

His constituents benefited from his dedication to environmental protection. He was instrumental in establishing the Boston Harbor Islands National Park, and as previously mentioned, he secured funds to clean up Boston Harbor. He did not forget historic preservation—Faneuil Hall, The African Meeting House, the Old South Church, the Freedom Trail, the U.S.S. *Constitution*, and the Boston Customs House all received necessary funding to preserve these American treasures.

During his career, over 5,100 congressional actions bear the name JOE MOAKLEY. His interests include support for the Olympics, regulatory review, Medicare, human rights, civil rights, violence, police protection, education, environmental protections, energy assistance programs for the poor and elderly, landmark legislation designating arson as a major crime, merchant marines issues, and international affairs. JOE MOAKLEY has received numerous awards and honors including an honorary doctorate from Suffolk University, and an honorary doctorate from Northeastern University in political science.

Of course, no picture of JOE MOAKLEY would be complete without mentioning his boundless Irish wit, his legendary expertise at telling a story, his unflinching courtesy, kindness, and immense generosity.

Mr. Speaker, I would like to close with an Irish blessing for our esteemed colleague JOE MOAKLEY:

May the friendships you make,  
Be those which endure,  
And all of your grey clouds  
Be small ones for sure.  
And trusting in Him  
To whom we all pray,  
May a song fill your heart,  
Every step of the way.

Mr. Speaker, it is with great pleasure that I support H.R. 559 and urge my colleagues to join me in supporting this bill.

Mr. TRAFICANT. Mr. Speaker, JOE MOAKLEY is a great American. At the age of 25 his political career began with a seat on the Massachusetts State Legislature. This was just the beginning of a long and active political career, serving on both the Massachusetts State House of Representatives and the Massachusetts State Senate. JOE MOAKLEY started his service to the Ninth District of Massachusetts in 1972. His long record of service to the Democratic Party was rewarded when he was appointed chairman of the Rules Committee in June 1989. JOE MOAKLEY has shown his continued dedication through his service as ranking member on the Rules Committee since 1994.

JOE MOAKLEY is a very dedicated man who deserves the honor designating the John Joseph Moakley Courthouse in Boston, MA. I supported a bill proposing this honor for JOE MOAKLEY in the 106th Congress and am pleased to support this bill again.

It has been an honor and a privilege to serve with JOE, and his presence in the U.S. Congress will be sorely missed. I will always consider JOE as my friend.

Mr. COSTELLO. Mr. Speaker, I rise in strong support of H.R. 559, a bill to designate the new Federal courthouse in Boston as the John Joseph Moakley U.S. Courthouse.

Mr. Speaker, our friend and colleague JOE MOAKLEY has been an outstanding Member of this House working tirelessly for the people of his district and our Nation. Like his friend and

our former Speaker Tip O'Neil, JOE has never forgotten where he came from and has never forgotten that "all politics is local."

The people of JOE's district have benefited greatly by his leadership in the House—and hundreds of millions of tax dollars have been returned to JOE's district and State to improve major infrastructure and other public projects.

Projects include the dredging the Boston Harbor, the reconstruction of the Barnes Building—the last major operating military facility in Boston, the South Boston Piers Transit Way, the modernization and expansion of the Boston transit system, the renovation and modernization of South Station and Logan Airport—and the list goes on.

I have enjoyed working with JOE on human rights issues. JOE's dedication to fairness and justice was demonstrated in his leadership in bringing to justice the ruthless murderers of six Jesuit priests and their housekeeper in El Salvador in 1989.

JOE's ability to work with other Members and his ability to get things done helped him lead the Rules Committee for 6 years. JOE's humor and unflinching courtesy have set a high standard for all of us to follow in the House.

It is most fitting and proper that we honor JOE MOAKLEY by designating the new Federal courthouse in Boston as the John Joseph Moakley U.S. Courthouse.

Mr. BACA. Mr. Speaker, I rise in support of H.R. 559, designating the John Joseph Moakley Courthouse.

My colleague from Massachusetts is a legislator's legislator, fighting for the people of his district. He has lived by Tip O'Neill's adage that all politics is local, and under his leadership, Massachusetts has benefitted, as he has carried bills promoting high tech businesses, creating jobs, and developing the local economy.

It is therefore fitting that a courthouse in his district bear the name the John Joseph Moakley Courthouse.

He is a remarkable man. Serving our nation in World War II, going to college and then earning his law degree at night, serving in the Massachusetts State Legislature and the Boston City Council, and finally being elected to the U.S. Congress. He has filled big shoes, serving on the Rules Committee in the seat previously held by former Speaker Tip O'Neill, Jr., ascending to its chairmanship when Democrats held the majority, and ranking member in the minority.

He has a strong commitment to human rights, a passion for gentle debate, a keen sense of humor, and the ability to resolve difficult disputes.

I can think of no better or more fitting tribute to a man who has devoted his career to promoting the rule of law for our nation and his constituents.

I wish him my prayers and good thoughts in fighting his recently diagnosed leukemia, and I wish him God's blessings and the strength that comes from faith.

Mr. MATSUI. Mr. Speaker, I rise today to pay tribute to the many accomplishments of my friend, Mr. JOE MOAKLEY of Massachusetts. I stand before you to commend a man who embodies infinite courage and legendary patriotism. I ask my colleagues to join me in honoring the dedicated service of Congressman JOE MOAKLEY.

