is a lesson to be learned here but, instead, H.R. 472 places us on a proven path of failure. Involving local government too late in the count is 1990 deja vu. The problems which occurred in 1990 with only 25% of local governments participating in the traditional local review has been addressed by the Census Bureau's Local Update of Census Addresses which is well underway and has already doubled local participation.

The Maloney amendment would let the Census Bureau do what it is charged to do—use the best, modern techniques to provide the best census count possible.

Individually, an undercount using outdated methods, can be damaging and an undercount also has a tremendous effect collectively—on entire communities. In the U.S. Conference of Mayors report on the fiscal impact of an undercount, this effect is noted: "... the formulas used by the federal government to allocate funds in various programs include the number of people who are part of a socioeconomic group—for example, those living in poverty. Since such groups are the ones that historically are the most likely to be undercounted, the loss of federal funds in a city with large portions of such populations is particularly profound."

Specifically, the report identifies San Francisco in stating: "The impact of the undercount will be greater in the next decade if the Census 2000 reflects the same inaccuracy. The City is more likely than many other areas of the United States to be adversely affected if sampling is not used in Census 2000." The report continues in addressing the immigrant population in San Francisco: "Studies have shown that communities having a large, relatively recent immigrant population, as well as those with a relatively large proportion of their households living in rental units, are especially prone to undercounts." From the time between the 1980 census and the 1990 census, 54,000 immigrants came to San Francisco and the net increase through 1997 has been 66,000.

In addition to the undercount of the immigrant population in cities, there is also a concern which San Francisco shares with other urban areas in an undercount of the homeless population. In a year's time, 11,000–16,000 San Franciscans experience at least one episode of homelessness. Almost a third of this number is comprised of families with children which translates into a large potential undercount of children in urban areas.

These are the individuals who will suffer from a delay that attempts to subvert the Census Bureau's efforts to provide an accurate count. Entire communities will also suffer as a

result. All members of the California delegation should be particularly concerned about this delay and its impact on federal funding to communities throughout the state. The loss to California from the 1990 census undercount was \$2.2 billion in lost revenue. As Governor Davis has stated, "We can ill afford to lose another \$2 billion over the next ten years."

The Census Bureau is a known entity which employs experienced census experts. They should be left to do their job and provide the most accurate count of all of America's people. The delay proposed in H.R. 472 undermines the Bureau's efforts to provide an accurate count by derailing the process in an attempt to invalidate the best possible census count. It denies fairness to people and it denies fairness to communities. This should not be allowed to happen.

H.R. 472 provides no "quality control" on the undercount; it is simply an attempt to continue the inequities of an undercount.

Vote "yes" on the Maloney amendment and "no" on H.R. 472 without it.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, I ask all my colleagues today to join me in supporting the amendment to H.R. 472 offered by the gentlewoman from New York (Mrs. MALONEY). This amendment succeeds where 472 fails. It allows for local government participation without jeopardizing inaccurate census. It includes local governments in the Census Bureau's plan. It makes them a vital part of it by including them in the process of building and checking the list utilized by the Census Bureau when it conducts the census.

That is the participation that local governments want. They want to be part of the process now, not later. Let us not be fooled. Whether intentionally or unintentionally, the end result of H.R. 472 will be another inaccurate census. The voiceless will continue to have no voice. The unrepresented will continue to be unrepresented, and the American dream will remain just that, just a dream, never a reality for those who are not counted. We must vote for the Maloney amendment. Vote yes.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, how anyone can support a bill that will result in delaying, in obstructing and politicizing the next census is beyond me, and that is exactly what H.R. 472 would do.

This bill is a wolf in sheep's clothing. While its benign language may make it seem like local government will have more of a say in the census outcome, the reality is that the bill imposes requirements designed to undermine the census accuracy and opens the door to political meddling.

