

requested, and (3) the time of arrival and departure of such persons. The assigned staff member will also assure that the classified materials are returned to the proper location.

(d) The Classified Materials log will contain a statement acknowledged by the signature of the authorized or designated person that he or she has read the Committee rules and will abide by them.

**Divulgence.**—Classified information provided to the Committee by the executive branch shall be handled in accordance with the procedures that apply within the executive branch for the protection of such information. Any classified information to which access has been gained through the Committee may not be divulged to any unauthorized person. Classified material shall not be photocopied or otherwise reproduced without the authorization of the Chief of Staff. In no event shall classified information be discussed over a non-secure telephone. Apparent violations of this rule should be reported as promptly as possible to the Chairman for appropriate action.

**Other regulations.**—The Chairman may establish such additional regulations and procedures as in his judgment may be necessary to safeguard classified information under the control of the Committee. Members of the Committee will be given notice of any such regulations and procedures promptly. They may be modified or waived in any or all particulars by a majority vote of the full Committee.

#### RULE 21. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

All Committee and subcommittee meetings or hearings which are open to the public may be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any such methods of coverage in accordance with the provisions of clause 3 of House rule XI.

The Chairman or subcommittee chairman shall determine, in his or her discretion, the number of television and still cameras permitted in a hearing or meeting room, but shall not limit the number of television or still cameras to fewer than two representatives from each medium.

Such coverage shall be in accordance with the following requirements contained in Section 116(b) of the Legislative Reorganization Act of 1970, and clause 4 of Rule XI of the Rules of the House of Representatives:

(a) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(b) No witness served with a subpoena by the Committee shall be required against his will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off. This subparagraph is supplementary to clause 2(k)(5) of Rule XI of the Rules of the House of Representatives relating to the protection of the rights of witnesses.

(c) The allocation among cameras permitted by the Chairman or subcommittee chairman in a hearing room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(d) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and Member of the Committee or its sub-

committees or the visibility of that witness and that Member to each other.

(e) Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(f) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the Committee or subcommittee is in session.

(g) Floodlights, spotlights, strobe lights, and flashgun shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing room, without cost to the Government, in order to raise the ambient lighting level in the hearing room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the current state of the art of television coverage.

(h) In the allocation of the number of still photographers permitted by the Chairman or subcommittee chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos, United Press International News pictures, and Reuters. If requests are made by more of the media than will be permitted by the Chairman or subcommittee chairman for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(i) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the Members of the Committee or its subcommittees.

(j) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(k) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(l) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery Committee of press Photographers.

(m) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

#### RULE 22. SUBPOENA POWERS

A subpoena may be authorized and issued by the Chairman, in accordance with clause 2(m) of Rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee, following consultation with the Ranking Minority Member.

In addition, a subpoena may be authorized and issued by the Committee or its subcommittees in accordance with clause 2(m) of Rule XI of the House of the Representatives, in the conduct of any investigation or activity or series of investigations or activities, when authorized by a majority of the Members voting, a majority of the committee or subcommittee being present.

Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

#### RULE 23. RECOMMENDATION FOR APPOINTMENT OF CONFEREES

Whenever the Speaker is to appoint a conference committee, the Chairman shall recommend to the Speaker as conferees those Members of the Committee who are primarily responsible for the legislation (including to the full extent practicable the

principal proponents of the major provisions of the bill as it passed the House), who have actively participated in the Committee or subcommittee consideration of the legislation, and who agree to attend the meetings of the conference. With regard to the appointment of minority Members, the Chairman shall consult with the Ranking Minority Member.

#### RULE 24. GENERAL OVERSIGHT

Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Oversight and the Committee on Government Reform and Oversight, in accordance with the provisions of clause 2(d) of Rule X of the House of Representatives.

#### RULE 25. OTHER PROCEDURES AND REGULATIONS

The Chairman may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee. Any additional procedures or regulations may be modified or rescinded in any or all particulars by a majority vote of the full Committee.

#### 2000 CENSUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Texas (Mr. RODRIGUEZ) is recognized for 60 minutes as the designee of the minority leader.

Mr. RODRIGUEZ. Mr. Speaker, every 10 years, we take a national census to count the number of people in this country. The 1990 census was the most expensive in the history of the United States. It was also the worst. The 1990 census missed an estimated 4.7 million people, 1.58 percent of the total population.

Some undercount is expected. What makes it wrong is the undercount of minorities and the inner city population is way out of proportion to the national average.

For minorities, the undercount was nearly tripled. The census missed 4.4 percent of the African-American population and 4.9 percent of the Hispanic population. Those individuals that were missed were also poor. We need to have a more accurate census, one that does not leave minorities and poor and inner city populations behind.

The census data is used to draw, not only electoral districts, but also to determine distribution of local and Federal program dollars and to plan public works projects. Without accurate census information, minorities and the poor do not receive equal political representation or distribution of government resources. State and local governments with missed populations lose millions of dollars in Federal aid.

The Supreme Court has allowed for the Census Bureau to use sampling data for redistricting and Federal funds distribution. The Census Bureau has found such a solution to be appropriate. Yet, we find that, on the other side, the Republicans in Congress are trying to block this process.

Sampling is a simple way of being able to get a more accurate census

from available information that exists. Everyone says that they want a more accurate count. But as we can see, what we really need to look at is to make sure that everyone gets counted but, at the same time, look at the disparities that exist within that and go with it, with the scientific recommendations, and that is to provide some degree of sampling.

We must let the Census Bureau do its job and use the method that is most accurate and that avoids unfair undercount in this country.

I want to take this opportunity to just mention to you some specific statistics on the study that was done in Texas. Texas lost almost \$1 billion in Federal aid because of the 1990 census.

I will continue to mention some additional data for my colleagues as I go on, but I want to take this opportunity to yield to the gentleman from Illinois (Mr. BLAGOJEVICH).

Mr. BLAGOJEVICH. Mr. Speaker, I thank the gentleman from Texas (Mr. RODRIGUEZ) for yielding to me. (The gentleman from Illinois spoke in Spanish).

What I said there, Mr. Speaker, is my name is hard to pronounce, but I hope it is easy to remember. Am I right?

Mr. RODRIGUEZ. Mr. Speaker, the gentleman is right.