Bound by a sense of service to country, JOE lied about his young age to enlist in the U.S.

Navy. Risking his life to defend our country during World War II only marked the beginning of his career in public service. JOE rose through the ranks of local government and was elected to the U.S. House of Representatives in 1972. It has been my distinct honor to work with him the past 22 years, and in that time I have come to recognize him, as have many others, as a man driven by principal and conviction.

During his tenure in the House, JOE has become a renegade for human rights. His desire to find answers to the brutal murders of innocent civilians in El Salvador led a divided country to an eventual peace agreement in 1992. His leadership, his passion and his dedication to civic justice will truly be remembered.

Most significantly, I have admired JOE for his tireless commitment to the people of the Ninth District of Massachusetts. JOE is a member of this body who will truly be missed. While this tribute cannot begin to communicate his greatness as a leader and friend, I can say that this body has been made better by his presence and will be lesser in his absence. Mr. Speaker, I ask all my colleagues to join with me today in celebrating the accomplishments of Congressman JOE MOAKLEY.

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

The SPEAKER pro tempore. The bill is considered read for amendment.

Pursuant to the order of the House of Tuesday, February 13, 2001, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ELECTRONIC COMMERCE ENHANCEMENT ACT OF 2001

Mr. BOEHLERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 524) to require the Director of the National Institute of Standards and Technology to assist small and medium-sized manufacturers and other such businesses to successfully integrate and utilize electronic commerce technologies and business practices, and to authorize the National Institute of Standards and Technology to assess critical enterprise integration standards and implementation activities for major manufacturing industries and to develop a plan for enterprise integration for each major manufacturing industry.

The Clerk read as follows:

H.R. 524

*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 "Electronic Commerce Enhancement Act of 2001".

#### TITLE I—ELECTRONIC COMMERCE

##### SEC. 101. FINDINGS.

The Congress finds the following:

(1) Commercial transactions on the Internet, whether retail business-to-customer or business-to-business, are commonly called electronic commerce.

(2) In the United States, business-to-business transactions between small and medium-sized manufacturers and other such businesses and their suppliers is rapidly growing, as many of these businesses begin to use Internet connections for supply-chain management, after-sales support, and payments.

(3) Small and medium-sized manufacturers and other such businesses play a critical role in the United States economy.

(4) Electronic commerce can help small and medium-sized manufacturers and other such businesses develop new products and markets, interact more quickly and efficiently with suppliers and customers, and improve productivity by increasing efficiency and reducing transaction costs and paperwork. Small and medium-sized manufacturers and other such businesses who fully exploit the potential of electronic commerce activities can use it to interact with customers, suppliers, and the public, and for external support functions such as personnel services and employee training.

(5) The National Institute of Standards and Technology's Manufacturing Extension Partnership program has a successful record of assisting small and medium-sized manufacturers and other such businesses. In addition, the Manufacturing Extension Partnership program, working with the Small Business Administration, successfully assisted United States small enterprises in remediating their Y2K computer problems.

(6) A critical element of electronic commerce is the ability of different electronic commerce systems to exchange information. The continued growth of electronic commerce will be enhanced by the development of private voluntary interoperability standards and testbeds to ensure the compatibility of different systems.

#### SEC. 102. REPORT ON THE UTILIZATION OF ELECTRONIC COMMERCE.

(a) **ADVISORY PANEL.**—The Director of the National Institute of Standards and Technology (in this title referred to as the "Director") shall establish an Advisory Panel to report on the challenges facing small and medium-sized manufacturers and other such businesses in integrating and utilizing electronic commerce technologies and business practices. The Advisory Panel shall be comprised of representatives of the Technology Administration, the National Institute of Standards and Technology's Manufacturing Extension Partnership program established under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l), the Small Business Administration, and other relevant parties as identified by the Director.

(b) **INITIAL REPORT.**—Within 12 months after the date of the enactment of this Act, the Advisory Panel shall report to the Director and to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the immediate requirements of small and medium-sized manufacturers and other such businesses to integrate and utilize electronic commerce technologies and business practices. The report shall—

(1) describe the current utilization of electronic commerce practices by small and medium-sized manufacturers and other such businesses, detailing the different levels between business-to-retail customer and business-to-business transactions;

(2) describe and assess the utilization and need for encryption and electronic authentication components and electronically stored data security in electronic commerce for small and medium-sized manufacturers and other such businesses;

(3) identify the impact and problems of interoperability to electronic commerce, and include an economic assessment; and

(4) include a preliminary assessment of the appropriate role of, and recommendations for, the Manufacturing Extension Partnership program to assist small and medium-sized manufacturers and other such businesses to integrate and utilize electronic commerce technologies and business practices.

(c) **FINAL REPORT.**—Within 18 months after the date of the enactment of this Act, the Advisory Panel shall report to the Director and to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a 3-year assessment of the needs of small and medium-sized manufacturers and other such businesses to integrate and utilize electronic commerce technologies and business practices. The report shall include—

(1) a 3-year planning document for the Manufacturing Extension Partnership program in the field of electronic commerce; and

(2) recommendations, if necessary, for the National Institute of Standards and Technology to address interoperability issues in the field of electronic commerce.