I intend to support the Maloney amendment. Why? Because the Maloney amendment allows local government to be involved in the census, to review and participate honestly in the development of the census from the onset, not after the fact. Vote for the

Maloney amendment. Vote to let the experts do their job and do it right.

Mr. MILLER of Florida. Mr. Speaker, I yield 1¼ minutes to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to address a few of the points made by our distinguished colleagues on the other side of the aisle, specifically my friend from Texas, who I think is a very good man and an honorable person.

The point is we want everyone to be counted. We want to make sure that every person in this country is counted, and by voting for the Maloney amendment we will effectively be voting to deprive local government officials from having the ability to take a look at the data, to simply say after the numbers have been counted let us pour over the maps and make sure nothing was missed.

Now the last speaker just said that this is delaying, this is obstructing, this is politicizing. It is nothing of those kinds. We have quote after quote after quote of Democratic Members of Congress, Democratic mayors, Democratic Governors, supporting post-census local review. Mayor Richard Daley of Chicago; former Mayor Tom Bradley of Los Angeles; the Dean of Congress, the gentleman from Michigan (Mr. DINGELL); the former chairman of the Subcommittee on Census, the gentleman from Ohio (Mr. SAWYER). We have quotes from so many different Democratic Members of Congress who when they were in the majority were the strongest advocates for post-census local review.

Now that has changed. They seem to be opposing it. If this position is the political position of asking local units of government to get involved, to make sure the data is accurate, and the position on the minority side where when we were debating this 10 years ago their position was in favor of post-census local review and now they have reversed their position, reversed their principles, I would suggest that that is a political move.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, I rise in opposition to H.R. 472 and in support of the Maloney amendment. I favor local involvement in this process but I am opposed to anything that has any prospect of slowing down getting to an accurate count and frustrating that purpose, and I believe H.R. 472 will do exactly that.

□ 1730

It is unfortunate that this debate has evolved along partisan lines, because this really should not be a partisan issue. For me, it is about the fact that 126,000 North Carolinians were missed in the 1990 Census. Beyond that, it is about the fact that because of that undercount, North Carolina has missed \$6,830,000 a year in Federal funds for

each of those 10 years that that undercount has been in effect.

If we do not correct the problem going forward, a growing State like North Carolina with a growing urban population, with a growing minority population, is going to suffer the consequences of that not only in terms of the representation that it has in the Congress of the United States, but in terms of the actual dollars that come to North Carolina for such programs as Medicaid, highway planning, the Title I reading programs that help our kids prepare themselves to read at grade level. Those are the kinds of impacts that will be had on people in North Carolina.

So representatives in North Carolina can vote along party lines if they wish. I hope that they will vote in the interests of their States for an accurate count against this bill and for the Maloney amendment.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. SAWYER).

Mr. SAWYER. I thank the gentlewoman for yielding time to me, Mr. Speaker. I cannot let this occasion pass without thanking her for her extraordinary leadership on this issue throughout this Congress and the last.

Mr. Speaker, let me just comment on a point that the gentleman from Florida (Chairman MILLER) made during the debate earlier. He said that the Supreme Court will rule that the Census Bureau must use the same number for apportionment and redistricting. We cannot use two different numbers for apportionment and redistricting.

In this I do not question his motive, but he is simply misinformed. The fact is that in 1990, the Bureau issued one set of numbers for apportionment and another for redistricting and all other purposes, including the allocation of Federal funds to State and local governments.

The Supreme Court upheld the decision to produce two sets of numbers, even though it caused a seat to shift from one State to another. So let us not give the American people the incorrect information. There is ample precedent for producing different sets of numbers for apportionment and redistricting, and the Supreme Court has specifically validated that practice.

Let me just add one point, in closing. In the immortal words of Mark Twain, the rumors of my demise are greatly exaggerated.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, I also want to commend my colleague, the gentlewoman from the great State of New York (Mrs. MALONEY) for the fabulous job she has done on this issue.