Mr. BLAGOJEVICH. Mr. Speaker, first of all, let me thank my colleague, the gentlewoman from New York (Mrs. MALONEY) for coordinating this very important discussion on the 2000 census.

I think we can all admit that the census issue is not one of the most exciting issues that is out there. Most Americans are unaware of it. It is very technical. To the extent that people even think about it, they do not think that the census has any real impact on their lives.

Yet, the reality is that that is not at all the case. How the census is conducted is in a very real sense, something that has a real impact on ordinary Americans.

In a larger sense, this issue is really about basic fairness. It is about the fundamental concepts that we here in America take for granted, one person, one vote, as well as the issue of how we equitably distribute Federal resources. Both of these concepts are predicated upon a fair and accurate census.

Each year, more than \$100 billion in Federal money is allocated to States and localities. That money is distributed based upon census data. Census data determines how much funding States and municipalities receive for schools and for roads and for health care and for a host of other important programs that we here at the Federal level fund.

Census data is also used by private industry in determining where to locate factories and stores. Even McDonald restaurant franchises are based upon the use of census data. We also use census data to determine political representation, in fact, that represen-

tation including also the representation that we here enjoy in Congress.

So the facts are undisputable. It is very clear, I think, to say that, if one is not counted in the census accurately, one does not count. One does not count when it comes to Federal dollars for public schools. One does not count when it comes to Federal dollars for fighting juvenile crime. One does not count when it comes to Federal dollars for road repair and mass transit.

If one is not counted, one does not count when it comes to getting Federal funding for things like Meals on Wheels for senior citizens and Head Start for our children.

According to the Census Bureau, despite its \$2.6 billion price tag, the 1990 census, the last census that was conducted was the first United States census to be less accurate than the one before it.

In 1990, one in 10 African-American males were not counted. In 1990, one in 10 Asian males were not counted. In 1990, one in 15 Latino men were also not counted. Overall, 10 million Americans were not counted in the 1990 census.

For many of us, it hits close to home. That undercount included more than 110,000 people in my home State of Illinois and 68,000 people in my hometown, the city of Chicago.

Let me put that in perspective. Sixty-eight thousand people is the equivalent of a standing-room-only crowd at a Bears game in Chicago's Soldier Field.

Officials in my city, the city of Chicago, estimate further that the census undercount was even higher than the 68,000 that the Federal Census Bureau declared as undercounted. The city of Chicago's figures have it as much as a quarter of a million people were not counted in the last census of Chicago, which means four Soldier Fields would be filled with undercounted people.

Let me illustrate my point. This undercount meant that, between 1990 and 1996, the city of Chicago lost approximately \$200 million in Federal aid. Just to give my colleagues a couple of examples, that means that, in 1997, Chicago should have received \$3.9 million more in Federal Community Development Block Grants than it received.

Chicago should have received \$1.7 million that year for the Head Start education program. The city should have received \$300,000 more for programs under the Older Americans Act to ensure that senior citizens in Chicago have nutritious meals.

The problem is not just limited to Chicago. States and municipalities across the country have suffered the same consequences because of the 1990 undercount.

We can avoid a repeat of this undercount, and we can ensure a fair distribution of Federal resources if we find other methodology to count people. Just as we do when we determine

unemployment statistics in the Gross Domestic Product, we need to find and use the most modern scientific methods available.

We are on the eve of the 21st Century, and, yet, the majority here in Congress wants us to count people in the next census in the same way that we counted them back in 1790. The reality is obvious, we do not count the same way in 1990 as we did in 1790.

The National Academy of Sciences, the American Statistical Association, and the National Association of Business Economists have all endorsed the use of modern scientific methodology as a way of counting.

Our crime statistics, our economic statistics, our labor statistics, all of these figures are determined using modern scientific methodology. Incorporating these statistical methods into the 2000 census will help us avoid the kind of census undercount we had in 1990.

So in closing, let me say that, let us, all of us, let Republicans and Democrats alike, join together and put politics aside, and let the professionals at the Census Bureau do their job.

April 1, 2000, just about a year from now, is census day for the 2000 census. Let us take politics out of the census and ensure that every American is counted.

Mr. RODRIGUEZ. Mr. Speaker, I yield to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding to me. I especially appreciate the leadership of the gentleman in bringing this matter forward at this time.

The census controversy continues unabated. We are about to precipitate a constitutional crisis because we have got to have an accurate count. The reason we do not have one is because we are so late in getting our act together and we are keeping Census from doing what it is supposed to be doing because we cannot agree among ourselves on what that should be. One of the reasons we cannot agree is we do not know what that should be as a technical matter.

We asked the court to decide the apportionment issue. It decided the apportionment issue. Census has said we abide by the apportionment issue when it comes to apportionment for this House. Census continues to have the same interest that every Member of this body, I would hope, has in an accurate census.

If the way to get the most accurate census for the distribution of Federal funds and for offering the States data is to use sampling, then it seems to me that there is no further question about what should be done.

With the apportionment issue settled, we are now at a point where, because sampling cannot be used, there will be the need for thousands and thousands more census takers than would otherwise have been the case.

So we are deeply into having to spend money, which, according to all the experts, one might have spent if this were

the turn of the last century, but not the turn of this century given what we know about sampling.

This is a stalemate that must be broken. Offering an adjusted census after the traditional census has been taken, offering the States census figures adjusted by sampling is consistent with the Supreme Court decision. It is up to the States to decide how they do their own redistricting.

The court has spoken as to our apportionment. The vested interest of us all in sampling techniques, to make sure that the maximum in Federal dollars becomes available, should need no elucidation. There is not a Member who has minorities or pockets of poor in his or her State or city which will not want the maximum feasible count. If that is by sampling, we would find it acceptable.

The court has settled the toughest issue. Let us come together to make sure that we do not have another extended fight on how we are to count ourselves.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Texas for bringing this special order, along with the gentlewoman from New York (Mrs. MALONEY).

Mr. Speaker, we have worked long and hard to define accurately the question regarding the census. I am certainly disappointed that it is now broken down along the lines, seemingly, of Democrats and Republicans.

I serve on the Census Task Force. I did so in the 105th Congress. Likewise, I was a plaintiff or a part of the litigation that argued for articulating how we could interpret fairly the census statute and how we could avoid the undercount that we saw in 1990.

