

the Senate bill (S. 1190) to amend the Internal Revenue Code of 1986 to rename the education individual retirement accounts as the Coverdell education savings accounts, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1190

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

**SECTION 1. RENAMING EDUCATION INDIVIDUAL RETIREMENT ACCOUNTS AS COVERDELL EDUCATION SAVINGS ACCOUNTS.**

(a) IN GENERAL.—

(1) Section 530 of the Internal Revenue Code of 1986 is amended by striking “an education individual retirement account” each place it appears and inserting “a Coverdell education savings account”.

(2) Section 530(a) of such Code is amended—

(A) by striking “An education individual retirement account” and inserting “A Coverdell education savings account”, and

(B) by striking “the education individual retirement account” and inserting “the Coverdell education savings account”.

(3) Section 530(b)(1) of such Code is amended—

(A) by striking “education individual retirement account” in the text and inserting “Coverdell education savings account”, and

(B) by striking “EDUCATION INDIVIDUAL RETIREMENT ACCOUNT” in the heading and inserting “COVERDELL EDUCATION SAVINGS ACCOUNT”.

(4) Sections 530(d)(5) and 530(e) of such Code are amended by striking “education individual retirement account” each place it appears and inserting “Coverdell education savings account”.

(5) The heading for section 530 of such Code is amended to read as follows:

“**SEC. 530. COVERDELL EDUCATION SAVINGS ACCOUNTS.**”

(6) The item in the table of contents for part VII of subchapter F of chapter 1 of such Code relating to section 530 is amended to read as follows:

“Sec. 530. Coverdell education savings accounts.”.

(b) CONFORMING AMENDMENTS.—

(1) The following provisions of the Internal Revenue Code of 1986 are amended by striking “an education individual retirement” each place it appears and inserting “a Coverdell education savings”:

(A) Section 72(e)(9).

(B) Section 135(c)(2)(C).

(C) Section 4973(a).

(D) Subsections (c) and (e) of section 4975.

(2) The following provisions of such Code are amended by striking “education individual retirement” each place it appears in the text and inserting “Coverdell education savings”:

(A) Section 26(b)(2)(E).

(B) Section 4973(e).

(C) Section 6693(a)(2)(D).

(3) The headings for the following provisions of such Code are amended by striking “EDUCATION INDIVIDUAL RETIREMENT” each place it appears and inserting “COVERDELL EDUCATION SAVINGS”:

(A) Section 72(e)(9).

(B) Section 135(c)(2)(C).

(C) Section 529(c)(3)(B)(vi).

(D) Section 4975(c)(5).

(4) The heading for section 4973(e) of such Code is amended by striking “EDUCATION INDIVIDUAL RETIREMENT” and inserting “COVERDELL EDUCATION SAVINGS”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

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

**EXPRESSING CONDOLENCES OF HOUSE TO FAMILIES OF PEOPLE KILLED IN FANGLIN ELEMENTARY SCHOOL EXPLOSION IN PEOPLE'S REPUBLIC OF CHINA**

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that the Committee on International Relations and the Committee on Ways and Means be discharged from further consideration of the resolution (H. Res. 121) expressing the sincerest condolences of the House of Representatives to the families of the 42 people, including 37 children, killed in the March 6, 2001, explosion at the Fanglin elementary school in the Jianxi province of the People's Republic of China, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

Mr. GEORGE MILLER of California. Mr. Speaker, reserving the right to object, I yield to the gentleman from New Jersey (Mr. SMITH) to explain the resolution.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding and for his leadership on this issue.

Mr. Speaker, I think it is important to send our condolences to the survivors of those who died. Let me say briefly, Mr. Speaker, 10-year-old Zhang Yanhong was a good student; and she always listened to her teachers. As a result, on March 6 of this year she and 36 other of her third and fourth grade classmates all lost their lives.

For years, the parents of the children in the Fanglin elementary school which is in the small village 480 miles southwest of Shanghai, had complained that their children were being forced by school officials to manufacture large firecrackers at school. Every day, the young children were required to spend hours mounting fuses and detonators into the firecrackers that were then sold by local Communist party officials. The underpaid teachers and government officials running the child labor scheme also set a sliding production quota in order to maximize their profits. It started at 1,000 firecrackers per day for the youngest children and reached 10,000 firecrackers per day for the fifth graders.