Mr. Speaker, this bill is nothing but a poorly disguised attempt to undermine a full, a fair, and a complete Census. This bill would have the Census Bureau use counting techniques that have already failed twice, in 1980 and

1990. In using these counting techniques, Census takers missed completely 8.4 million people in the last Census, and at the same time they counted more than 4 million people twice; blind in one eye, double vision in the other. That is what we have here with this bill, Mr. Speaker, blind in one eye and double vision in the other.

Effectively, this means that millions of American families will be denied their rights, their resources, and the representation that is theirs by law. Sadly, that seems to be the very purpose of this bill.

Mr. Speaker, a complete and an accurate Census is the foundation of our democracy. This bill undermines that foundation, and all across the country it is opposed by the very people it ostensibly aims to help, including the U.S. Conference of Mayors.

They oppose this bill because all it does is introduce more bureaucracy, more uncertainty, more politics, more delay, and more inaccuracy into the Census.

My colleague, the gentlewoman from North Carolina (Mrs. MALONEY) has offered a good substitute for this bill. Her proposal will protect the integrity and the input of local governments while ensuring that there is no delay in completing the 2000 census.

Even more important, the Maloney substitute will enable the Census Bureau to complete the most accurate count possible. It guarantees local review, and ensures that all Americans are counted. That is the right thing to do, and it is our responsibility. I urge my colleagues to support the Maloney substitute.

Mrs. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY).

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

Mr. CROWLEY. Mr. Speaker, I rise in strong support of the amendment offered by the gentlewoman from New York (Mrs. MALONEY). This amendment ensures that local participation will occur in a manner consistent with existing law by requiring the professionals at the Census Bureau to design and carry out the most accurate Census possible, which requires a release of the final Census count by April 1, 2001.

This amendment gives local governments the opportunity to assist the Census Bureau in perfecting the Census address list, by making sure all new construction is included in the Census address list, by giving local governments an opportunity to review the counts of vacant addresses identified by the Postal Service, and finally, by giving local governments the opportunity to make sure that the Census has properly identified the jurisdictional boundaries of local governmental units.

Mr. Speaker, without adoption of this unit, the passage of H.R. 472 will prevent the Census Bureau from using statistical methods to produce the

most accurate Census possible, and the mistakes of the 1990 Census will be repeated when 8.4 million people were missed, more than 400,000 in my home State of New York alone, and 4.4 million people were counted twice.

Mr. Speaker, this amendment accomplishes the goals of enhancing local involvement without blocking the Census Bureau from using the best scientific methods available. I strongly urge my colleagues to support it.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is the civil rights issue of the decade. We know what the last Census gave us. We know that millions of Americans were missed, and that these Americans that were missed were primarily minorities and the poor from both urban and rural areas. We should let the Census Bureau correct the undercount and give us an accurate count.

The Republican bill is a Trojan horse. It is designed for one purpose and one purpose only, which is to delay and delay and delay, delay designed to prevent the Census Bureau from reporting the most accurate numbers possible to the American people by the statutory deadline.

We must not let that happen. Support the Maloney amendment and vote no on H.R. 472.

Mr. MILLER of Florida. Mr. Speaker, I yield six minutes to the gentleman from California (Mr. THOMAS).

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

Mr. THOMAS. Mr. Speaker, I have listened to and participated in this Census debate now several times. I have to say that, as someone who believes that the arguments that we make on our side of the aisle are valid and felt strongly, this gentleman is getting a little tired of the way in which the minority seems to argue this point and others.

A little truth in packaging: The idea that the amendment of the gentleman from Florida (Mr. MILLER) somehow seeks to undermine the Census process by allowing locals to review what the Census does. Locals, for example, in El Paso, Texas, who are 72 percent Hispanic, locals in Gary, Indiana, who are 86 percent black should not have the right, the minority says, to examine what the Census Bureau has done because they believe Republicans are racist in the way in which we are making the Census arguments; that in fact the amendment of the gentlewoman from New York (Mrs. MALONEY) involves the locals in a responsible way.