In my community alone, there were 67,000 undercounted in the city of Houston, some 400,000, almost a Congressional District, in the State of Texas.

It is imperative on the census that we come together in a manner that this Congress stands up for, not denying any single person the right to be counted. Let me make it as clear as I can. We count every one.

This is not a question of citizenship as much as it is a question of determining how many people are within our boundaries. I think that should be made very clear. There is no doubt that, despite the Supreme Court ruling, I believe the Supreme Court has given us some latitude of which we will continue to discuss, debate, and argue about.

I hope the administration makes it very clear on their position that some statistical methods can be used. But I think the point that should be made is none of us should stand up on the floor of the House and deny that anyone within the boundaries of this country be left out and not counted.

□ 1415

And it is well documented by the National Science Foundation that that

statistical methodology is the most accurate of ensuring that all individuals are counted.

I am fearful that we will see an impact in Social Security, an impact in the AFDC payments needed for our children to survive, that we will find an impact on educational dollars. And whenever I go home, there is not one single citizen that would concede the point that they are gleefully looking forward to not being counted.

Now, I will say to my colleagues, Mr. Speaker, that our citizens are looking not to be intruded upon. They are also looking to make sure that we do not have a set of circumstances in which their privacy is invaded. And I clearly would like to say that we need to look at those issues. We need to refine those census forms. But I want to argue for the enumeration, the counting, rather, of every single one that can be done best by statistical methods.

I want to applaud the work of the gentlewoman from New York (Mrs. MALONEY), both in her ranking member position but as well as the head of the Census Task Force that must be ongoing. And I want to commit all of us to reckoning that if there are those in the House that would distract away from the full counting, then we must address their concerns, but we will not give up the fight for empowering all people within these boundaries to be acknowledged.

I want to add an additional point, Mr. Speaker. We must have diverse members of this process. All of those census-takers, whether used in the statistical methodology or otherwise, must come from all backgrounds. It is imperative. They must be bilingual. They must reach out.

Most of all, we cannot be intimidated. I am ranking member on the Subcommittee on Immigration and Claims of the Committee on the Judiciary, and for too long we have not recognized the value of ensuring that we have the right information, that we do not characterize by a negative something that is positive.

I will not characterize immigration as a negative, because we are a country of immigrants, but we are a country of laws. I will not characterize census taking as a negative because it may intrude upon someone's privacy, but I will balance the privacy with the need to count people, the need to be accurate, the need to use statistical methodology, the need to be diverse, and to ensure that I do not unempower those in the State of Texas and in this Nation.

With that, Mr. Speaker, let me thank the gentleman from Texas (Mr. RODRIGUEZ) for his kindness and for his leadership and the gentlewoman from New York (Mrs. MALONEY), as well I see my good colleague, the gentleman from Texas (Mr. GONZALEZ), who is here. And it seems Texas is on the rise. We know we need to be counted, and I know we are going to work together in Texas and get every single person counted.

Mr. RODRIGUEZ. Mr. Speaker, I thank the gentlewoman from Texas (Ms. SHEILA JACKSON-LEE), and I now want to yield to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for his yielding to me and for his leadership.

Mr. Speaker, it was not long after the Republicans took over Congress that they reached the conclusion that they did not like the use of modern scientific methods in the counting on the census. I am not sure how they reached that decision, having abolished the committee and subcommittee with jurisdiction over the census. I am fairly certain that that conclusion did not come through oversight. In fact, they gave jurisdiction over the census to the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Government Reform, where it languished.

The full committee did hold a couple of hearings on the census, but they were halfhearted events. There certainly is no record to support their conclusions. In fact, the only report issued by the Committee on Government Reform stated that sampling and the use of scientific counting methods was unscientific, a conclusion they were later forced to repudiate.

Given the lack of evidence to support their position, one might question their motives. However, there is no need to do that. We only have to look at their tactics to understand where they are coming from. At every turn they have come and tried to use some back-room maneuver to push their agenda.

Two years ago, House Republicans added language to the Flood Relief Bill to make the census less accurate. They thought the President would not dare veto the Flood Relief Bill. But, to their surprise, not only did he veto it, but he won overwhelming editorial support clear across this country. Faced with this opposition, they backed down.

The next effort to force a less accurate census on the American public came as part of the 1998 appropriations bill. Not only did the Republicans add language to the Commerce, Justice, State appropriations bill that would have prohibited the use of statistical methods in the census, but they also rejected a genuine compromise offered by the gentleman from West Virginia (Mr. MOLLOHAN). They even added language requiring a two-number census.

And I would like to add to the record the language from the 1998 appropriations bill which the Republicans put in the budget requiring the two-number census.

To hear them talk today, one would think a two-number census was on the same order as high crimes and misdemeanors. But I learned long ago not to expect the opponents of a fair and accurate census to be consistent.

Last September, the chairman of the Subcommittee on Census of the Committee on Government Reform called

the Census Bureau's plan for a one-number census irresponsible. This week, in a hearing, he called a two-number census irresponsible. Perhaps the chairman believes that all numbers are irresponsible.

It was not until February of 1998, a little more than 2 years before the 2000 census, that the majority created the Subcommittee on Census of the Committee on Government Reform and 2 years after the plan for the 2000 census was announced. For 3 years they ignored their oversight responsibility and tried to bludgeon the Census Bureau through the appropriations process. Having repeatedly failed at those attempts, they decided to harass the Census Bureau into submission.

With a staff of 12 and a million dollar budget, the majority was able to field six hearings over the first 11 months of the subcommittee's existence, but they peppered the Census Bureau with requests for meetings, documents and data. One day recently, the Census Bureau director got eight, and I repeat, eight separate letters requesting documents.

Despite receiving boxes and boxes of documents, the subcommittee complains that the Census Bureau is operating in secret. Despite being briefed and briefed and briefed, they complain that the Census Bureau will not tell them what they are doing. Despite the lack of evidence, they continue to claim that the Census Bureau plans to manipulate the census, and they have come forward with many attacks on the career professionals at the Census Bureau.

There are 394 days until April 1, 2000. Census day. It has been 3 years since the Census Bureau released its plan for the 2000 census and over 8 years since the planning for the 2000 census began. In fact, the plan for this census was shaped during the Bush administration under the direction of Dr. Barbara Bryant. With a little more than a year to go, the Republicans have just come up with a legislative agenda for changes they want to make to the census plan.

