

Owens	Salmon	Tanner
Oxley	Sanchez	Tauscher
Packard	Sanders	Tauzin
Pallone	Sandlin	Taylor (MS)
Pascarella	Sanford	Taylor (NC)
Pastor	Sawyer	Terry
Paul	Saxton	Thomas
Payne	Scarborough	Thompson (CA)
Pease	Schaffer	Thompson (MS)
Pelosi	Schakowsky	Thornberry
Peterson (MN)	Scott	Thune
Peterson (PA)	Sensenbrenner	Thurman
Petri	Serrano	Tiahrt
Phelps	Sessions	Tierney
Pickering	Shadegg	Toomey
Pickett	Shaw	Towns
Pitts	Shays	Trafficant
Pombo	Sherman	Turner
Pomeroy	Sherwood	Udall (CO)
Porter	Shimkus	Udall (NM)
Portman	Shows	Upton
Price (NC)	Shuster	Velazquez
Pryce (OH)	Simpson	Visclosky
Quinn	Sisisky	Vitter
Radanovich	Skeen	Walden
Rahall	Skelton	Walsh
Ramstad	Slaughter	Wamp
Regula	Smith (MI)	Watkins
Reyes	Smith (NJ)	Watt (NC)
Reynolds	Smith (TX)	Watts (OK)
Riley	Smith (WA)	Waxman
Rivers	Snyder	Weiner
Rodriguez	Souder	Weldon (FL)
Roemer	Spence	Weldon (PA)
Rogan	Spratt	Weller
Rogers	Stabenow	Wexler
Rohrabacher	Stark	Weygand
Ros-Lehtinen	Stearns	Whitfield
Rothman	Stenholm	Wicker
Roukema	Strickland	Wilson
Roybal-Allard	Stump	Wise
Royce	Stupak	Wolf
Rush	Sununu	Woolsey
Ryan (WI)	Sweeney	Wu
Ryun (KS)	Talent	Young (AK)
Sabo	Tancred	

NAYS—2

Jackson (IL) Waters

NOT VOTING—9

Archer	Cook	Vento
Campbell	Crane	Wynn
Clement	Rangel	Young (FL)

□ 1727

Messrs. ENGEL, NADLER and HALL of Texas changed their 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.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 3671.

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

There was no objection.

UNITED STATES DEPARTMENT OF TRANSPORTATION BIENNIAL REPORT ON HAZARDOUS MATERIALS TRANSPORTATION CALENDAR YEARS 1996-1997—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United

States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Transportation and Infrastructure:

To the Congress of the United States:

I herewith transmit the Department of Transportation's Biennial Report on Hazardous Materials Transportation for Calendar Years 1996-1997. The report has been prepared in accordance with the Federal hazardous materials transportation law, 49 U.S.C. 5121(e).

WILLIAM J. CLINTON.

□ 1730

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. THUNE). 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 New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE 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 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 Georgia (Mr. NORWOOD) is recognized for 5 minutes.

(Mr. NORWOOD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1776, AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 106-562) on the resolution (H. Res. 460) providing for consideration of the bill (H.R. 1776) to expand homeownership in the United States, which was referred to the House Calendar and ordered to be printed.

PRESIDENTIAL DIRECTIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, most Americans possess little knowledge of or experience with the subject of presidential directives. Indeed, even those

familiar with executive orders and proclamations may not understand the full impact of these directives on Federal, State, and local laws or on the balance of power in this Nation.

By issuing executive orders, which infringe on congressional authority, it has become increasingly clear that the President is skirting the constitutional process and meddling in the legislative affairs of Congress. The result is a subtle erosion of our representative self-government and the rule of law.

The President seeks to expand his authority beyond what the Constitution allows. He is using directives to seize land, usurp State law, expand the Federal Government, and spend taxpayer dollars without congressional authorization. This definition of executive power would have astonished the framers of our constitution. Their structure of government deliberately rejected the British model, which gave the king all executive authority.