#### SEC. 103. ELECTRONIC COMMERCE PILOT PROGRAM.

The National Institute of Standards and Technology's Manufacturing Extension Partnership program, in consultation with the Small Business Administration, shall establish a pilot program to assist small and medium-sized manufacturers and other such businesses in integrating and utilizing electronic commerce technologies and business practices. The goal of the pilot program shall be to provide small and medium-sized manufacturers and other such businesses with the information they need to make informed decisions in utilizing electronic commerce-related goods and services. Such program shall be implemented through a competitive grants program for existing Regional Centers for the Transfer of Manufacturing Technology established under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k). In carrying out this section, the Manufacturing Extension Partnership program shall consult with the Advisory Panel and utilize the Advisory Panel's reports.

### TITLE II—ENTERPRISE INTEGRATION

#### SEC. 201. ENTERPRISE INTEGRATION ASSESSMENT AND PLAN.

(a) **ASSESSMENT.**—The Director shall work to identify critical enterprise integration standards and implementation activities for major manufacturing industries underway in the United States. For each major manufacturing industry, the Director shall work with industry representatives and organizations currently engaged in enterprise integration activities and other appropriate representatives as necessary. They shall assess the current state of enterprise integration within the industry, identify the remaining steps in achieving enterprise integration, and work toward agreement on the roles of the National Institute of Standards and Technology and of the private sector in that process. Within 90 days after the date of the enactment of this Act, the Director shall report to the Congress on these matters and on anticipated related National Institute of Standards and Technology activities for the then current fiscal year.

(b) **PLANS AND REPORTS.**—Within 180 days after the date of the enactment of this Act, the Director shall submit to the Congress a plan for enterprise integration for each major manufacturing industry, including

milestones for the National Institute of Standards and Technology portion of the plan, the dates of likely achievement of those milestones, and anticipated costs to the Government and industry by fiscal year. Updates of the plans and a progress report for the past year shall be submitted annually until for a given industry, in the opinion of the Director, enterprise integration has been achieved.

#### SEC. 202. DEFINITIONS.

For purposes of this title—

(1) the term "Director" means the Director of the National Institute of Standards and Technology;

(2) the term "enterprise integration" means the electronic linkage of manufacturers, assemblers, and suppliers to enable the electronic exchange of product, manufacturing, and other business data among all businesses in a product supply chain, and such term includes related application protocols and other related standards; and

(3) the term "major manufacturing industry" includes the aerospace, automotive, electronics, shipbuilding, construction, home building, furniture, textile, and apparel industries and such other industries as the Director designates.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BOEHLERT) and the gentleman from Michigan (Mr. BARCIA) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. BOEHLERT).

#### GENERAL LEAVE

Mr. BOEHLERT. 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. 524.

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

There was no objection.

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

During a busy day, most Americans probably do not stop to think about the impact small manufacturing has on all of our lives. In fact, most Americans would be surprised to learn that it is all but impossible to get through a day without using and benefiting from the many products created by our Nation's small manufacturers. Everything from the alarm clock ringing in the morning, to the clothes we wear, to the communications equipment C-SPAN uses to broadcast these House proceedings live can be attributed in part to small manufacturing.

It is not surprising, then, that small manufacturers contribute so greatly to our Nation's economic growth and prosperity. Small manufacturers employ over 12 million Americans, translating to nearly 1 in 10 workers nationwide. It is estimated that a manufacturing sale of \$1 results in an increase of total output in the economy of \$2.30. As they seek to remain a driving force in our Nation's economy, one of the greatest challenges facing small manufacturers in the coming decade will be the need to implement successful e-commerce business strategies allowing them to better compete in the burgeoning information age.

It is estimated that sales in electronic commerce alone will reach nearly \$3.2 trillion by the year 2003. Small manufacturers who successfully embrace new technology and all its benefits will be able to capitalize on the growing trend in online sales and have the potential to increase both their productivity and revenues. Beyond online sales, e-commerce can help small manufacturers develop new products and markets while at the same time allowing them to interact more quickly and efficiently with their suppliers and customers.

I am pleased to join the gentleman from Michigan (Mr. BARCIA), the ranking member of the Subcommittee on Environment, Technology and Standards, as an original cosponsor of H.R. 524, the Electronic Commerce Enhancement Act. H.R. 524 will allow the director of the National Institutes of Standards and Technology, which we all know as NIST, to establish an advisory panel comprised of both government and private sector representatives that will provide Congress with a comprehensive report detailing the challenges facing small manufacturers in integrating and utilizing electronic commerce technologies.

The report will also require a 3-year blueprint for NIST's Manufacturing Extension Partnership program, or MEP, in the area of electronic commerce. MEP, with over 400 centers in all 50 States, has been a valuable technology transfer resource for many small manufacturers nationwide. By establishing a 3-year plan, we will have a better idea of how NIST MEP can be most useful in helping small manufacturers overcome the barriers they face in the electronic world.

Finally, H.R. 524 establishes a limited e-commerce pilot program administered through the Manufacturing Extension Partnership program, in conjunction with the Small Business Administration, aimed at assisting small manufacturers to integrate e-commerce business strategies. Last Congress, the House passed legislation mirroring H.R. 524 by voice vote. Unfortunately, Congress adjourned before the Senate could act on the measure. I am hopeful we will be able to get the bill signed into law this year. Accordingly, I urge my colleagues to join me in support of the Electronic Commerce Enhancement Act of 2001.

Let me close my formal remarks by commending my colleague, good friend, and partner, the gentleman from Michigan (Mr. BARCIA), for his tenaciousness, for his innovativeness and for the hard work that has produced this product.