We marked up one of these bills today in the subcommittee. It was a bill that the gentlewoman from Florida (Mrs. CARRIE MEEK) introduced in 1996, and I am pleased that the subcommittee chairman is joining her, and I hope that this bill will pass.

However, there may be something very much more sinister afoot. Having failed repeatedly to legislate the census plan through the appropriations process, they are now trying to pass legislation that on the surface looks benign, but it is designed to throw a monkey wrench into the census process.

Earlier this week, the Census Bureau director warned Congress that legislating major changes in the census at this late date will jeopardize the accuracy of the census. He offered to work with Congress to achieve its goal within the context of the operational plan but

warned that procedures created by Congress that require reworking and an operational change would result in major disruption.

The time for legislation has passed. The opponents of a fair and accurate census spent their time trying to bully the Census Bureau with threats and busy work instead of helping them with a comprehensive plan.

The opponents of a fair and accurate census seem to be getting desperate; and the more desperate they get, the louder they yell. But all of the yelling in the world will not change the facts. They provided taxpayer dollars to finance a partisan Republican suit against the Census Bureau. The Supreme Court ruled that the use of statistical methods was prohibited for apportionment but required, I repeat, required for all other purposes, if feasible.

Democrats accept the court's judgment. But the opponents of a fair and accurate census continue to yell, and each yell is more desperate than the last. Why? Because they believe that a fair and accurate census is a threat to their majority.

I would remind my colleagues of one other fact. The last time the Republicans controlled Congress during a census was in 1920. That was the only time in the history of this country that Congress has refused to reapportion the seats in Congress. Why? Because they did not like the facts that were revealed in the census counts. The population had shifted from the rural south to urban areas, and they simply refused to acknowledge the census numbers. It was 10 years later that Congress was finally able to apportion the seats. I hope we are not on the way to another failed census, as we were in 1920.

The 1990 census missed 8.4 million people and counted 4.4 million people twice. Most of those missed were the urban and rural poor and minorities. The opponents of a fair and accurate census want to make sure that those 8.4 million poor and minorities are left out of the census forever. They want to make sure that those 4.4 million people who were counted twice, who are mostly suburbanites, are forever left in. In fact, now they want to force the Census Bureau to do a second mailing, because it has been shown in their dress rehearsals and in their research that it will create more duplicates that are difficult to remove.

Now, I ask my colleagues, who is trying to cook the books? Is it the professionals at the Census Bureau and the experts brought together by the National Academy of Sciences, who want to use modern scientific methods to correct the errors in the census; or is it those fighting to keep the census full of mistakes?

The 1990 census missed 1 in 10 adult black males, 1 in 20 Hispanics and 1 in 8 American Indians living on reservations. But the 1990 census only missed 1 in over 142 nonHispanic whites. Now, I ask my colleagues, why does the

Grand Old Party want to make sure that these errors are not corrected? Is it because they believe that modern scientific methods are not scientific? I do not think so. Is it because they believe that the professionals in the Census Bureau will manipulate the numbers? I do not think so. Is it because they believe that the director of the Census Bureau is a statistical skill? I do not think so. I do not believe they believe their own rhetoric. But I do know that they can count, and they like the odds of suburbanites being counted and minorities being missed.

The fight over a fair and accurate census is the civil rights fight of the 1990s, and it is a fight that we must win.

□ 1430

Mr. RODRIGUEZ. Mr. Speaker, we all know that Texas lost an estimated \$934 million since 1990, or about \$1,922 in federal aid for each of the persons who was not counted. In my particular district, the 28th Congressional District, we lost approximately \$40 million from an estimated 20,714 people that were not counted.

I take pleasure now in recognizing the gentleman from the city of San Antonio, Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, the issue that we address today will affect every constituent in every congressional district throughout the Nation. You will hear us repeat numbers, facts and figures but truly what we are trying to emphasize, that these are just not facts and figures but real people. The 2000 census is just around the corner and if we do not stop the partisan rhetoric which has clouded this issue for far too long, we will once again keep millions of Americans from having a voice. As Chair of the Census and Civil Rights Task Force for the Hispanic Caucus and Co-Chair of the Census Task Force for the Democratic Caucus, I am committed to achieving a fair and accurate census. The impact of a fair and accurate census will be felt across the Nation in every community and in the lives of every American. The information gathered in the census is utilized in many ways. It is used by States and local governments to plan schools and highways, by the Federal Government to distribute funds for health care and countless other programs. It is used by businesses in creating their own economic plans.

Our last census, in 1990, was the first time in history that the count was less accurate than the one before. In 1990, more than 8 million Americans were not counted and more than 4 million were counted twice. In Texas, as already indicated, over 500,000 were not counted. In my own home city of San Antonio, as referred to earlier, 40,000 were not counted.

In a report released by the General Accounting Office this past week, it is reported that 22 of the 25 large formula grant programs use census data as part of their allocation formula. Those 25

formula grant programs distribute approximately \$166 billion in Federal funds to the States. The 22 formula grant programs that utilize census data account for 97 percent of the total. That is \$161 billion. These are Federal tax dollars that citizens across the Nation have paid, Federal dollars that should come back to the community in the form of improved infrastructure, better neighborhood schools, health care for the poor and the elderly, local economic development and much more.

In my State of Texas, where over 500,000 were not counted, it is estimated that we lost close to \$1 billion in Federal funding over the past 10 years. We were second only to California in the harm caused by an inaccurate count. This astronomical loss of funding breaks down to \$1,992 per missed person. It is estimated that if we utilize the same inaccurate enumeration methods for the 2000 census, Texas will stand to lose \$2.18 billion in Federal funds.

We must realize that this is not a political issue. This is an economic issue. It is an education issue. It is an infrastructure issue. And most importantly, it is about fairness. It is about time that we stop the partisan rhetoric and choose people over party politics. Every person in this Nation counts and every American deserves to be counted.