Mr. Speaker, something terrible was bound to happen and soon it did. On a

Tuesday afternoon, the firecrackers exploded in the elementary school and took the lives of 42 people including 37 young children.

Chinese Prime Minister Zhu immediately denied that there had been any forced labor involved in Fanglin. Instead, Communist party officials invented a story about a mad man who entered the school and set off the explosion as part of his suicide attempt.

According to news accounts, Communist Party officials blocked off roads into the village to prevent journalists from seeing the scene of the accident for themselves and interviewing residents. Residents who let journalists through the roadblocks anyway were reportedly arrested, and some families had their telephones disconnected to prevent contact with the outside world.

However, thanks to the brave and determined reporting of both Chinese and international journalists, and to the parents of the children, many of whom refused to go along with the official cover-up of the deaths of their loved ones, Prime Minister Zhu was forced to eventually acknowledge what really happened and apologize in a nationally broadcast message.

The forced labor and child labor condoned by the government of the People's Republic of China violates several conventions of the International Labor Organization; but, unfortunately, the ILO has no enforcement powers. For now all we can do is express our deep condolences to the parents and thank the journalists who risked their lives and their freedom to report the story.

Mr. GEORGE MILLER of California. Mr. Speaker, continuing under my reservation, I want to begin by thanking the gentleman from New Jersey (Mr. SMITH) for bringing this resolution to the floor and the help he has been in getting it here today. I think this is an important resolution, and it is an important message from the Congress of the United States addressing China's disgraceful record on child and forced labor. Many of us, along with the gentleman from New Jersey (Mr. SMITH), have been raising this issue year after year as Congress has considered legislation granting special trade privileges to China.

Mr. Speaker, 2 weeks ago nearly 3 million of our fellow citizens celebrated our Nation's independence on July 4, and millions of fireworks were set off in celebration of that great anniversary. Unknown to many Americans, millions of those fireworks may have been made by young Chinese children compelled to labor in dangerous factories to raise money for their schools.

On March 6 of this year, 37 young Chinese school children were killed in an explosion that occurred while third and fourth graders were forced to manufacture fireworks at the Fanglin Elementary School. For years before the explosion, the parents of these children had pleaded with school administrators and government officials to end the

practice of forced child labor, but their concerns were ignored. The conditions of the labor of these little children were hazardous, and the demands were unrealistic. The youngest children in the school were expected to mount at least 1,000 detonators and fuses into firecrackers per day. Children who were slightly older were each required to manufacture 10,000 firecrackers per day.

It was only a matter of time before this kind of tragedy occurred. And when it did on March 6, the first response of the Chinese government was to deny the facts and try to cover up the fact that the incident took place and try to fabricate a story. What we found out later, because of the bravery of these parents and because of some of the members of the press in China, the international journalists, we now know the truth about forced child labor in this school.

A week after the Chinese government invented its story, the Chinese prime minister finally apologized for the incident and acknowledged that the firecrackers were manufactured in an elementary school. Prohibition on child labor is not only the standard for Western countries or developed countries, it is an internationally recognized labor standard that has been approved by the ILO of which the United States and virtually every country of the world is a member.

All children, no matter how rich or poor their country, deserve to spend their developing years learning in school. The children at the Fanglin Elementary School were denied that right. Unfortunately, nobody knows if the hundreds of thousands of firecrackers produced at the Fanglin Elementary School were eventually sold to stores and firecracker stands right here in the United States.

However, if they did enter the United States market, it is a violation of U.S. laws which prohibit the importation of products made by forced labor. I have called upon the U.S. Customs Service and the Department of Labor to conduct an investigation to determine which products are produced under Chinese forced child labor. A few years ago, the Chinese government acknowledged that it was encouraging industries to move production into Chinese elementary and high schools. The government gave tax incentives to the businesses that set up their factories in the schools. While the government claims that these school industries do not use child labor or forced labor, the case of the Fanglin Elementary School suggests otherwise.

Over 700,000 Chinese elementary and high schools have industries manufacturing a host of products, and the U.S. Government must ensure that none of these child labor products are reaching U.S. consumers. I call upon the Secretary of Labor and the Commissioner of Customs to act on my inquiries and to ensure that the imports from China are free from forced child labor.

Today the Members of the House can join in expressing condolences to the families of the children who died as a result of the exploitative labor conditions in Chinese schools and elsewhere in that country.