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

Mr. BARCIA. Mr. Speaker, I yield myself such time as I may consume. I too want to commend my very good friend and distinguished colleague in his, I believe, maiden remarks on the floor here as the new full Committee on Science chairman.

I want to express my gratitude to both the gentleman from New York (Mr. BOEHLERT) as well as the gentleman from Michigan (Mr. EHLERS) for their spirit of bipartisanship which is a continuation of the good working relationship which our committee enjoyed in the last several sessions but certainly bodes well in this new session.

Certainly the fact is not lost that the first action in this new session of the committee is reporting a Democratic bill. For that I am very grateful. I want to say how much I look forward to continuing to work with the gentleman from New York and continuing that great spirit of bipartisanship which the Committee on Science has been so well renowned for and to say how delighted we are that he will be leading our full committee efforts here in committee and on the floor.

Mr. Speaker, I rise in support of H.R. 524, the Electronic Commerce Enhancement Act. H.R. 524 represents a bipartisan effort to assist small and medium-sized enterprises to bringing their businesses online. H.R. 524 is the same text as H.R. 4429 which was reported by the Committee on Science and passed by the House in the 106th Congress.

The bill before us today reflects again a bipartisan consensus. I, the gentleman from New York (Mr. BOEHLERT), the gentleman from Texas (Mr. HALL), and the gentleman from Michigan (Mr. EHLERS), along with other Members, decided to reintroduce this legislation because of the challenges small and medium-sized businesses face in implementing the electronic commerce activities. As large corporations move their business transactions online, small companies in the supply chain must go online as well. However, many of these small companies lack the information they need to make informed decisions on choosing e-commerce products and services. The Electronic Commerce Enhancement Act addresses this problem.

First, H.R. 524 establishes an advisory panel to assess the e-commerce needs of small businesses. This advisory panel should represent an equal partnership between industry, government, and other affected groups. The Manufacturing Extension Partnership, working with the advisory panel, will establish a pilot program at MEP centers to provide small businesses with the information they need to make informed, intelligent purchases of e-commerce products and services.

□ 1200

This bill also addresses the issue of interoperability in the manufacturing supply chain. Adoption of e-commerce practices within a supply chain can be hindered by the lack of interoperability of software, hardware, and networks in exchanging product data and other key business information.

For example, a recent study indicated losses of \$1 billion in terms of productivity due to interoperability

problems in the automotive supply chain. Other industries with complex manufacturing requirements could be expected to suffer similar losses.

The National Institute of Standards and Technology, or NIST, has supported the first phase of an automotive supply chain interoperability study in my home State of Michigan. This program was highly successful and strongly supported by industry. H.R. 524 builds upon this preliminary effort. NIST would perform an assessment to identify critical enterprise integration standards and implementation activities and report back to Congress.

I want to thank also the gentleman from Maryland (Chairwoman MORELLA) for working with me on this legislation in the last Congress and also want to thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for his efforts to bring this bill to the floor in the 106th Congress as well.

Of course, I want to thank our new Committee on Science chairman, as I just mentioned, the gentleman from New York (Chairman BOEHLERT), as well as the gentleman from Michigan (Chairman EHLERS) and the ranking member, the gentleman from Texas (Mr. HALL), for cosponsoring this legislation and supporting bringing it to the floor so expeditiously. I hope this represents the first of many bipartisan Committee on Science bills that we will bring to the floor of the 107th Congress.

Mr. Speaker, the manufacturing extension partnership has a proven track record of helping thousands of small businesses across the country. The National Institute of Standards and Technology has continually worked in partnership with the private sector to make advancements that benefit countless American businesses.

In closing, I believe this bill represents sound and reasonable policy that builds upon the impressive history of these Federal agencies. I urge my colleagues to support this measure.

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

Mr. BOEHLERT. Mr. Speaker, I am pleased to yield 6 minutes to the gentleman from Michigan (Mr. EHLERS), the distinguished chairman of the Subcommittee on Environment, Technology and Standards.

Mr. EHLERS. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, I welcome the gentleman from Michigan (Mr. BARCIA) to the ranking member position on the Subcommittee on Environment, Technology and Standards; and I look forward to working with him. We have been friends for many years, first in the Michigan House, then the Michigan Senate, and now in the Congress, and especially on this particular subcommittee.

Mr. Speaker, I rise today in support of H.R. 524, the Electronic Commerce Enhancement Act of 2001. Small manufacturers play a vital role in our society. Each and every day we all rely on

the many goods they produce to help sustain and improve our lives. Small manufacturers are an integral part of our communities, employing hundreds of our friends and neighbors and acting as anchors that help to foster growth and prosperity in many small towns across our Nation. In our inner cities, it is often small manufacturers that have helped to spur urban renewal and act as the industrial foundation in our metropolitan areas.

Recently I visited a factory in my district. It is a classic example of what I just described here. A gentleman purchased a faltering plant which was on the verge of bankruptcy. It had 50 employees. He reinvigorated it; and through good management and advanced techniques of manufacturing, including communication, he became a supplier of parts for the Chrysler Corporation, now the Daimler Chrysler Corporation. At the time I visited, he had 250 employees and he said he had work for 500, if he could only find qualified individuals to work there.

He also showed me a machine that was producing parts for the Chrysler minivan. He had produced 2 million of those parts for the Chrysler Corporation, without one single rejection by them for defects. He was very proud of his record. That is the type of thing small manufacturers do so well.