"Amendment in the nature of a substitute offered by Mrs. MALONEY of New York. 'This act may be cited as the Local Participation in the Census Act.'"

Do Members want truth in packaging? Do Members know what Local Participation in the Census Act means? Section 142, beginning on line 1: "The

2000 decennial Census shall include the opportunity for local governmental units to review housing unit counts, jurisdictional boundaries, and other such data as the Secretary considers appropriate."

On line 17, "Any opportunity," "Any opportunity for local participation under this section shall be provided in such time, form, and manner as the Secretary shall prescribe."

Local Participation in the Census Act, with the permission of the Secretary? What we have here is the bill of the gentleman from Florida (Mr. MILLER) which says the locals get to look over the shoulder of the Census. What we have here is a substitute which says, "It is the Local Participation in the Census Act," but only if the Secretary lets the locals play. Okay?

That has been the tenor of this debate. The Democrats have been pure in their motives and above politics. The Republicans have been racist and we are playing politics in its entirety. They are white and we are black. They are the good guys and we are the bad guys. Frankly, I'm getting a little tired of that kind of a political game.

The only thing they have been consistent in is playing the race card. They have been consistent in that. They are arguing that we have to move forward, time is of the essence. Why, then, did they not accept our argument that the Constitution says enumerate, and that the statute based upon that portion of the Constitution says that when we apportion between States, we have to count?

They did not accept that. The Clinton administration did not accept that. We had to go to court. We had to go to the United States Supreme Court and have the court tell us we were right. That ate up a lot of time.

But all of a sudden, now, time is important to them. We cannot let the locals participate. They want to move a provision which says if the Secretary wants them to participate, they can do it. We want to let them. But somehow now time is of the essence.

And then, interestingly, it is really fun to listen to liberal Democrats talk about money, talk about the fact that this is going to cost money. Well, listen, if we want to get it right, let us spend whatever is necessary to get it right. The court has said that we have to enumerate between States. Okay, we have to count. Let us spend as much money as necessary to count as best we can.

An argument that we have heard repeated over and over again, we tried this local Census review in 1990, and there is a quote that they have used several times, that the Bush Census chief said it was well-intentioned but ineffective. They used the same argument against the Census itself, but we are talking about using better methods and focusing better on the Census. We can do exactly the same on the local Census review.

As a matter of fact, the gentleman from Ohio, Mr. SAWYER, said in 1994

they front-loaded the process. If in fact we front-loaded the process, if we got the locals involved for almost 6 years now, do we not think the local review will go smoother? But no, they do not want that. They do not want the locals participating, but they are not playing politics, we are. They are not racist, we are.

Let us talk about who has been playing politics. Our argument has been consistent from day one. We think constitutionally we should have to count, we believe between States. The Supreme Court has supported us on that argument.

Frankly, I believe ultimately if we get to the court on the constitutional argument of apportionment within a State, that in fact they will also argue we have to count. But let us take the January court decision for right now. It said we have to count between States. We have to enumerate. Let us spend the money for enumeration.

The court then said we can use sampling. The gentlewoman from New York said we should use sampling. That is simply incorrect. What the court said was that the statute allows us to do that. Okay, then we have to spend money in terms of doing a good job on sampling. But what is wrong with letting the locals review what we have done? Why is that such a heinous crime?

If in fact Members want minorities to be counted, what is wrong with the folks in El Paso for Hispanics, what is wrong with the folks in Gary, Indiana, or Compton, California, for blacks, to look over the Census officials' shoulders to try to get it right?

□ 1745

The argument that we cannot do this because we are going to lock into an undercount for the entire decade is to simply play a really unfair political argument that we cannot, given the law, sample over the decade to make it correct.

It is not a black and white issue. This question of the census is whether or not we count all Americans. It is totally legitimate to have a debate about what "enumerate" in the Constitution means. That is not a racist argument. In fact, the Court supported us in that position.