It is important to point out exactly who was missed in the 1990 census. It is really no surprise, because the very people who were not counted in the last census are those communities who are typically overlooked. Of the 8 million Americans not counted, minorities, children and the poor were disproportionately represented. Nationally, 5 percent of Hispanics, 4.4 percent of African Americans, 2.3 percent of Asian and Pacific Islanders, and over 12 percent of Native Americans living on reservations were undercounted. In Texas, the net undercount from the 1990 census was 2.8 percent, almost twice as high than the national average of 1.6 percent. The percentage of Hispanics and children missed in Texas were all greater than the national average. Of the 500,000 Texans missed, over half were of Hispanic origin. Statewide, 3.9 percent of African Americans, 2.6 percent of Asian and Pacific Islanders, and 2.8 percent of Native Americans were undercounted.

While missing or miscounting people is a problem for the census, the fact that particular groups, children, the poor, people of color, city dwellers and renters were missed more often than others produced census data that underrepresented these particular groups. Each of us should be outraged by these types of inaccuracies. The Census Bureau and other experts have told us that the most accurate census can be obtained by utilizing modern and proven scientific statistical methods. These are proven methods, proven to be the most accurate system to obtain the census.

Now, we know that the Constitution calls for an enumeration. I agree. We should try to count as many people as we possibly can. I also realize the obstacles that face us if we rely on this head count alone. Today society is highly mobile. Most households are two-income families. There are language barriers. And there are people who have a distrust of government. These are just some of the obstacles facing us if we choose to continue to employ a head count system alone. Proven scientific statistical methods can overcome these obstacles and will give us the more accurate count. Over and above the accuracy, we know that this system is cheaper than the actual head count.

The Supreme Court recently ruled that these scientific methods can only be used for redistricting and distribution of Federal funds and that a head count must be done for the purpose of apportionment. If we know we can get the most accurate census through these methods and that they will save us money, we must utilize them. The gentlewoman from New York (Mrs. MALONEY) who just preceded me has introduced legislation that will amend the census act so that scientifically proven statistical methods can be used for every purpose of the census, apportionment, redistricting and distribution of Federal dollars. I believe in this bill and urge all of my colleagues to support it so that every American will be counted and have a voice. We must stop the partisan bickering over the census. We must put people first. We must put people over party politics. We must and should be dedicated to obtaining a fair and accurate census in 2000.

Mr. RODRIGUEZ. Mr. Speaker, I thank the gentleman from Texas (Mr. GONZALEZ) for his remarks. I know Texas has been hard hit and we all recognize the loss in Texas. We have been shortchanged. With the 2000 census upon us, we recognize the importance of assuring that we get a good, accurate count. Let me recognize my fellow Congressman also from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. I thank the gentleman from Texas (Mr. RODRIGUEZ) for yielding.

Mr. Speaker, I have an important point I would like to make today. Our Nation must have a fair and accurate census in the year 2000. In my State of Texas, the 1990 census resulted in the second highest undercount of any State. Not only in 1990 but for a full 10 years after that, almost half a million Texans have been inadequately represented in their government and received only a fraction of the Federal funds that they were due. The undercount meant that the State of Texas alone was deprived of over \$1 billion in Federal funds. As the gentleman from Texas (Mr. GONZALEZ) said earlier, an equally inaccurate census in the year 2000 could result in the loss of over \$2 billion to our State. Nation-

wide, the Commerce Department estimates that several million people were overlooked. While these figures represent the disempowerment of a shocking 1.6 percent of the total American population, the figures for minorities are significantly worse. A full 5 percent of Hispanic Americans were simply overlooked, 4.4 percent of African Americans were never counted, 4.5 percent of Native Americans were ignored. These communities of minority Americans have been denied the representation that is their birthright. Representation in American government cannot be contingent on the affluence of your neighborhood, nor the color of your skin. This is a sanctioned disempowerment of American minorities and cannot be allowed to continue. We must have a census 2000 that not only attempts to count all Americans but one that makes people, all people, count. To allow our underserved populations to become third-class citizens without a voice in their own government is to deny the most basic principles of democracy. This is the only way in which they are going to be able to get the additional Federal funds to improve their schools, to modernize their schools, to be able to improve health programs, to be able to improve their infrastructure so that they too can have an interstate highway and be able to be connected to the rest of the country. This is the only way in which they are going to be able to improve the quality of life of their people. This must change. I stand here today, and I say, the year 2000 census must be fair. To be fair, it must be accurate.

Mr. RODRIGUEZ. Mr. Speaker, I thank the gentleman from Texas (Mr. HINOJOSA) for his remarks. I yield to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker, I rise to discuss this issue because it is indeed an issue that should have a lot more attention in this Nation at the local level than it has been getting. The battle here in Washington seems to be a partisan battle. The battle of getting an accurate census is really a community-based value. Let me tell why. If you undercount California where one out of every 10 people in the United States lives, it has been estimated that just the 1990 census, what we did 10 years ago when there was no dispute about how to do it, that that undercount will cost California \$2 billion. Why? Because the money is subvented back to the States based on population. So the census in 1990 missed 838,000 people living in California. That 838,000 people is larger than the individual populations of Alaska, Delaware, Montana, North Dakota, South Dakota and Vermont. So if you do not think that counting is important, then let us just eliminate those States from the count, because that is the amount of people that we are talking about. What that means is that in

a single year California loses \$197 million in Medicaid funding, that is funding for people with illnesses; \$995,000 in adoption assistance, \$1.8 million in child care and development, \$3.6 million in prevention and treatment of substance abuse, \$9.4 million in foster care, \$4.7 million for rehabilitation services, the list goes on and on. What you are seeing is that all of those people out there who are asking for help from government, because the programs just do not go far enough, could be receiving that help automatically if the census was correct.

So I rise today, Mr. Speaker, to do one thing, to challenge the mayors of this great country, to challenge the county commissioners and supervisors of this great country, to challenge the municipal governments of this country to rise up and take notice as to what is happening with the census, because it is going to affect their communities. This issue is not a partisan issue. It should not be a partisan issue. It should be a scientific issue: What is the best and most accurate way that we can guarantee a full count.

The National Science Foundation and the Department of Commerce and a vast majority of the professional scientific community all recommended that we use modern scientific methods to have the count in the year 2000. The United States Supreme Court recently held that the 1976 Census Act requires the use of modern scientific methods for all purposes other than just reapportionment of Congress, which is the method where we determine how many people live inside a congressional district and from there draw the district boundary lines. That is what is of interest to Washington, to Congress, to the House of Representatives. But let us not forget that the real impact of the census is upon our neighborhoods, our schools, our health care centers, our hospitals, our police and fire, and people who reach out and do services to our community such as foster parents and others.