The future success and growth of many small manufacturers such as that will increasingly rely on their ability to adapt to the ever-changing electronic business environment. In a recent survey, nearly 80 percent of small manufacturers reported having a Web page, which is good; but only 25 percent indicated they used the Internet for direct sales. This means that most small manufacturers are missing out on an estimated \$3.2 trillion in e-commerce sales over the next 2 years. They are also missing out on the opportunity the Internet offers to spur new product development and markets while at the same time streamlining and improving their daily business operations.

There are many obstacles preventing small manufacturing from fully engaging in the new electronic-driven business environment. Costs associated with integrating even the most basic e-commerce initiatives, coupled with the uncertainty and the fast-paced changes in technology, often hinder small manufacturers' attempts to venture into the electronic world.

Just as an example, encryption is a very important part of business commerce. Very few small manufacturers have the expertise to deal with encryption problems and ensure the security, privacy, and integrity of their transmissions.

In addition to that, we need standardization of protocols between large manufacturers and their suppliers. We have to have enterprise integration and interoperability. If the smaller manufacturers are going to be able to communicate with the large number of

manufacturers that they supply, they should not have to be required to put in different systems for every manufacturer they deal with.

In addition to this, a lack of qualified trained technology workers in the marketplace today makes it difficult to successfully integrate technology into the workplace in a meaningful way. Over half the small manufacturers surveyed revealed that human resource shortages were a major problem when trying to implement their e-commerce plans.

I would add parenthetically here that I have introduced legislation to improve K-12 math-science education, which would go a long way toward solving the problems that are indicated in the previous paragraph and that I also mentioned earlier for the manufacturer in my district who could not find the employees he needed.

H.R. 524 is an important piece of legislation because it will help us get a better picture of all of the barriers preventing small manufacturers from successfully implementing electronic commerce strategies by having both government and private-sector representatives take a closer look at the problem.

In addition, the limited pilot program created by H.R. 524 will tell us what is and what is not working in the workplace. NIST's Manufacturing Extension Partnership program, or MEP, working in conjunction with the Small Business Administration, is uniquely suited to assist small manufacturers in this endeavor. The hundreds of MEP centers all across the country have a proven track record in effectively providing small manufacturers with the advice and expertise they need in order to succeed.

I am pleased to join the chairman of the Committee on Science, the gentleman from New York (Mr. BOEHLERT), and the ranking member of the Subcommittee on Environment, Technology and Standards, the gentleman from Michigan (Mr. BARCIA), as an original cosponsor of H.R. 524.

Mr. Speaker, I urge all of my colleagues to join me in support of the Electronic Commerce Enhancement Act of 2001.

Mr. BOEHLERT. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I thank the chairman for yielding me time and for his leadership on this issue.

Mr. Speaker, I rise today in support of the Electronic Commerce Enhancement Act of 2001, a bill that recognizes the importance of the Internet and e-commerce to our economy. This bill also recognizes the importance of business-to-business transactions by small- to medium-sized businesses via the Internet. As technology continues to grow, unfortunately, many small- to medium-sized companies have not been able to utilize the potential of the Internet as a business tool. In order to help these companies contribute to

economic growth, this bill assists in developing tools to alleviate the problems of interoperability.

H.R. 524 will help promote electronic commerce in these small- to medium-sized companies by identifying the challenges that they face and establishing programs to assist them in overcoming these obstacles. These programs include the electronic linkage of manufacturers, assemblers, and suppliers that will enable them to exchange product, manufacturing and other business data within the supply chain. By allowing the National Institute of Standards and Technology technology to assist small- and medium-sized businesses to successfully integrate electronic commerce, Congress will promote effective standards for helping these businesses prosper in our economy.

I want to thank the gentleman from Michigan (Mr. BARCIA) and the gentleman from Michigan (Mr. EHLERS) for their work in recognizing the importance of small businesses, the gentleman from Wisconsin (Mr. SENSENBRENNER) for his work in passing this bill in the 106th Congress, and the gentleman from New York (Chairman BOEHLERT) for his new leadership on the Committee on Science and on this issue. I urge my colleagues to support this legislation.

Mr. BOEHLERT. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Maryland (Mrs. MORELLA), the senior member of the committee.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding, and I certainly want to thank him as chairman of the Committee on Science for bringing this issue to the floor and for his strong support of it.

Obviously, the ranking member of our Subcommittee on Technology for the last years, the gentleman from Michigan (Mr. BARCIA), who introduced this legislation, I wanted to commend him and indicate my very strong support for it.

Introduction of this bill represents a very strong bipartisan effort to assist small- and medium-sized businesses as they move their operations into an e-commerce environment.

Enacted, this legislation will also improve the interoperability of the electronic transfer of technical information in the manufacturing supply chain. The lack of interoperability between software, hardware, and networks in exchanging product data and other key business information obviously is hurting U.S. productivity.

The costs of this barrier are enormous. According to a study conducted by the National Institute of Standards and Technology of product data exchange in the automotive sector alone, the inability to efficiently exchange product data through the automotive supply chain conservatively costs about \$1 billion a year.

Mr. Speaker, this bill was introduced in the 106th Congress, reported out of the Subcommittee on Technology,

which I chaired and the gentleman from Michigan (Mr. BARCIA) was the ranking member, and at that time the bill was then passed unanimously by the House.

The bill would also allow the National Institute of Standards and Technology to work with business and industry to develop voluntary standards, standards that will assure that U.S. firms will and can continue to exploit the power of the Internet to collaborate with trading partners and through greater speed and agility to participate in the global markets.