A steady increase in controversy over executive orders and presidential proclamations has arisen since FDR's first administration. Judging by the comments of the White House, we have even more reason to be concerned. Mr. Podesta, the President's Chief of Staff, has outlined the President's plan to issue a series of executive orders and other directives that will become the force and effect of law. Thus, if unchallenged, the President has taken legislative power without first getting the okay from Congress.

Congress should be outraged by the President's staff, as they look for ways to bypass the legislative branch. We have seen this before. When the President issued his Executive Order on striker replacement, he attempted to do what had been denied him by the regular legislative process. In addition, when the President issued his proclamation establishing a national monument in Utah, he again tried to do what he had been unable to do in Congress.

I am deeply concerned with executive lawmaking, and if Congress does not openly challenge the President, we are surely surrendering our liberty. It seems clear that the President plans on using Executive Orders and other presidential directives to implement his agenda without the consent of Congress. Executive lawmaking is a violation of the Constitution and the doctrine of separation of powers. As Article I states, all legislative powers shall be vested in the Congress.

In the legislative veto decision of 1983, the Supreme Court insisted that congressional power be exercised in accord with a single finely wrought and exhaustively considered procedure. The Court said that the records of the Philadelphia Convention and the State ratification debates provide unmistakable expression of a determination that the legislation by the national Congress be a step-by-step deliberate and deliberative process. If Congress is required to follow this rigorous process,

how absurd it is to argue that a President can accomplish the same result by unilaterally issuing executive orders or presidential proclamations.

Mr. Speaker, we must not be lulled into complacency. It is time to clarify the scope of executive authority vested in the Presidency by Article II of the Constitution. The Supreme Court has failed to address this issue and it is time for Congress to invoke the powerful weapons at its command. Through its ability to authorize programs and appropriate funds, Congress can define and limit presidential power. As Members, we must participate in our fundamental duty of overseeing executive policies, passing judgment on them, and behaving as the legislative branch should.

Eternal vigilance is still the price of liberty, Mr. Speaker.

PERSONAL EXPLANATION

Mr. WEINER. Mr. Speaker, on March 30 the President and I made a Social Security policy announcement with senior citizens in my district. As a result, I was unable to vote in favor of the Emergency Supplemental Appropriations bill for fiscal year 2000. Had I been present, I would have voted as follows:

Rollcall 91, the Stearns amendment, no; on rollcall 92, the Paul amendment, no; on rollcall 93, the Tancredo amendment, no; on rollcall 94, on the Motion to Recommit, yes; and on rollcall 95, final passage, yes.

FLUSHING REMONSTRANCE RECOGNIZED AS FOUNDATION OF RELIGIOUS LIBERTY IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. CROWLEY) is recognized for 5 minutes.

Mr. CROWLEY. Mr. Speaker, I rise to recognize the significance of a document that was fundamental in shaping the United States as a land of liberties. I am not speaking about the Declaration of Independence, or the Constitution, for that matter. The document I want to recognize is the Flushing Remonstrance, which was written nearly 120 years before the Declaration of Independence.

For 300 years, the Flushing Remonstrance, the first recorded defense of religious freedom in the new world, was locked away in a vault in Albany, New York. The Remonstrance is believed by historians to be the first Declaration of Independence and a forerunner of the first amendment.

As a result of the efforts of the Queens Courier, an award-winning community weekly newspaper, this historic document was brought to Queens for a viewing at the Flushing Library. The initiative was spearheaded by David Oats, a historian and special projects editor for that newspaper.

Now that that public display at the library is ending, I am working with

the Courier and community groups to seek permanent custody of this document in Queens County, particularly in Flushing, New York.

The saga of the document began more than 340 years ago when a group of about 30 freeholders in Flushing held a town meeting to discuss Governor Peter Stuyvesant's restrictions on the Quakers because they were not members of the Dutch Reform Church. The Flushing Remonstrance lay the groundwork of this early colony in America, which is located in what is now called Flushing, in my congressional district of Queens, New York.

I have informed the State that the best argument for moving the document to Flushing is its very name, the Flushing Remonstrance. It has lain dormant for years in a vault in Albany. I will continue to urge the State of New York to permanently relocate the Flushing Remonstrance in its rightful place in Flushing, Queens, New York.