Obviously between censuses, there is nothing wrong with taking the best shot statistically one can at the population changes over the decade. That is appropriate. But to say that we are arguing that one needs to count people because we are racist is one of the most slimy political arguments I have ever heard. My colleagues have done it repeatedly and repeatedly.

Why do my colleagues not simply say, let us come together, let us spend what money is necessary to follow the court's requirement that we count for apportionment between States, and let us spend as much money as is necessary to do as good a job as we can on sampling, and let us support the

amendment of the gentleman from Florida (Mr. MILLER) so that the locals can look over the shoulder of the census officials and let the locals, whether they be Hispanic, black, white, or otherwise, have a comfort level that they believe they are also being counted.

So I would say that I oppose the argument of the gentlewoman from New York (Mrs. MALONEY) that her amendment in fact is local participation because it is only if the secretary considers it to be appropriate.

I would ask my colleagues to support H.R. 472, the bill of the gentleman from Florida (Mr. MILLER), because it just seems to me that there is more than enough money to enumerate and to do the sampling correctly.

If we get on with it, there is time enough. Let us get on with the business of counting Americans the way the Supreme Court said we need to do it between States, enumerate as the Constitution requires within a State. If a State chooses sampling or if they choose to use the actual count, it would be the State decision.

It seems to me that there has been enough discussion. Let us support the bill of the gentleman from Florida (Mr. MILLER). Let us spend all money necessary to do it right whether that American is black or white or otherwise.

The SPEAKER pro tempore (Mr. NEY). The time of the gentleman from California (Mr. THOMAS) has expired.

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the gentleman from California (Mr. THOMAS) have one additional minute so that we can have a colloquy.

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

Mr. MILLER of Florida. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. ORTIZ. Mr. Speaker, I rise today in opposition to H.R. 472, and in support of the Maloney substitute.

We are charged with the awesome responsibility of counting the American people as accurately as we can so we can divide up the resources and representation of their government. This is a complex matter that must be concluded in one year. As we speak here, the Census Bureau is planning their year-long mission, hour-by-hour, in order to count 120 million addresses and 275 million people.

The most important concept that this bill contains, including the local governments in the effort to ensure a fair and accurate count, is a laudable one. It is the local governments who are the closest to the people we all represent, and it is the local and state governments which have the most to lose. But it is also the local and state governments which have spoken up loudly about the bill we are considering here today as we look for the middle ground on which we can conduct our constitutional responsibility of overseeing the decennial census.

Including the local governments in the preparation of the census is not a novel idea invented by the proponents of this bill; the Cen-

sus Bureau is already consulting with local governments to assess the number of addresses in each jurisdiction. Counting the addresses is nearly 90 percent complete.

The requirement in this bill to set aside 9 weeks after the field work is complete to check the count of local addresses a second time is a needless waste of precious time in this endeavor. I do not believe that anyone in this chamber wants to waste resources in discharging our responsibility—but I do think that a provision of this nature does prevent the Census Bureau from utilizing the very best contemporary science we have, modern statistical methods.

The results of not using modern methods would carry us backward a decade, recreating all the same mistakes we made in the 1990 census, missing millions of Americans and counting millions more twice. The Mahoney substitute allows the Census Bureau to use their own design to integrate the local governments in the operational plan. This will allow science to help us and provide a much more accurate count.

My home state of Texas lost \$1 billion in federal funds as a result of the 1990 census undercount. It is estimated that a faulty census with a similar undercount will now cost Texas \$2.18 billion. The mayor of Brownsville, TX, has urged me to support statistical sampling to ensure an accurate count, as has the Nueces County Judge; their correspondence is attached for inclusion in the record. Those who do not learn from history are bound to repeat it. Let us learn from history.

Brownsville, TX, March 17, 1999.