Again, I thank my colleagues for bringing this important issue to the floor. I urge all of my colleagues to support H.R. 524.

Mr. BOEHLERT. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I thank my distinguished colleague for yielding me time.

Mr. Speaker, I rise in support of H.R. 524, but I do so with some reservation. I am troubled by the bill on two particular grounds: first, its potential negative impact on e-commerce; and, two, its encroachment on the Committee on Energy and Commerce jurisdiction.

Let me take the negative impact on e-commerce and explain this more fully. H.R. 524 "authorizes the National Institute of Standards and Technology to assess critical enterprise integration standards and implementation activities for major manufacturing industries and to develop a plan for enterprise integration for each major industry."

Mr. Speaker, such an authorization seemingly grants an open invitation to a Federal Government entity, NIST, to meddle in voluntary standard-setting activities by private parties relating to business-to-business electronic exchanges.

□ 1215

Such a governmental intervention could harbor substantial negative repercussions for e-commerce. Voluntary standards-setting activities by private, non-governmental parties have been credited with the vibrancy and innovation associated with our e-commerce industry. Industry enterprise integration or business-to-business exchanges are a critical component of our e-commerce sector. Today, transactions on such exchanges represent 85 percent of the total value of e-commerce.

The Federal government injecting itself into a business-to-business exchange standard-setting activities in our view on the Committee on Commerce holds no other promise but to retard dynamic and innovative change synonymous with e-commerce.

Moreover, authorizing such a governmental intervention sends the wrong signal to our trading partners in Europe. The European Union Commission is favorably inclined to inject itself into private standard-setting activities.

This makes for a bad recipe for the future of global e-commerce.

Too, Mr. Speaker, my other concern is with jurisdiction. As the title of H.R. 524 clearly denotes, electronic commerce is the focal point of this legislation. The Committee on Energy and Commerce is the committee of jurisdiction over matters relating to electronic commerce. The committee's jurisdiction over electronic commerce is perfectly clear. E-commerce is a mere subcategory of interstate and foreign commerce and, as such, is undeniably within the purview of the committee's longstanding jurisdiction.

The committee also has repeatedly dealt with e-commerce issues, as exemplified by its leadership role on the following issues: No. 1, encryption; No. 2, electronic authentication of electronic signatures; No. 3, data security; and No. 4, interoperability.

H.R. 524 is within the committee's jurisdiction and should have been referred to it. The time for such a referral may have passed, but I assure the Members that we, the Committee on Energy and Commerce, will vigorously exert our jurisdiction over interstate commerce irrespective of the medium; that is, electronic or mobile.

The committee will carefully monitor NIST standard-setting activities, as outlined in H.R. 524.

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

Mr. Speaker, I would just like to respond to some of the comments made by the gentleman from Florida.

Obviously, in the last session we dealt with this issue and it passed unanimously through the House as far as the jurisdictional issue. I understand that some of the committee jurisdictions are still, as we speak, being delineated and settled.

I understand the gentleman's concern about having NIST establish structures in terms of the interoperability issue, but I want to assure the gentleman from Florida that the automotive industry spoke strongly in favor of this legislation, based on their experience in Michigan that they had with a program called STEP, which, as I mentioned, the Manufacturing Extension Partnership based in Ann Arbor, Michigan, had worked with the automotive industry to put in place.

It has been a very successful program, and the automotive industry, which is greatly impacted by this legislation, was very strongly supportive and worked with our leadership of the subcommittee and the full committee to ensure that we would not be setting precedents or addressing some of the issues, perhaps, that the gentleman has concerns about.

But we will be mindful of that, and hopefully enjoy support on passing this bill.

Mr. Speaker, if I could make one last comment about also my colleague and friend, the gentleman from Michigan, and congratulate him on his ascension to the chairmanship of the Sub-

committee on the Environment, Technology, and Standards, of which this morning I was selected as the ranking member.

I just want to say, as my good friend, the gentleman from Michigan (Mr. EHLERS) indicated, we have had the privilege of serving together in the State House in Michigan, the State Senate, and then coming to Congress together.

I want to say that I am delighted to be able to work with someone who has been a long-time friend, and someone who, throughout his tenure both in the Michigan legislature as well as here in Congress, has been recognized as one of certainly the most thoughtful and effective Members of both the State legislature and Congress.

I look forward to working with our new leadership, the new Chair, and of course my long-time friend, the gentleman from Michigan (Mr. EHLERS), of the subcommittee.

I also want to thank our former Chair, the gentlewoman from Maryland (Mrs. MORELLA), for her just absolutely great administration of our subcommittee. I think if we looked at the full committee and our subcommittee, we probably would have one of the best track records of bipartisanship in the entire Congress, and certainly all of us on the Democratic side in that subcommittee really appreciated her role, and the fairness and objectivity and spirit of bipartisanship that she carried throughout her tenure as the chair of the subcommittee. Again, I thank the chairman and the gentlewoman from Maryland (Mrs. MORELLA).