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Equity demands that more than scientific methods be employed to determine the population so that California and every other State are not deprived of their fair share of Federal funding. If indeed those communities care about this, rise up, take notice and petition our government in Washington.

Mr. HINOJOSA. I thank the gentleman from California (Mr. FARR). I am very pleased that he mentioned California because California was the hardest hit in terms of the loss of resources. It was estimated by the GAO report that approximately \$2.2 billion was the biggest loser on the fact that we did not utilize sampling during the 1990 census. The Census Bureau estimated that 835,000 people were not counted in California. Of those, it is also interesting to indicate that over half of those individuals not counted in California were Hispanics, and the pop-

ulation figures are used again. It is important to note that the population figures are used by 22 of the 25 biggest Federal grant programs.

So if people are not counted, such as Medicaid, then they will not be able to receive those resources. If people are not counted such, we will not be able to use the resources for how reconstruction. So it is important for us to recognize that it is key and it is important that everyone. It is hard to think that if 5 percent of the Hispanic population is not utilized, that Hispanics are only worth 95 percent instead of a hundred percent, and we also recognize that there is an overcount, and we have a large number of individuals that are the rich that are being overcounted because they have several households.

So we ask, as we move forward, that we get an accurate count.

I wanted to just mention in terms of the GAO report that it was requested by the leaders of the House Subcommittee on Census and to determine how much each State would have received from these programs by using adjusted figures for the 1990 head count, and this GAO report is the one that I have been mentioning. The Supreme Court ruled in January the statistical methods known as sampling could be, and I read again, could not be used for determining population figures for allotting congressional seats. In response we recognize that it can be utilized for all the other areas, and that is what we are talking about.

So, it becomes important that we recognize the importance of making sure that everyone gets counted.

I was also very pleased, and the gentlewoman from California (Ms. PELOSI) was here earlier, and she talked about the importance and had to submit some record for the RECORD because she recognized that California was the biggest loser, and in her comments she also addresses the importance that in California the statistics were alarming and had far-reaching consequences. Mr. Speaker, 2.7 percent of the people in California were missed in the 1990 census. There is much at stake in this process for California, for Texas and for the entire Nation to make sure that everyone gets counted.

In the 1990 census it showed that 27 States and the District of Columbia lost \$4.5 billion over the decade in Federal funds due to the failure of a corrected census in 1990. California was the State most harmed by these inaccuracies. One State would have received \$2.2 billion more in Federal funds during that period, and that is \$2,660 for a person that was missed. So for each one that is missed, in Texas we lose a little bit over \$1,900; in California they lost over \$2,600.

So it is important for us to recognize that every effort needs to be made to assure that we get everyone counted.

In the year 2000 census I also want to assure my colleagues that the Census Bureau is there to do an accurate count, and they are willing to move to

make sure that the 2000 census is an accurate count. Scientific methods, and we got to remember that since the 1950s we have recognized that there has been a problem in terms of how people are counted, and since then and up to the present, even in the 1980 census, and 1990, there were attempts and there were utilized methods. They were recognized to best identify those people that are missing, and that does not mean that we will not be going house to house, that does not mean that we will not try and make sure that everyone gets counted.

In fact, as we look at the scientific methods that have been used by the Bureau for decades, it is indicated that they have been extremely helpful to be able to get a more accurate count. The Census Bureau has used scientific methods to be more accurately measured and correct and to make sure that we get that undercount, because as my colleagues well recognize, there is also an overcount on the other side with the rich that have several households.

In the year 2000 the Census Bureau will, No. 1, mail the census form to each household so that that effort will be there again and will continue to be there, and it will also go door to door to follow up on those homes that do not respond. So we are going to go out there to make sure that everyone, No. 1, gets some mail; No. 2, if they do not send it back, we are going to go out there to make sure and knock on their door to make sure that that mail and that census data comes back.

Secondly, we are going, for the first time in history the Bureau will put on a national advertising campaign urging everyone to participate, and this effort is an effort to make sure that everyone recognize that they have a responsibility to be counted and an obligation.

Thirdly, Mr. Speaker, they will use special outreach to contact and encourage everyone to return their census forms, including people who do not have a fixed address, and this is where the problem lies. There is a lot of individuals or families that live together, and we do not have a fixed address for them, and those are the individuals that get miscounted, and that is why, in order to carry that out, aside from all those things that we are going to be doing, we are going to be pushing on the utilization of sampling which will allow us to have a more accurate count.

To carry out the accuracy coverage evaluation, which is called ACE, a quality check which completes the census by evaluating accuracy and correcting any undercount. Methods very similar used by ACE were used in the 1980 and 1990 census, and this will allow an opportunity to make sure everyone gets counted. When we look at Americans, I know that during the Civil War we counted African Americans less than. We do not want to do this at this time. We want to make sure that everyone gets counted. Again, if 5 percent of Hispanics are not counted, that

means that I am only counted at 95 percent, while other people are counted at a hundred or even beyond if they are overcounted.

So there is a need for us to look at that disparity that exists there and make every effort to make sure that everyone gets counted.

Mrs. MEEK of Florida. Mr. Speaker, on April 1, 2000, as mandated by the U.S. Constitution and the Census Act, the decennial census will take place. People want an accurate census that includes everybody. Unfortunately, the U.S. Census Bureau has missed millions of persons in conducting each decennial census, especially minorities, the poor, children, newly arrived immigrants, and the homeless. Our goal for Census 2000 must be the most accurate census possible. To accomplish this, the Census Bureau must use the most up-to-date methods as recommended by the National Academy of Sciences and the vast majority of the professional scientific community.

The importance of the census is monumental. The census has a real impact on the lives of real people. Information gathered in the decennial census is used by states and local governments to plan schools and highways; by the federal government to distribute funds for health care and other programs; and by businesses in making their economic plans. An accurate census is vital to every community. Last year, census data was used in the distribution of over \$180 billion in federal aid. Accurate census data is the only way to assure that local communities receive their "fair share" of federal spending; an inaccurate count will shortchange the affected communities for an entire decade.