Mr. Speaker, let us remember these children when we debate the issues on international trade in the future.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, the gentleman from California (Mr. GEORGE MILLER) has been a leader in child labor protection and labor rights, along with the gentleman from New Jersey (Mr. SMITH). They are a voice over these trade routes for people, including for children, and that trade is more than just material goods. It is amazing how hard it is to carry that message, even in this country, and yet we look at a nation like China, with over 1.250 billion people, and we see that none of the standards that we have written into law in this country exist. Yet we continue to be the chief market, whether it is fireworks or toys or clothing, the chief market in the world for Chinese exports.

Mr. Speaker, I rise in support of this resolution asking for a full accounting and also condemning China for allowing its children to be used in such a heinous way.

With imported carpet from India, we require smiling logos in order to guarantee to American consumers that they are buying a product that is not made with child labor. We have no such guarantees with China.

I thank the gentleman for what he is doing here. In some places on Earth, life is very cheap; and here in our country it used to be cheap. In fact, it was not until a wonderful woman by the name of Mary Norton, the first Democratic congresswoman to serve here east of the Mississippi River in the 1930s who wrote into our laws the prohibition on child labor in our country. We as a country gained a broader conscience of how we should live as a people and that children have value as human beings beyond whatever they might be able to produce. They have a value beyond being a producer. They have an intrinsic value as a human being.

Mr. Speaker, I support the gentleman's fine cause and support the resolution and again compliment the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. GEORGE MILLER) for reminding us of our own heritage as we try to lift another part of the world forward as she struggles to meet her own social and economic needs internal to herself. It should not be done at the cost of any human life to be so disregarded.

Mr. GEORGE MILLER of California. Mr. Speaker, continuing under my reservation, I yield to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I thank the gentleman from New Jersey and

the gentleman from California for their concern about this very important human rights issue.

Years ago when the United States began its trading relationship with China, we were told that this would be a way to help democratize China, to bring China into a tradition for human rights and worker rights and environmental consciousness. We have found that there is a time lag in China, a slow understanding of the principles which we have tried to communicate to them through our trading relationship.

The incident at Fanglin Elementary School is a graphic example and a very sad example of how we have really failed to follow through on the spirit of our trade relationship with China because the spirit of our trade relationship with China says that as a precondition of trade, we want to transmit democratic values that show that China appreciates the democracy that we have; not that we appreciate their type of government.

We have been trying to bring China over towards a more democratic expression, and what do we see. We see an example where 37 children die in a fireworks factory that was otherwise known as a school. They called it a school, but it was actually a fireworks factory. The very type of child labor that is being discussed here is abhorrent to the American people. We do everything we can, parents rich or poor, to try to make the childhood experience one where children are given an opportunity to be nurtured, children are given an opportunity to have their status protected. But no, that is not what is happening in China. Children making fireworks. How dangerous an occupation that is any way, but to have children making them in their schools, that is why this resolution is important.

Mr. Speaker, this resolution lets China know that it is not good enough to have a manufacturing base that includes child labor and slave labor. It is not good enough to offer cheap goods to this country and other countries around the world when those cheap goods are made under dangerous conditions by children who have no means of recourse.

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This is an important step towards our continuing effort to insist that China as our trading partner live by higher standards. I salute the gentleman from California (Mr. GEORGE MILLER) and the gentleman from New Jersey (Mr. SMITH) for their work in this regard. I thank the gentleman for the opportunity to address this.

Mr. GEORGE MILLER of California. Finally, under my reservation I again want to thank the gentleman from New Jersey (Mr. SMITH) and the Committee on International Relations for bringing this matter to the floor. I appreciate their cooperation.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. GIBBONS). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 121

Whereas on March 6, 2001, an explosion at the Fanglin elementary school in the Jianxi province of the People's Republic of China's killed at least 42 people, including 37 children;

Whereas the children, all between the ages of 9 and 11, were being forced by elementary school officials to manufacture fireworks when this tragedy occurred;

Whereas the parents of the deceased children report that the mandatory labor, which involved mounting fuses and detonators into large firecrackers, had been a daily practice at the school for years;

Whereas this systematic exploitation of children in the elementary school was not only known about but actually organized by individuals holding official responsibilities with the local Chinese Government;

Whereas this practice is a grave violation of the rights of children under the International Labor Organization's Conventions 138 and 182, as well as Convention 29 on Forced Labor; and