Mr. Speaker, Flushing, New York, in all likelihood, is probably the most diverse place in the entire world. We have more ethnic and racial and religious makeups than any corner of this country certainly, and, therefore, I believe, anywhere in the world. It is appropriate that the Flushing Remonstrance find its way home to Flushing, Queens.

We probably need it more now than ever to remind people of the rich history of diversity and tolerance in Queens County, particularly in Flushing. It will be a perfect reminder for not only future generations but for generations here now, to remind them of the rich history that lay in Flushing, Queens, a rich history that I would like to bring out more. I believe if this document is relocated back in its rightful place and home, we will go a long way in accomplishing that.

Mr. Speaker, I commend the Queens Courier and the Queens Public Library for its campaign to bring the Flushing Remonstrance to Queens permanently.

LIBRARY OF CONGRESS FINANCIAL MANAGEMENT ACT OF 2000

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOYER) is recognized for 5 minutes.

Mr. HOYER. Mr. Speaker, today I am introducing the Library of Congress Financial Management Act of 2000, bipartisan legislation which will authorize the Library to create a revolving fund which would allow a number of the Library's cost-recovery programs to operate more efficiently. This legislation, which the Library has sought for a number of years, would provide for more efficient and accountable financial management of fee-based Library programs and would correct longstanding deficiencies first identified by the General Accounting Office in 1991 and highlighted in subsequent independent audits.

The legislation has bipartisan, bicameral support. Our colleague Senator COCHRAN of Mississippi, who serves with me as a member of the Joint Committee of Congress on the Li-

brary, has introduced similar legislation in the Senate (S. 2286). It is especially appropriate for Congress to address these matters now, in the year of the Library's Bicentennial, as the Library retools itself to meet the needs of Congress and the American people in the new century.

The bill authorizes a financial restructuring of existing fee-based program operations. It authorizes no new fees, other than for specified activities relating to audio-visual preservation services associated with the Library's role as a national conservation center.

The bill would increase the efficiency of the Library's cost-recovery programs by establishing a systematic relationship between program costs and fees charged, setting program operations on a more business-like foundation. A 1996 Library of Congress management audit report stated that "charging fees for services works best when the appropriate financial structures, such as revolving funds, are in place." The report also stated that a revolving fund mechanism allows managers to better control their resources, monitor their costs, and track performance, and most importantly, allow accumulation of reserves for slow periods and the development of strategic plans that address productivity objectives across fiscal years.

This legislation will increase the accountability of the Library's current self-sustaining programs by: providing proper statutory authority for retaining receipts, as GAO has often suggested; limiting obligations to amounts approved in annual appropriations bills; requiring annual independent audits of financial statements following government auditing standards; requiring annual submission of the audited financial statements to Congress; and establishing separate accounts for each fund service unit.

In the most recent audit report reviewing the Library's financial statements, the independent auditor again noted the Library's need for proper Congressional authority to operate gift revolving funds. This is now the sole remaining vulnerability identified by the auditor's examination of compliance with certain laws and regulations.

The bill will also transfer to the revolving fund certain cost-recovery programs currently authorized under the Economy Act. The major programs included are FedLink and Federal Research Division [FRD]; the services the Library of Congress is able to provide the federal sector through these programs are invaluable, and the Library is uniquely able to provide them because of its collections and its acquisitions expertise. The transfer of these programs to a revolving fund will eliminate significant costs currently incurred by annual shut-down and start-up imposed under that Act.

With the requested revolving fund authority, federal libraries participating in FedLink could save, in the aggregate, an estimated \$1.37 million each year in increased efficiencies and improved vendor discounts. The paperwork burden of federal librarians, such as overly complex inter-agency agreements and year-end closeout, refund and re-registration chores required by the Economy Act, could also be significantly reduced. Revolving fund authority would, simply put, save costs and place both programs on a firmer business foundation.

The Financial Management Act also includes language to update the outdated 1902 law authorizing the sale of cataloging data to