Hon. SOLOMON ORTIZ,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ORTIZ: The 1990 census resulted in an undercount of eight million Americans. As a result the State of Texas was denied approximately \$1 billion in Federal funds. No other part of the country was more affected by this situation than perhaps California. In the case of Texas, the South Texas region which has a population that is largely Hispanic and a large concentration of families with income below poverty level, probably felt the brunt of the impact.

It is my understanding that in preparation for the 2000 census the House Government Oversight Committee, which you form part of, is presently considering legislation to require post-census local review instead of a statistical sampling method to arrive at an accurate census count. Our position is that the proposed legislation—H.R. 472, the Local Census Quality Check Act—while well intentioned, will prevent the Census Bureau from utilizing effective scientific methods for population counting, and may once more result in large undercounts. This unfortunately will impact once more the states with the larger population and larger concentrations of minority groups—e.g., Texas and California.

I therefore urge you to oppose passage of H.R. 472. I am certain that allowing the use of statistical samplings will result in the most accurate and timely census possible. This is after all, I am sure, what we are all interested in.

Thank you.
Sincerely,

HENRY GONZALEZ,
Mayor of Brownsville.

RICHARD M. BORCHARD,
Corpus Christi, March 26, 1999.

Hon. SOLOMON ORTIZ,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ORTIZ: The 1990 Census resulted in an undercount of eight million Americans. As a result, the State of Texas was denied approximately \$1 billion in Federal funds. No other part of the country, other than perhaps California, was more affected by this situation. In the case of Texas, the South Texas region which has a population that is largely Hispanic and a large concentration of families with low incomes below the poverty level, probably felt the brunt of the impact.

It is my understanding that in preparation for the 2000 census the House Government Oversight Committee, which you form part of, is presently considering legislation to require post-census local review instead of a statistical sampling method to arrive at an accurate census count. Our position is that the proposed legislation—H.R. 472, the Local Census Quality Check Act—while well intentioned, will prevent the Census Bureau from utilizing effective scientific methods for population counting, and may once more result in large undercounts. This unfortunately will impact once more the states with the larger populations and larger concentrations of minority groups—e.g., Texas and California.

I therefore urge you to oppose passage of H.R. 472. I am certain that allowing the use of statistical samplings will result in the most accurate and timely census possible. This is, after all, what we are all interested in.

Thank you.

Sincerely,

RICHARD M. BORCHARD,
Nueces County Judge.

The SPEAKER pro tempore. All time has expired.

Pursuant to House Resolution 138, the previous question is ordered on the bill, as amended, and on the further amendment in the nature of the substitute offered by the gentlewoman from New York (Mrs. MALONEY).

The question is on the further amendment in the nature of a substitute offered by the gentlewoman from New York (Mrs. MALONEY).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mrs. MALONEY of New York. 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 202, nays 226, not voting 6, as follows:

[Roll No 88]

YEAS—202

Abercrombie	Berman	Brown (FL)
Ackerman	Berry	Brown (OH)
Allen	Bishop	Capps
Andrews	Blagojevich	Capuano
Baird	Blumenauer	Cardin
Baldacci	Bonior	Carson
Baldwin	Borski	Clay
Barcia	Boswell	Clayton
Becerra	Boucher	Clement
Bentsen	Boyd	Clyburn
Berkley	Brady (PA)	Condit