Census data also forms the basis for which Congressional seats are apportioned among the states. Within states, census data is used to draw Congressional and other legislative districts. Inaccurate data has far-reaching consequences for political representation by decreasing the influence of those persons who are less frequently counted. We must not allow this to occur in 2000.

Allow me to give you some pertinent statistics. The population undercount for minorities is a long-standing problem for the Census Bureau, a problem which was even worse in the 1990 census. The 1990 Census contained 26 million mistakes. About 4.4 million people were counted twice and 8.4 million people were missed. The net undercount was 4 million people, approximately 1.6% of the population. Another 13 million people were counted in the wrong place. About one-third of all households failed to respond to mailed questionnaires.

The undercount of minorities was much worse than the 1.6% national average. The Census Bureau estimates that 4.4% of African-Americans, 5.0% of Hispanics, and 4.5% of Native Americans were not counted. The 1990 census missed 7% of African-American children, 5% of Hispanic children, and over 6% of Native American children. In fact, as the Secretary of Commerce noted on January 25, 1999, the 1990 Census was the first in 50 years that was less accurate than its predecessor. It is critical that this census is a fair census. Because the census is so important, we must do everything we can to ensure that everyone is included in the count. We know that previous censuses overlooked millions of people, especially children and minorities.

That's not fair, it's not accurate, and it's not acceptable. We are determined to do better.

A complete census must include modern scientific methods which will provide an essential quality check for Census 2000. Such a plan fully complies with the Supreme Court's ruling that the law requires that the Census Bureau use modern methods such as statistical sampling for all other purposes of the census other than apportionment. This issue should rise above partisan politics. It's not a partisan issue. It's an American issue. As President Clinton stated:

"Improving the census should not be a partisan issue. It's not about politics, it's about people. It's about making sure that every American really, literally counts." President Clinton, June 2, 1998.

The stakes of an inaccurate census are very high. Over 164 federal programs use some aspect of census data to determine the amount of funds that are distributed to qualified applicants. From the allocation of transportation funds and the building of roads and bridges, to the determination of housing units and the distribution of program funds, census data plays a critical role in determining the amount of federal dollars disseminated in our local communities. The decennial census is the basis for virtually all demographic information used by educators, policy makers, journalists and community leaders. America relies on Census data everyday—to determine where to build more roads, hospitals, and child care centers.

The extent of the problem should be clear. Poor people living in cities and rural communities, African-Americans and Latinos, immigrants and children were disproportionately undercounted. In Florida, the 1990 Census missed more than 258,900 people. Like the national results, a disproportionate number of undercounted Florida residents were minorities—4% (73,319 people) of African-Americans were missed; 1.8% (2,881 people) of Asians in Florida were undercounted, 5.3% (87,654 people) of Hispanic origin were missed; and 2.7% (1,006 people) of native Americans were undercounted.

In Miami, an estimated 18,831 (4.99%) people were not counted. This is the 3rd highest undercount rate among major cities (behind Newark, NJ, and Inglewood, CA). We must do better.

We should allow the Census Bureau to do its job. The professionals at the Census Bureau are continuing their preparations to produce the most accurate census permitted under the law. Our goal must be the most accurate census possible, using the most up-to-date scientific methods and the best technology available.

Allow me now to turn your attention to the controversial issue of statistical sampling. Advertising and promotional campaigns targeted to minority communities and directed by minority advertising firms are essential. Easy access to census materials in languages other than English is also critical. However, the National Academy of Science, the General Accounting Office, the Inspector General of the Commerce Department and the academic and statistical community all have concluded that the undercount and the differential undercount among minorities cannot be solved without the use of modern statistical techniques known as "sampling."

On January 25, 1999, the U.S. Supreme Court ruled that the Census Act prohibits the

use of sampling for apportioning congressional districts among the states. However, the Court also held that the 1976 revisions to the Census Act "require" the use of sampling for all other purposes, including the distribution of federal aid to states and municipalities and for redistricting, if the Secretary of Commerce determines its use to be "feasible."

The Secretary of Commerce has already announced that he considers the use of sampling to be feasible. Given the Supreme Court's ruling, a 2000 census plan must be a two-number plan under the law that uses traditional counting methods to arrive at a number for apportionment and modern statistical sampling techniques for all other purposes. Simply put, the Court's ruling did not bar the use of modern scientific methods. It required sampling's use for all census purposes except apportionment.

In order to eliminate the undercount for all other purposes beyond apportionment of congressional seats among the states, Census 2000 will be completed using modern scientific methods. The Census Bureau has determined that it is feasible to use modern scientific methods and will use these methods to produce the most accurate census permitted under the law.

Scientific methods have been used by the Bureau for decades. Statistical methods disclosed that in the 1950 census, minorities were undercounted at much higher rates than non-minorities. Since then, the Census Bureau has used scientific methods to more accurately measure and correct for this unfair undercount.

What steps will the Census Bureau take to ensure an accurate and fair census? In 2000, the Census Bureau will:

Mail census forms to every household and do door-to-door follow-up to the homes that did not respond to the mailing;

For the first time in history, the Bureau will put on a national advertising campaign urging everyone to participate;

Use special outreach to contact and encourage everyone to return their census forms, including people who do not have a fixed address; and

Carry out the Accuracy & Coverage Evaluation (ACE), a quality check which completes the census by evaluating accuracy and correcting any undercount.

Methods very similar to ACE were used in the 1980 and 1990 censuses to improve accuracy.

If we use the most up-to-date scientific methods as recommended by the National Academy of Sciences and the vast majority of the professional scientific community, America can have a Census 2000 where all Americans count. Let's make Census 2000 a census that all Americans can be proud of.

Ms. PELOSI. Mr. Speaker, does the census count?

Yes, the Census counts for every American and it should be as accurate as possible.

The Census Bureau has devised a plan to increase the accuracy of the ten-year count. We should listen to the experts on this issue and leave the decisions to the experts who know how to determine the best means for accomplishing the best count.

What are our choices?

In all of the talk about the census and its fairness, the interpretation of the Supreme Court decision and the debate on methods, our choices really are very simple.

We can use the "old" methods, or we can use the modern methods recommended by the Census Bureau. We can have an inaccurate census using the "old" method, or we can have a more accurate census using updated techniques for counting, recommended by the Census Bureau.