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

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from New York (Mr. BOEHLERT) that the House suspend the rules and pass the bill, H.R. 524.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BOEHLERT. 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 8 of rule XX, this 15-minute vote on the motion to suspend the rules and pass H.R. 524 will be followed immediately by a 5-minute vote on the question of passage of H.R. 554, on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 6, not voting 17, as follows:

[Roll No. 14]

YEAS—409

Abercrombie Dreier Kennedy (MN)  
 Aderholt Duncan Kennedy (RI)  
 Akin Dunn Kerns  
 Allen Edwards Kildee  
 Andrews Ehlers Kilpatrick  
 Armev Ehrlich Kind (WI)  
 Baca Emerson King (NY)  
 Bachus Engel Kingston  
 Baird English Kirk  
 Baker Eshoo Kleczka  
 Baldacci Etheridge Knollenberg  
 Baldwin Evans Kolbe  
 Ballenger Everrett Kucinich  
 Barcia Farr LaFalce  
 Barr Fattah LaHood  
 Barrett Ferguson Lampson  
 Bartlett Filner Langevin  
 Barton Fletcher Lantos  
 Bass Foley Largent  
 Becerra Ford Larsen (WA)  
 Bentsen Fossella Larson (CT)  
 Bereuter Frank Latham  
 Berkley Frelinghuysen LaTourette  
 Berman Frost Leach  
 Berry Gallegly Lee  
 Biggert Ganske Levin  
 Bilirakis Gekas Lewis (GA)  
 Bishop Gephardt Lewis (KY)  
 Blagojevich Gibbons Linder  
 Blumenauer Gilchrest Lipinski  
 Blunt Gillmor LoBiondo  
 Boehlert Gilman Lofgren  
 Boehner Gonzalez Ryan (WI)  
 Bonior Goode Stump  
 Borski Goodlatte Sabo  
 Boswell Gordon Sanchez  
 Boucher Goss Sanders  
 Boyd Graham Sandlin  
 Brady (PA) Granger Manzullo  
 Brady (TX) Graves  
 Brown (FL) Green (TX) Mascara  
 Brown (OH) Green (WI) Matheson  
 Brown (SC) Greenwood Matsui  
 Bryant Grucci  
 Burr Gutierrez McCarthy (MO)  
 Buyer Gutknecht McCarthy (NY)  
 Callahan Hall (OH) McCollum  
 Calvert Hall (TX) McCreery  
 Camp Hansen McDermott  
 Cannon Harman McGovern  
 Cantor Hart McHugh  
 Capps Hastings (FL) McInnis  
 Capuano Hastings (WA) McIntyre  
 Cardin Hayes McKeon  
 Carson (IN) Hayworth McKinney  
 Carson (OK) Hefley McNulty  
 Castle Herger Meehan  
 Chabot Hill Meek (FL)  
 Chambliss Hill Meeks (NY)  
 Clay Hilliard Menendez  
 Clayton Hinchey Mica  
 Clement Hinojosa Millender-  
 Clyburn Hobson McDonald  
 Coble Hoefel Miller (FL)  
 Combust Hoekstra Miller, Gary  
 Condit Holden Miller, George  
 Conyers Holt Mink  
 Costello Honda Moakley  
 Cox Hoooley Moore  
 Coyne Horn Moran (KS)  
 Cramer Houghton Moran (VA)  
 Crane Hoyer Morella  
 Crenshaw Hulshof Murtha  
 Crowley Hunter Myrick  
 Culberson Hutchinsan Nadler  
 Cummings Hyde Napolitano  
 Cunningham Inslee Neal  
 Davis (CA) Isakson Nethercutt  
 Davis (FL) Israel Ney  
 Davis (IL) Issa Northup  
 Davis, Jo Ann Jackson (IL) Norwood  
 Deal Jackson-Lee Nussle  
 DeFazio (TX) Oberstar  
 DeGette Jefferson Obey  
 Delahunt Jenkins Osborne  
 DeLauro John Ose  
 DeLay Johnson (CT) Otter  
 DeMint Johnson (IL) Owens  
 Deutsch Johnson, E. B. Oxley  
 Diaz-Balart Johnson, Sam Pallone  
 Dicks Jones (NC) Pascrell  
 Dingell Jones (OH) Pastor  
 Doggett Kanjorski Payne  
 Dooley Kaptur Pelosi  
 Doolittle Keller Pence  
 Doyle Kelly Peterson (MN)

Peterson (PA) Saxton Tauzin  
 Petri Scarborough Taylor (MS)  
 Phelps Schakowsky Taylor (NC)  
 Pickering Schiff Terry  
 Pitts Schrock Thomas  
 Platts Scott Thompson (CA)  
 Pombo Sensenbrenner Thompson (MS)  
 Pomeroy Serrano Thune  
 Portman Sessions Thurman  
 Price (NC) Shadegg Tiahrt  
 Pryce (OH) Shaw Tiberi  
 Quinn Shays Tierney  
 Radanovich Sherman Toomey  
 Rahall Sherwood Traficant  
 Ramstad Shimkus Turner  
 Rangel Shows Udall (CO)  
 Regula Simmons Udall (NM)  
 Rehberg Simpson Upton  
 Reyes Sisisky Velazquez  
 Reynolds Skeen Visclosky  
 Riley Skelton Vitter  
 Rivers Slaughter Walden  
 Rodriguez Smith (MI) Walsh  
 Roemer Smith (NJ) Wamp  
 Rogers (KY) Smith (TX) Waters  
 Rogers (MI) Smith (WA) Watt (NC)  
 Rohrabacher Snyder Watts (OK)  
 Ros-Lehtinen Solis Waxman  
 Ross Souder Weiner  
 Rothman Spence Weldon (FL)  
 Roukema Spratt Weldon (PA)  
 Roybal-Allard Stark Weller  
 Royce Stearns Wexler  
 Rush Stenholm Whitfield  
 Ryan (WI) Strickland Wicker  
 Ryan (KS) Stump Wilson  
 Sabo Stupak Wolf  
 Sanchez Sununu Woolsey  
 Sanders Sweeney Wu  
 Sandlin Tanner Wynn  
 Sawyer Tauscher Young (FL)