Conyers	Kildee	Phelps	Largent	Pitts	Smith (TX)
Costello	Kilpatrick	Pickett	Latham	Pombo	Souder
Coyne	Klink	Pomeroy	LaTourette	Porter	Spence
Cramer	Kucinich	Price (NC)	Lazio	Portman	Stearns
Crowley	Rahall	Rangel	Leach	Pryce (OH)	Stump
Cummings	Lampson	Reyes	Lewis (CA)	Quinn	Sununu
Danner	Larson	Rivers	Lewis (KY)	Radanovich	Sweeney
Davis (FL)	Lee	Rodriguez	Linder	Ramstad	Talent
Davis (IL)	Levin	Romer	LoBiondo	Regula	Tancred
DeFazio	Lewis (GA)	Rothman	Lucas (OK)	Reynolds	Tauzin
DeGette	Lipinski	Roybal-Allard	Manzullo	Riley	Taylor (MS)
DeLauro	Lofgren	Rush	McCollum	Rogan	Taylor (NC)
Deutsch	Lowey	Sabo	McCrery	Rogers	Terry
Dicks	Lucas (KY)	Sanchez	McHugh	Rohrabacher	Thomas
Dingell	Luther	Sanders	McInnis	Ros-Lehtinen	Thornberry
Dixon	Maloney (CT)	Sandlin	McIntosh	Roukema	Thune
Doggett	Maloney (NY)	Sawyer	McKeon	Royce	Tiahrt
Dooley	Markey	Schakowsky	Metcalf	Ryan (WI)	Toomey
Doyle	Martinez	Scott	Mica	Ryun (KS)	Trafigant
Edwards	Mascara	Serrano	Miller (FL)	Salmon	Upton
Engel	Matsui	Sherman	Miller, Gary	Sanford	Walden
Eshoo	McCarthy (MO)	Shows	Moran (KS)	Saxton	Walsh
Etheridge	McCarthy (NY)	Sisisky	Myrick	Scarborough	Wamp
Evans	McDermott	Skelton	Nethercutt	Schaffer	Watkins
Farr	McGovern	Slaughter	Ney	Sensenbrenner	Watts (OK)
Fattah	McIntyre	Smith (WA)	Northup	Sessions	Weldon (FL)
Filner	McKinney	Snyder	Norwood	Shadegg	Weldon (PA)
Ford	McNulty	Spratt	Nussle	Shaw	Weller
Frank (MA)	Meehan	Stabenow	Ose	Shays	Whitfield
Frost	Meek (FL)	Stark	Oxley	Sherwood	Wicker
Gejdenson	Meeks (NY)	Strickland	Packard	Shimkus	Wilson
Gephardt	Menendez	Stupak	Paul	Shuster	Wolf
Gonzalez	Millender-	Tanner	Pease	Simpson	Young (AK)
Gordon	McDonald	Tauscher	Peterson (PA)	Skeen	Young (FL)
Green (TX)	Miller, George	Thompson (CA)	Petri	Smith (MI)	
Gutierrez	Minge	Thompson (MS)	Pickering	Smith (NJ)	
Hall (OH)	Mink				
Hall (TX)	Moakley				
Hill (IN)	Mollohan				
Hilliard	Moore				
Hinchey	Moran (VA)				
Hinojosa	Morella				
Hoeffel	Murtha				
Holden	Nadler				
Holt	Napolitano				
Hooley	Obey				
Hoyer	Oliver				
Inslee	Ortiz				
Jackson (IL)	Owens				
Jackson-Lee	Pallone				
(TX)	Pascarell				
Jefferson	Pastor				
John	Payne				
Johnson, E. B.	Pelosi				
Kanjorski	Peterson (MN)				
Kaptur					
Kennedy					