The 1990 census failed America's minority communities. Almost 9 million people were not counted in the process, including one in ten African-American males, one in twenty Hispanics and one in ten young Asian males. To make matters worse, there were 26 million errors in the census with 14.5 million people counted twice and another 13 million people counted in the wrong place. In fact the 1990 census was the first census in 200 years to be less accurate than the census preceding it.

This approach is unacceptable. Why would we retrace our steps down a failed path AGAIN? We owe it to all segments or our communities to make the strong effort to keep the census fair, accurate and representative of our diverse population.

In California, the statistics were alarming and had far-ranging consequences. 2.7% of the people living in California were missed in the 1990 count. There is much at stake in this process for California and its communities—to be counted, to be represented and to reap the federal benefits intended to spring from the best possible census numbers. In San Francisco alone, African Americans were undercounted by 13% and Hispanics by 16%.

The 1990 census showed that 27 states and the District of Columbia lost \$4.5 billion over the decade in federal funds due to the failure to correct the 1990 census. California was the state most harmed by these inaccuracies. Our state would have received \$2.2 billion more in federal funds during this period—\$2,660 for each person missed.

The Republican majority has proposed a \$400 million ad campaign to highlight the census. Why spend almost half a billion dollars and do nothing to correct the inaccuracies of the past. Under this plan, we will get even less for our money than ever before. What kind of goal is that?

If there is a move to restrict the Census Bureau in its plans and the process is thwarted, we could be faced with a partial government shutdown with funding cut off for the departments of Commerce, Justice and State under the June 15 deadline. This crisis is avoidable and should be entirely unnecessary under the Supreme Court decision.

The Supreme Court decision supports the current efforts of the Census Bureau—to use the "old" method for the purposes of state apportionment in Congress under the law and to use methods recommended by the census experts to use improved counting to redistrict within each state and to distribute federal funds. This is a fair compromise. The Supreme Court agrees.

The Census Bureau is committed to producing the most accurate numbers possible for all uses other than for apportionment, and the Republican majority wants to prevent it from doing its job.

The rich ethnic diversity of our urban and rural areas should not be under-reported, underrepresented and under-funded under a failed system. We must have a more fair process for counting our nation's minority communities under a process that brings the greatest number of people into the headcount.

Yes, the Census counts. Every American should be concerned about a fair count and support the work of the experts at the Census Bureau in giving them the tools they require to do the best job for the best money. The American people deserve the best.

THE RADICAL LEFT, THE PRESIDENT'S COUNSEL AND THE DEMOCRATIC CAUCUS DO NOT LIKE THE CONSTITUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. SCARBOROUGH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCARBOROUGH. Mr. Speaker, I certainly have been intrigued by the speech that we have been hearing about the census and about how we have heard words like "partisan motives" and "tactics" and basically the same things that we have been hearing for years, that Democrats have been attacking Republicans for back room maneuvers and saying all these horrible things because we do not want people to be represented according to them. Mr. Speaker, as my colleagues know, the one thing though that I find really intriguing about this debate is that while Republicans are being attacked for this, the one thing that we do not hear about when it comes to reapportionment and when it comes to using the census to count voters in 2000 is the fact that this decision has already been reached, not in a back room in Congress, not by mean-spirited Republicans getting together and figuring out how they can harm human beings, but now it has been decided already across the street by the United States Supreme Court who ruled not long ago, just a month or two ago, that it is unconstitutional. It is unconstitutional to run a census the way the administration and the way that the radical left wants to run the census in 2000.

Mr. Speaker, I say "radical left." Why do I say "radical"? I say "radical," and my definition of "radical" is somebody or a group of legislators who want to radically break with the past, and that is what this is all about. As my colleagues know, they can talk about scientific means of measurement, they can talk about fairness, they can talk about whatever they want to talk about, but when they turn and point and blame the Republicans for the census in 2000, they are avoiding some very basic facts.

Mr. Speaker, the main fact they are avoiding is, and there are two facts actually; first fact is the United States Supreme Court says it is unconstitutional to guess how many Americans should be able to vote in an election. It is unconstitutional. The second fact that they conveniently avoid so they can come down here and make mean-spirited, radical assertions that just are not based on fact is that the United States Constitution itself, the framework for this great constitutional re-

public, says itself that you have got to count each person when we decide about reapportionment.

Now what did we hear? As my colleagues know, I do not know why we did not hear that other than it does not really play into their strong point as well as criticizing Republicans, attacking us as mean-spirited. Listen. The Republicans on this issue are irrelevant. If they have a problem, they need to take it up with the United States Supreme Court. They need to take it up with Madison and Hamilton and those people that drafted the United States Constitution over 200 years ago.

Now maybe they do not like the Constitution, maybe they think that this part of the Constitution is not suited well for the 21st century, maybe they want a radical departure from our history, maybe they want to take an extremist approach because they think they can pick up four or five seats. But I can tell my colleagues the Supreme Court, the United States Constitution and 222 years of American history does not support their argument.

Facts are stubborn things. Facts, not name calling, not mean-spirited attacks; facts are stubborn things.

It reminds me during the impeachment hearings and even before the impeachment hearings, as we led up to the impeachment hearings. Mr. Speaker, I remember Ken Starr being castigated time and time again. He is a renegade. Ken Starr is dangerous. He is trying to do things that he should not be able to do. That is what we heard from the radical left. But facts are stubborn things.

The President's attorneys, the radical left, the Democratic Caucus, all would attack Ken Starr and say he was doing things that would destroy the Presidency and the Constitution, and yet every time the legal question was taken to the United States Supreme Court, the United States Supreme Court, the highest court in the land, would come back and defend Ken Starr's right to conduct his legal investigation.

Now whether colleagues agreed with Mr. Starr's investigation or not, do not say that he is an out-of-control prosecutor that is trying to violate the law because the highest court in the land, the court sanctioned by the United States Constitution 222 years ago, said that what Mr. Starr was asking for was constitutionally correct.

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Now, again, maybe the radical left, the President's counsel, and the entire Democratic Caucus does not like the Constitution. Maybe they are offended by 222 years of history. But do not attack the person that is living by the law and the Constitution, because facts are stubborn things.

This is something I have seen now for 4 years. Mr. Speaker, it was about 4½, 5 years ago that I was an American that sat on my couch and watched the news, watched C-Span, had never been