Whereas Chinese Prime Minister Zhu Rongji has taken the important step of acknowledging these violations of internationally recognized labor standards: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) expresses its sincerest condolences to the families of the 42 people killed in the March 6, 2001, explosion at the Fanglin elementary school in the Jianxi province of the People's Republic of China, including to the parents and families of the 37 young children who lost their lives as a result of this dangerous and forced child labor;

(2) expresses its gratitude to the Chinese and international journalists who reported the true cause of the explosion in response to the Chinese Communist Party's original attempts to put forward an "authorized", but false, version of the events; and

(3) expresses its support for international trade agreements and policies that will enforce the International Labor Organization's core labor standards, which include prohibition of child labor and forced labor.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. SMITH of New Jersey:

Strike all after the resolved clause and insert the following:

That the House of Representatives—

(1) expresses its sincerest condolences to the families of the 42 people killed in the March 6, 2001, explosion at the Fanglin elementary school in the Jianxi province of the People's Republic of China, including to the parents and families of the 37 young children who lost their lives as a result of this dangerous and forced child labor; and

(2) expresses its gratitude to the Chinese and international journalists who reported the true cause of the explosion in response to the Chinese Communist Party's original attempts to put forward an "authorized", but false, version of the events.

Mr. SMITH of New Jersey (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the na-

ture of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from New Jersey (Mr. SMITH).

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

AMENDMENT TO THE PREAMBLE OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Amendment to the preamble offered by Mr. SMITH of New Jersey:

Strike the preamble and insert the following:

Whereas on March 6, 2001, an explosion at the Fanglin elementary school in the Jianxi province of the People's Republic of China's killed at least 42 people, including 37 children;

Whereas the children, all between the ages of 9 and 11, were being forced by elementary school officials to manufacture fireworks when this tragedy occurred;

Whereas the parents of the deceased children report that the mandatory labor, which involved mounting fuses and detonators into large firecrackers, had been a daily practice at the school for years;

Whereas this systematic exploitation of children in the elementary school was not only known about but actually organized by individuals holding official responsibilities with the local Chinese Government; and

Whereas Chinese Prime Minister Zhu Rongji has taken the important step of acknowledging these violations of internationally recognized labor standards: Now, therefore, be it

Mr. SMITH of New Jersey (during the reading). Mr. Speaker, I ask unanimous consent that the amendment to the preamble be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment to the preamble offered by the gentleman from New Jersey (Mr. SMITH).

The amendment to the preamble was agreed to.

A motion to reconsider was laid on the table.

DEMOCRATIC PARTY FUND-RAISERS

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CUNNINGHAM. Mr. Speaker, many of us were revolted when the Democratic leadership took \$1 million

from Bernard Schwartz from Loral that gave military secrets to the Chinese who in turn gave them to North Korea that can now hit us with a Taepo Dong II missile. We were sickened when the DNC used our military as waiters in a White House fund-raiser.

But the latest tops all of that, I believe. Democrat leadership had a fund-raiser this weekend with Hanoi Jane, Hanoi Jane Fonda, that stood beside Vietnamese gunners as they were trying to shoot down American airplanes; Hanoi Jane and Tom Hayden, who stood beside those gunners, knowing that our POWs were tortured and brutalized, and said nothing. Yet the Democrat leadership this weekend has a fund-raiser in the face of campaign finance reform with Hanoi Jane Fonda.

I hope you choke on every dollar.

FAITH-BASED INITIATIVES

(Ms. WATSON of California asked and was given permission to address the House for 1 minute.)

Ms. WATSON of California. Mr. Speaker, one of the most fundamental guiding principles of our Nation is that individuals should be judged on their talents rather than on their heritage or their beliefs. It has been a long struggle for many Americans to secure the benefits of this principle. Even today, unfair discrimination prevents many Americans from achieving all they can. But most Americans can agree that our Federal Government should not sanction unfair discrimination but rather should fight it wherever it exists.

Last week, Congress took a decision that compromised this principle. The passage of the Community Solutions Act last week by this House would permit groups to discriminate unfairly against certain Americans. Worse yet, the bill actually would take away the right of communities to establish their own antidiscrimination laws.

Mr. Speaker, it is not too late for Congress to correct this House mistake. I encourage you to work with the Senate to see that any final version of this bill respects the rights of communities to enforce their own anti-discrimination laws and thereby protect one of our most cherished American principles.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. OTTER). Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

INTRODUCTION OF H.R. 2246, MEDIA MARKETING ACCOUNTABILITY ACT

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