NAYS—6

Collins Hostettler Schaffer  
 Flake Paul Tancredo

NOT VOTING—17

Ackerman Cubin Ortiz  
 Bonilla Davis, Thomas Putnam  
 Bono M. Thornberry  
 Burton Istook Towns  
 Capito Lewis (CA) Watkins  
 Cooksey Mollohan Young (AK)

□ 1242

Mr. SCHAFFER changed his vote from “yea” to “nay.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PUTNAM. Mr. Speaker, on rollcall No. 14 I was inadvertently detained. Had I been present, I would have voted “yea.”

#### RAIL PASSENGER DISASTER FAMILY ASSISTANCE ACT OF 2001

The SPEAKER pro tempore (Mr. SHIMKUS). The pending business is the question of passage of the bill, H.R. 554, on which further proceedings were postponed earlier today.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 4, not voting 24, as follows:

[Roll No. 15]

YEAS—404

Abercrombie Doyle Kerns  
 Aderholt Dreier Kildee  
 Akin Duncan Kilpatrick  
 Allen Dunn Kind (WI)  
 Andrews Edwards King (NY)  
 Armev Ehlers Kingston  
 Baca Ehrlich Kirk  
 Bachus Emerson Kleczka  
 Baird Engel Knollenberg  
 Baker English Kolbe  
 Baldacci Eshoo Kucinich  
 Baldwin Etheridge LaFalce  
 Ballenger Evans LaHood  
 Barcia Everrett Lampson  
 Barr Farr Langevin  
 Barrett Fattah Lantos  
 Bartlett Ferguson Largent  
 Barton Filner Larsen (WA)  
 Bass Fletcher Larson (CT)  
 Becerra Ford Latham  
 Bentsen Frank LaTourette  
 Bereuter Frelinghuysen Leach  
 Berkley Frost Lee  
 Berman Gallegly Levin  
 Berry Ganske Lewis (GA)  
 Biggert Gekas Lewis (KY)  
 Bilirakis Gephardt Linder  
 Bishop Gibbons Lipinski  
 Blagojevich Gillmor LoBiondo  
 Blumenauer Gilman Lofgren  
 Blunt Gonzalez Lowey  
 Boehlert Goode Lucas (KY)  
 Boehner Goodlatte Lucas (OK)  
 Bonior Gordon Luther  
 Borski Goss Maloney (CT)  
 Boswell Graham Maloney (NY)  
 Boucher Granger Manzullo  
 Boyd Graves Markey  
 Brady (PA) Green (TX) Mascara  
 Brady (TX) Green (WI) Matheson  
 Brown (FL) Greenwood Matsui  
 Brown (OH) Grucci McCarthy (MO)  
 Brown (SC) Gutknecht McCarthy (NY)  
 Bryant Hall (OH) McCollum  
 Burr Hall (TX) McCreery  
 Buyer Hansen McDermott  
 Callahan Harman McGovern  
 Calvert Hart McHugh  
 Camp Hastings (FL) McInnis  
 Cannon Hastings (WA) McIntyre  
 Cantor Hayes McKeon  
 Capps Hayworth McKinney  
 Capuano Hefley McNulty  
 Cardin Herger Meehan  
 Carson (IN) Hill Meeks (NY)  
 Carson (OK) Hilleary Menendez  
 Castle Hilliard Mica  
 Chabot Hinchey Millender-  
 Chambliss Hinojosa McDonald  
 Clay Hobson Miller (FL)  
 Clayton Hoefel Miller, Gary  
 Clement Hoekstra Miller, George  
 Coble Holden Mink  
 Collins Holt Moakley  
 Combust Honda Moore  
 Condit Hoooley Moran (KS)  
 Conyers Horn Moran (VA)  
 Costello Houghton Morella  
 Cox Hoyer Myrick  
 Coyne Hulshof Nadler  
 Cramer Hunter Napolitano  
 Crane Hutchinsan Neal  
 Crenshaw Hyde Nethercutt  
 Crowley Inslee Ney  
 Culberson Isakson Northup  
 Cummings Israel Norwood  
 Cunningham Issa Nussle  
 Davis (CA) Jackson (IL) Oberstar  
 Davis (FL) Jackson-Lee Obey  
 Davis (IL) (TX) Olver  
 Davis, Jo Ann Jefferson Osborne  
 Deal Jenkins Ose  
 DeFazio John Otter  
 DeGette Johnson (CT) Owens  
 Delahunt Johnson (IL) Oxley  
 DeLauro Johnson, E. B. Pallone  
 DeLay Johnson, Sam Pascrell  
 DeMint Jones (NC) Pastor  
 Deutsch Jones (OH) Payne  
 Diaz-Balart Kanjorski Pelosi  
 Dicks Kaptur Pence  
 Dingell Keller Peterson (MN)  
 Doggett Kellor Peterson (PA)  
 Dooley Kelly Pelosi  
 Doolittle Keller Pence  
 Doyle Kelly Peterson (MN)