NAYS—226

Aderholt	Collins	Goodling
Archer	Combust	Goss
Armey	Cook	Graham
Bachus	Cooksey	Granger
Baker	Cox	Green (WI)
Ballenger	Crane	Greenwood
Barr	Cubin	Gutknecht
Barrett (NE)	Cunningham	Hansen
Barrett (WI)	Davis (VA)	Hastert
Bartlett	Deal	Hastings (WA)
Barton	DeLay	Hayes
Bass	DeMint	Hayworth
Bateman	Diaz-Balart	Hefley
Bereuter	Dickey	Herger
Biggert	Doolittle	Hill (MT)
Bilbray	Dreier	Hilleary
Bilirakis	Duncan	Hobson
Bliley	Dunn	Hoekstra
Blunt	Ehlers	Horn
Boehlert	Ehrlicher	Hostettler
Boehner	Emerson	Houghton
Bonilla	English	Hulshof
Bono	Everett	Hunter
Brady (TX)	Ewing	Hutchinson
Bryant	Fletcher	Hyde
Burr	Foley	Isakson
Burton	Forbes	Istook
Buyer	Fossella	Jenkins
Callahan	Fowler	Johnson (CT)
Calvert	Franks (NJ)	Johnson, Sam
Camp	Frelinghuysen	Jones (NC)
Campbell	Gallely	Kasich
Canady	Ganske	Kelly
Cannon	Gekas	Kind (WI)
Castle	Gibbons	King (NY)
Chabot	Gilchrist	Kingston
Chambliss	Gillmor	Klecza
Chenoweth	Gilman	Knollenberg
Coble	Goode	Kolbe
Coburn	Goodlatte	Kuykendall

NOT VOTING—6

Brown (CA)	Hastings (FL)	LaHood
Delahunt	Jones (OH)	Lantos

□ 1809

Messrs. SOUDER, HEFLEY, GREENWOOD, MCINTOSH, DOOLITTLE, and Mrs. CUBIN changed their vote from "yea" to "nay."

Mr. SHOWS and Mr. DINGELL changed their vote from "nay" to "yea."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. JONES of Ohio. Mr. Speaker, on roll-call No. 88, I was unavoidably detained. Had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mr. NEY). 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.

Mrs. MALONEY of New York. 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 223, nays 206, not voting 5, as follows:

[Roll No. 89]

YEAS—223

Aderholt	Bateman	Boswell
Archer	Bereuter	Brady (TX)
Armey	Biggert	Bryant
Bachus	Bilbray	Burr
Baker	Bilirakis	Burton
Ballenger	Bliley	Buyer
Barr	Blunt	Callahan
Barrett (NE)	Boehlert	Calvert
Bartlett	Boehner	Camp
Barton	Bonilla	Campbell
Bass	Bono	Canady

Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson

NAYS—206

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit

Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich

Ramstad
Regula
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

Lampson
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender
McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella

Brown (CA)
Hastings (FL)

Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman

NOT VOTING—5

LaHood
Lantos
Reynolds

□ 1828

Mr. HORN changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LAHOOD. Mr. Speaker, I was unavoidably detained for rollcall votes 83, 86, 87, 88, and 89. Had I been present, I would have voted "yes" on rollcall 83, Journal.

I would have voted "yes" on rollcall vote 86, ordering the previous question; "yes" on rollcall vote 87, H. Res. 138; "no" on rollcall 88, The Maloney amendment; "yes" on rollcall 89, H.R. 472, The Local Census Quality Control Act.

GENERAL LEAVE

Mr. MILLER of Florida. 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. 472.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1376, TAX RELIEF FOR PERSONNEL IN FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA/MONTENEGRO) AND CERTAIN OTHER AREAS

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report

(Rept. No. 106-95) on the resolution (H. Res. 140) providing for consideration of the bill (H.R. 1376) to extend the tax benefits available with respect to services performed in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1830

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MORAN of Kansas). 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.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana 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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

INDIANA COLLEGE AND HIGH SCHOOL BASKETBALL 1999

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON. Mr. Speaker, it is my pleasure to be here this afternoon speaking about a rich tradition and important part of Hoosier heritage, an element of life that the great State of Indiana continues to support and love, basketball, a game with which Indiana has become synonymous.

Indiana's basketball is nearly unparalleled. The names from the State, John Wooden, Oscar Robertson, Chuck Taylor, Larry Bird, bring to mind all that basketball should and can be. The rivalries such as the one between IU and Purdue, and the stories of epic proportions such as the movie "Hoosiers" is what separates Indiana basketball from all the rest. These icons and ideals continue to be revered, inspire greatness, and offer a mystical and enriching quality to a game that continues to grow and captivate fans